



INVERELL
SHIRE COUNCIL



Stage 3 of the Town Centre Renewal Plan is now complete. Pictured from L:R Darrell Hughes, Operations Coordinator, Cr Paul Harmon, Mayor, Tony Hill, Supervisor Construction and Reticulation, Cr Paul King, Cr Jacki Watts and Cr Kate Dight.

Business Paper
Ordinary Meeting of Council
Wednesday, 28 April 2021

INVERELL SHIRE COUNCIL**NOTICE OF ORDINARY MEETING OF COUNCIL**

23 April, 2021

An Ordinary Meeting of Council will be held in the Council Chambers, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 28 April, 2021, commencing at **3.00 PM**.

Your attendance at this Ordinary Meeting of Council would be appreciated.

Please Note: Under the provisions of the Code of Meeting Practice the proceedings of this meeting (including presentations, deputations and debate) will be webcast. An audio recording of the meeting will be uploaded on the Council's website at a later time. Your attendance at this meeting is taken as consent to the possibility that your voice may be recorded and broadcast to the public.

I would like to remind those present that an audio recording of the meeting will be uploaded on the Council's website at a later time and participants should be mindful not to make any defamatory or offensive statements.

P J HENRY PSM

GENERAL MANAGER

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Recording of Council Meetings

Council meetings are recorded. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded.

The recording will be archived. All care is taken to maintain your privacy; however as a visitor of the public gallery, your presence may be recorded.

Ethical Decision Making and Conflicts of Interest

A guiding checklist for Councillors, officers and community committees

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, Councillors can choose to either disclose and vote, disclose and not vote or leave the Chamber.

The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

1st Do I have private interests affected by a matter I am officially involved in?

2nd Is my official role one of influence or perceived influence over the matter?

3rd Do my private interests conflict with my official role?

Local Government Act 1993 and Model Code of Conduct

For more detailed definitions refer to Sections 442, 448 and 459 or the *Local Government Act 1993* and Model Code of Conduct, Part 4 – conflicts of interest.

Disclosure of pecuniary interests / non-pecuniary interests

Under the provisions of Section 451(1) of the *Local Government Act 1993* (pecuniary interests) and Part 4 of the Model Code of Conduct prescribed by the Local Government (Discipline) Regulation (conflict of interests) it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

A Declaration form should be completed and handed to the General Manager as soon as practicable once the interest is identified. Declarations are made at Item 3 of the Agenda: Declarations - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed: The Declaration Form can be downloaded at [Declaration Form](#)

Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan;
- Inverell Shire Council Delivery Plan; and
- Inverell Shire Council Operational Plan.





MEETING CALENDAR

October 2020 – September 2021

Ordinary Meetings:

Time: 3.00 pm

Venue: Council Chambers

OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
28	25	16	No Meeting	24	24	28	26	[^] 23	28	25	22

Major Committee Meetings:

Civil and Environmental Services - 9.00 am

Economic and Community Sustainability - 10.30 am

Venue: Committee Room

OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
14	11	No Meeting	No Meeting	10	10	14	12	9	14	11	8

Members of the public are invited to observe meetings of the Council.

Should you wish to address Council, please contact the Office of the General Manager on 6728 8206.

[^] Meeting at which the Management Plan for 2021/2022 is adopted.



INTERNAL CALENDAR

May 2021

SUN	MON	TUE	WED	THU	FRI	SAT
2021 Inverell Music, Speech & Drama Eisteddfod 30.	Quarterly budget review statement to be submitted to Council Fourth quarterly rates instalment due Reports due for June Committee Meetings by 4.30pm 31.					7.00pm "Obligato" by the Inverell Music Appreciation Group at the Town Hall 1.
Sapphire City Markets 2.	Reports due for Committee Meetings by 4.30pm 3.	4.	7.30am Public Art Sunset Committee Meeting 5.	6.	7.	8.
Mother's Day 9.	10.	11.	9.00am Civil & Environmental Meeting 10.30am Economic & Community Sustainability Meeting 12.	13.	14.	15.
Sapphire City Markets 16.	Official Opening of Inverell Police Station Reports due for Ordinary Meeting by 4.30pm 17.	Northern Tablelands Regional Weed Committee Meeting 18.	19.	20.	21.	22.
23.	24.	25.	3.00pm Ordinary Council Meeting 26.	27.	28.	29.

KEY:

 Council office closed

 2021 Inverell Dance Eisteddfod

1 APOLOGIES

2 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on 24 March, 2021, as circulated to members, be confirmed as a true and correct record of that meeting.

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 24 MARCH 2021 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 and Cr Jacki Watts.

IN ATTENDANCE: Paul Henry (General Manager), Brett McInnes (Director Civil and Environmental Services) and Sharon Stafford (Executive Assistant).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2021/11

Moved: Cr Paul King OAM

Seconded: Cr Di Baker

That the Minutes of the Ordinary Meeting of Council held on 24 February, 2021, 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 Baker declared a non-pecuniary interest in respect of Item 12.3 'Inverell Sporting Complex Amenities Construction Project Tender S5.9.28'. The nature of the interest being that Cr Baker is a relative of the principle of one of the tenderers, John Baker Contracting Pty Ltd.

Cr Michael declared a pecuniary interest in respect of Item 8.2.3 'Request for Reduction on Water Account'. The nature of the interest being that Cr Michael has been appointed to the newly formed Parish Finance Committee.

4 PUBLIC FORUM

Nil

5 NOTICES OF BUSINESS

Nil

6 QUESTIONS WITH NOTICE

Nil

7 ADVOCACY REPORTS

7.1 BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - FEBRUARY 2021 S14.10.1

MOTION

Moved: Cr Kate Dight

Seconded: Cr Jacki Watts

That:

1. Council investigate the cost and opportunity to become a member of the Murray Darling Association, recognising the relevance of this lobby group to Local Government at this time. The water industry is growing with innovation, adaptation and adoption, and policy and legislation is being formulated for the future. This is an opportunity for ISC to be represented in this industry.
2. Council accepts the invitation of the Southern Inland Water Alliance to join this group.
3. Council contact Regional Development Australia indicating the relevant skill sets that are required to service Inverell Shire Council's industry and economy for the future

AMENDMENT 2021/12

Moved: Cr Anthony Michael

Seconded: Cr Mal Peters

That :

1. *Council contact Regional Development Australia indicating the relevant skill sets that are required to service Inverell Shire Council's industry and economy for the future.*

The motion on being put to the meeting was lost. The Amendment on being put to the meeting was carried. It then became the motion.

The motion on being put to the meeting was carried.

CARRIED

8 COMMITTEE REPORTS

8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 10 MARCH 2021

RESOLUTION 2021/13

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

- i) *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 10 March, 2021, be received and noted; and*
- ii) *The following recommendations of the Civil and Environmental Services Committee be adopted by Council.*

CARRIED

8.1.1 REPAIR Program Update - Bundarra Road adjacent to Racecourse**RECOMMENDATION:**

That the 2020/2021 REPAIR Program budget be allocated to the upgrade of Bundarra Road adjacent to the racecourse.

8.1.2 Copeton Town Water Supply Production Capacity**RECOMMENDATION:**

That:

- 1. The information be received and noted;*
- 2. Council continue to monitor peak summer demand and report accordingly;*
- 3. Investigations be undertaken in regards to cost and implications associated with increasing Council's annual allocation from Copeton Dam;*
- 4. Further evaluation of augmentation options and technologies continue;*
- 5. Council continue to promote and encourage suitable water conservation measures; and*
- 6. Council be provided with an ongoing annual report regarding the above matters.*

8.1.3 Information Reports**RECOMMENDATION:**

That the information reports be received and noted.

8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 10 MARCH 2021

At this juncture, the time being 3.26pm, Cr Michael, having previously declared a pecuniary interest in Item 8.2.3 'Request for Reduction on Water Account', left the chamber. The nature of the interest being that Cr Michael has been appointed to the newly formed Parish Finance Committee.

RESOLUTION 2021/14

Moved: Cr Jacki Watts

Seconded: Cr Paul King OAM

- i) That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 10 March, 2021, be received and noted; and*
- ii) The following recommendations of the Economic and Community Sustainability Committee be adopted by Council.*

CARRIED

8.2.1 Proposal from FutureBus - Hydrogen Plant**RECOMMENDATION:**

That the information be noted.

8.2.2 Governance - Monthly Investment Report**RECOMMENDATION:**

That:

- i) the report indicating Council's Fund Management position be received and noted;*
- ii) the Certification of the Responsible Accounting Officer be noted; and*
- iii) further investigation be undertaken on Council's Investment Strategy to identify if there is any opportunities available which would further maximise Council's return on investment.*

8.2.3 Request for Reduction on Water Account**RECOMMENDATION:**

That:

- a) The report be received; and*
- b) Council issue an amended account of \$36.72 for the previous two quarters based on the average consumption of accounts prior to the leak and write off \$ 7430.79.*

At this juncture, the time being 3.28pm, Cr Michael returned.

9 DESTINATION REPORTS**9.1 SALE OF LAND FOR UNPAID RATES - 2021 S12.8.9/05****RESOLUTION 2021/15**

Moved: Cr Jacki Watts

Seconded: Cr Anthony Michael

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

- b discussion in relation to the personal hardship of a resident or ratepayer.*

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

9.2 UPDATE ON THE SALE OF LAND FOR UNPAID RATES AUCTION S12.8.9/05**RESOLUTION 2021/16**

Moved: Cr Jacki Watts

Seconded: Cr Anthony Michael

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

- b discussion in relation to the personal hardship of a resident or ratepayer.*

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**9.3 INVERELL SPORTING COMPLEX AMENITIES CONSTRUCTION PROJECT TENDER S5.9.28****RESOLUTION 2021/17**

Moved: Cr Jacki Watts

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**9.4 ROUNDABOUT - GWYDIR HIGHWAY, BUNDARRA ROAD AND CHESTER STREET S5.2.59****RESOLUTION 2021/18**

Moved: Cr Jacki Watts

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 REQUEST TO CLOSE COUNCIL ROAD S28.22.1/14**RESOLUTION 2021/19**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

That Council:

- i) Pending further investigation, due process and consultation, provide in principle support to the closure of the Council road known as part Campbell's Road, Bonshaw with the intent to sell the land to the adjoining land holder;*
- ii) Commence actions to close Council road known as part Campbell's Road, Bonshaw under the Roads Act 1993; and*
- iii) Request a further report be prepared for Council's consideration detailing the outcomes and recommendations prior to any further action being taken.*

CARRIED**9.6 PAPERLESS DELIVERY OF RATES NOTICES S25.9.3****RESOLUTION 2021/20**

Moved: Cr Jacki Watts

Seconded: Cr Stewart Berryman

*That the second draw of the 'Go Paperless' promotion be conducted at the commencement of the Council meeting, and the Mayor be authorised to draw the winner, in the presence of the Councillors.***CARRIED****9.7 INVERELL TENNIS CLUB - ANNUAL GENERAL MEETING (AGM) S26.4.17****RESOLUTION 2021/21**

Moved: Cr Mal Peters

Seconded: Cr Stewart Berryman

*That the office bearers elected to the Executive positions in the Inverell Tennis Club be noted and the three (3) nominated persons, Matthew Butler, Jose Boland & June Baxter-Turner be formally appointed as members of the Section 355 Committee of Council responsible for the management of the reserve on which the tennis courts are located.***CARRIED****9.8 REQUEST FOR LICENCE AGREEMENT - SAPPHIRE BATTERY INSTALLATION S5.10.65****RESOLUTION 2021/22**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That:

- i) *Council enter into a Licence Agreement with Sapphire Battery Nominees Pty Ltd as Trustee for Sapphire Battery Trust for unformed road known as:*

Unformed Road 3 – approximately 1.3 kilometre long, located off Western Feeder approximately 200 metres from Waterloo Road intersection.
- ii) *the Licence Agreement be for a period of 75 years;*
- iii) *the Licence Fee be \$1.00 per annum while-ever the Community Fund is in place and operates as agreed at the March, 2016 meeting of Council;*
- iv) *should the Community Fund cease to operate as indicated in point iii), that the Licence Fee be reviewed; and*
- v) *the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

CARRIED

9.9 RENEWAL OF ALCOHOL FREE ZONES S18.8.1

RESOLUTION 2021/23

Moved: Cr Paul King OAM

Seconded: Cr Neil McCosker

That Council:

- i) *re-establish the Alcohol Free Zones over the streets and laneways included in the report (with the inclusion of Oak Place, Inverell) for a four (4) year term, expiring 31 December, 2024;*
- ii) *Council notify the public of the re-instatement of the Alcohol Free Zones; and*
- iii) *Council amend the Alcohol Free Zone signage as required.*

CARRIED

10 INFORMATION REPORTS

RESOLUTION 2021/24

Moved: Cr Di Baker

Seconded: Cr Mal Peters

That the information reports be received and noted.

CARRIED

10.1 ANNUAL LEAVE S22.13.2/07

10.2 STRATEGIC TASKS - 'SIGN OFF' - MARCH 2021 S4.13.2

10.3 STATUS OF TOWN WATER SUPPLIES S32.15.19

10.4 SEPTIC TANK APPROVALS FOR FEBRUARY 2021 S29.19.1

10.5 ORDINANCE ACTIVITIES REPORT FOR FEBRUARY 2021 S18.10.1

10.6 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING FEBRUARY 2021 S18.10.2/14

11 GOVERNANCE REPORTS

Nil

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

At 3.38pm, 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 2021/25

Moved: Cr Jacki Watts

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

At 3.39pm, Cr Baker declared a non-pecuniary interest in respect of Item 12.3 'Inverell Sporting Complex Amenities Construction Project Tender S5.9.28'. The nature of the interest being that Cr Baker is a relative of the principle of one of the tenderers, John Baker Contracting Pty Ltd. Cr Baker left the Chamber during consideration of Item 12.3 only.

Cr Baker returned at 3.42pm.

RESOLUTION 2021/26

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That Council proceeds out of Closed Council into Open Council.

CARRIED

Upon resuming Open Council at 3.48pm, 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 SALE OF LAND FOR UNPAID RATES - 2021 S12.8.9/05**RECOMMENDATION:**

That Council:

- a) *in accordance with the Local Government Act Section 713, sell Lot 1 DP 1101453 (Diamond Street, Tingha) on which rates have been overdue for more than five (5) years, at the proposed 2021 Sale of Land for unpaid rates auction;*
- b) *in accordance with the Local Government Act Section 713 (2)(a), sell Lot 3 Sec 1 DP 704 (Diamond Street, Tingha) on which rates have been overdue for more than one (1) year, at the proposed 2021 Sale of Land for unpaid rates auction. Pending that the parcel of land qualifies when the land valuation is received; and*
- c) *the conditions for the auction set under Council resolution 196/20 be also applied to this parcel of land.*

12.2 UPDATE ON THE SALE OF LAND FOR UNPAID RATES AUCTION S12.8.9/05**RECOMMENDATION:**

That the report be received and noted.

12.3 INVERELL SPORTING COMPLEX AMENITIES CONSTRUCTION PROJECT TENDER S5.9.28**RECOMMENDATION:**

That:

- a) *the Tender from John Baker Contracting Pty Ltd for the Inverell Sporting Complex Amenities Construction Project for the Tender price of \$1,100,557 (including GST) be accepted; and*
- b) *the General Manager be authorised to execute the contract as a Simple Works Contract.*

**12.4 ROUNABOUT - GWYDIR HIGHWAY, BUNDARRA ROAD AND CHESTER STREET
S5.2.59****RECOMMENDATION:**

That:

- i) Council approve the preparation of a contract to purchase part Lot 1, DP 322074 and part Lot 1 DP 666824 and note that the provisions of this contract are consistent with Resolution 2020/44, Council's funding obligations and the costs are within the provisions of the project budget;*
- ii) The land acquired in item i) be classified as 'Operational Land';*
- iii) Subject to the completion of a lease document acceptable to Council, the residual part of Lot 1 DP 322074 and Lot 1 DP 666824 be leased by Council for the duration of the construction period of the roundabout. Further, that the General Manager be authorised to complete this lease document provided the document is consistent with the terms outlined in this report; and*
- iv) Subject to the completion of a suitable lease document prepared by Council, Council make available Lot 6 Sec 84 DP 758536 (13 Glen Innes Road, Inverell) for the purpose of a temporary service station site. Further, that the General Manager be authorised to prepare this lease document, consistent with the terms detailed in this report.*

ADOPTION OF RECOMMENDATIONS**RESOLUTION 2021/27**

Moved: Cr Kate Dight

Seconded: Cr Stewart Berryman

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 3.49pm.

3 DISCLOSURE OF INTERESTS / PECUNIARY AND NON-PECUNIARY INTERESTS

4 PUBLIC FORUM

5 NOTICES OF BUSINESS

Nil

6 QUESTIONS WITH NOTICE

Nil

7 ADVOCACY REPORTS

7.1 NSW ALGWA AGM AND CONFERENCE AT SHELLHARBOUR

File Number: S4.3.1 / 21/13511

Author: Di Baker, Councillor

SUMMARY:

The NSW Australian Local Government Women's Association (ALGWA) Annual General Meeting (AGM) and Conference was held at Shellharbour on 18 – 20 March, 2021.

The conference was attended by Cr Di Baker and Cr Jackie Watts.

RECOMMENDATION:

That the report on ALGWA NSW AGM and Conference be received and noted.

COMMENTARY:

Tracey Spicer AM opened the conference as the MC.

Aunty Bev Armor welcomed us to Country.

Cr Cassandra Coleman, ALGWA NSW President focused on how we can encourage more women to stand for Local Government (LG) Elections in September. The statewide forums are proving successful.

Cr Linda Scott President of LG NSW and nationally, said she had noticed the systemic problems within the power structures and systems. The Superannuation Bill currently before government is especially important because every other working person has a mandated right to superannuation. Many women and men can only stand for LG when they do not suffer financial loss. It must be the same for Councillors as it is for every other person in LG, State Government and Federal Government that superannuation **be compulsory and not optional**. Cr Scott's call to action is to please email the minister for LG, our local member, etc., to support compulsory superannuation for Councillors in LG. Women retire with 47% less than men on average, and women over 55 have the terrible statistic of being the highest cohort of homeless people.

Marianne Saliba, Mayor of Shellharbour and ALGWA National President, was our host at Shellharbour. She said LGNSW has 50% women on the Board. Coral Ross, former National President of ALGWA, is now President of the Gender Equity Board.

Mr Kerri MacIntyre, CEO of Shellharbour, commented that almost half their employees are women, including executive positions. He encouraged men to "make sure you attend the conference from time to time to hear the issues being discussed".

The informative speakers included:

Solicitor Nell McGill, a Special Counsel in Sparke Helmore's Commercial Litigation/Dispute Resolution team, spoke about what comprised defamation. She is a strong proponent of utilising alternative dispute resolution methods, such as effective mediation, instead of the very costly court path.

The AGM was held on 20 March. The Presidents position was not contested this year.

Country Vice President: Cr Di Baker, City Vice President: Cr Karen McKeown, Secretary: Sera Yilmaz, Treasurer: Polly Makim and 9 committee members.

Motions carried included: that ALGWA NSW ask Councils to contact their local member and relevant members of NSW Parliament expressing the view that Superannuation should be compulsory for elected Councillors in Local Government.

Next year's AGM and conference will be at Fairfield.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

8 COMMITTEE REPORTS

8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 14 APRIL 2021

File Number: S4.11.16/13 / 21/12841

Author: Kristy Paton, Corporate Support Officer - Publishing

SUMMARY:

Meeting held on Wednesday, 14 April, 2021.

For the consideration of Council.

COMMENTARY:

Refer to the attached minutes of the meeting.

RECOMMENDATION:

- i) *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 14 April, 2021, be received and noted; and*
- ii) *The recommendations of the Civil and Environmental Services Committee be adopted by Council.*

8.1.1 Adoption of Final Pedestrian Access Mobility Plan 2021-2026

RECOMMENDATION:

- I. *That the Final Pedestrian Access and Mobility Plan (PAMP) 2021-2026 be endorsed; and*
- II. *The Committee recommend to Council that consideration be given to developing a Pedestrian Access and Mobility Plan (PAMP) for Villages.*

8.1.2 Update on Impacts - March 2021 Flood Event

RECOMMENDATION:

That:

- (a) *The information be received and noted;*
- (b) *A future report be presented once all damage is assessed and repair estimates are known;*
- (c) *The MR63 Warialda Road, Black Dam project be approved as the 2020/2021 REPAIR Program project;*
- (d) *The MR73 Bundarra Road Rehabilitation project – adjacent to the racecourse be approved as the 2021/2022 REPAIR Program project; and*
- (e) *The Director of Civil and Environmental Services be authorised to substitute completed projects within the Roads to Recovery program, in order to satisfy funding deadlines.*

8.1.3 Inverell High School Traffic Management - Request for Upgraded Access to Support Unit

RECOMMENDATION:

That Council not support the concept design and refer the matter back to the school with a view to an outcome that utilises adjacent school land to achieve the required safety outcomes. Under this scenario the uncompleted items from the previous Council resolution would be finalised.

8.1.4 Information Reports

RECOMMENDATION:

That the information reports be received and noted.

ATTACHMENTS:

1. Minutes of Civil and Environmental Services Committee Meeting 14 April, 2021

**MINUTES OF INVERELL SHIRE COUNCIL
CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 14 APRIL 2021 AT 9.00AM**

PRESENT: Cr Paul Harmon (Chair), Cr Stewart Berryman, Cr Jacki Watts, Cr Anthony Michael, Cr Kate Dight and Cr Paul King OAM.

IN ATTENDANCE: Paul Henry (General Manager), Brett McInnes (Director Civil & Environmental Services), Anthony Alliston (Manager Development Services), Justin Pay (Manager Civil Engineering) and Sharon Stafford (Executive Assistant).

1 APOLOGIES

COMMITTEE RESOLUTION

Moved: Cr Anthony Michael

Seconded: Cr Paul King OAM

That the apologies received from Crs McCosker, Baker and Peters for personal reasons be accepted and leave of absence granted.

CARRIED

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Stewart Berryman

Seconded: Cr Anthony Michael

That the Minutes of the Civil and Environmental Services Committee Meeting held on 10 March, 2021, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

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

Nil

4 PUBLIC FORUM

Nil

5 DESTINATION REPORTS

5.1 ADOPTION OF FINAL PEDESTRIAN ACCESS MOBILITY PLAN 2020-2025 S30.11.1

COMMITTEE RESOLUTION

Moved: Cr Stewart Berryman

Seconded: Cr Anthony Michael

- I. *The Committee recommend to Council that the Final Pedestrian Access and Mobility Plan (PAMP) 2021-2026 be endorsed; and*
- II. *The Committee recommend to Council that consideration be given to developing a Pedestrian Access and Mobility Plan (PAMP) for Villages.*

CARRIED

5.2 UPDATE ON IMPACTS - MARCH 2021 FLOOD EVENT S5.20.1

COMMITTEE RESOLUTION

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

That the Committee recommend to Council that:

- (a) *The information be received and noted;*
- (b) *A future report be presented once all damage is assessed and repair estimates are known;*
- (c) *The MR63 Warialda Road, Black Dam project be approved as the 2020/2021 REPAIR Program project;*
- (d) *The MR73 Bundarra Road Rehabilitation project – adjacent to the racecourse be approved as the 2021/2022 REPAIR Program project; and*
- (e) *The Director of Civil and Environmental Services be authorised to substitute completed projects within the Roads to Recovery program, in order to satisfy funding deadlines.*

CARRIED

5.3 INVERELL HIGH SCHOOL TRAFFIC MANAGEMENT - REQUEST FOR UPGRADED ACCESS TO SUPPORT UNIT S28.27.2

COMMITTEE RESOLUTION

Moved: Cr Stewart Berryman

Seconded: Cr Anthony Michael

That the Committee recommend to Council that Council not support the concept design and refer the matter back to the school with a view to an outcome that utilises adjacent school land to achieve the required safety outcomes. Under this scenario the uncompleted items from the previous Council resolution would be finalised.

CARRIED

6 INFORMATION REPORTS

COMMITTEE RESOLUTION

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

That the information reports be received and noted.

CARRIED

6.1 WORKS UPDATE S28.21.1/14

6.2 COMMENCEMENT OF NSW PLANNING PORTAL FOR ELECTRONIC LODGEMENT OF APPLICATIONS S18.6.60

The Meeting closed at 9.22am.

8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 14 APRIL 2021

File Number: S4.11.17/13 / 21/13660

Author: Kristy Paton, Corporate Support Officer - Publishing

SUMMARY:

Meeting held on Wednesday, 14 April, 2021.

For the consideration of Council.

COMMENTARY:

Refer to the attached minutes of the meeting.

RECOMMENDATION:

- i) That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 14 April, 2021, be received and noted; and
- ii) The recommendations of the Economic and Community Sustainability Committee be adopted by Council.

8.2.1 2021/2022 Draft Estimates and Operational Plan, and Long Term Financial Plan

RECOMMENDATION:

1. That the following works be funded from the Urban Works Vote and be included in the 2021/2022 Budget:

- i) Inverell and Villages - Urban Renewal and Upgrade General Fund, Water Fund

Project subject to a further report to Civil and Environmental Committee	\$538.15K	\$ 0K
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- ii) Footpaths and Cycleway Construction

\$46.8K

\$ for \$ Contribution to PAMP Program

(Subject to RMS approving the 2021/2022 Program)

- iii) Village Works – Community suggested projects

Ashford	\$7.54K
Delungra	\$7.54K
Gilgai	\$7.54K
Yetman	\$7.54K
Tingha	\$7.54K
Oakwood	\$1.12K
Bonshaw	\$1.12K
Graman	\$1.12K
Nullamanna	\$1.12K
Elsmore	\$1.12K

Stannifer	\$1.12K
Gum Flat	\$1.12K
GENERAL FUND GRAND TOTAL	\$ 630.49K
WATER FUND TOTAL	\$ 0K

2. *That:*

- i) *the budget allocations of \$2.26M for the 2021/2022 ACRD Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the funding allocations and individual works proposed to be undertaken under this program;*
- ii) *the budget allocations of the \$160K RMS Supplementary Block Grant Program be the subject of a further report to the Civil and Environmental Services Committee Meeting;*
- iii) *the budget allocation of \$1.402M for the 2021/2022 Roads to Recovery Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the specific projects to be funded;*
- iv) *the budget allocation of \$2.970M for the 2021/2022 Block Grant Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the specific projects to be funded; and*
- v) *the budget allocation of \$544.99K for the RMS Repair Program be endorsed and a report on the projects for the RMS approved Repair Program for 2021/2022 be presented to the Civil and Environmental Services Committee once advice has been received.*

3. *That Council utilises the maximum permissible rate increase allowed by IPART of 2%.*

4. *That:*

- i) *Council provide an allocation of \$115K for joint industry promotions and assistance;*
- ii) *the following 2021/2022 Strategic Capital Infrastructure/Projects Program projects be endorsed:*
 - *Inverell Swimming Pool Redevelopment \$ 515K*
- iii) *The budget allocation of \$341K for the 2021/2022 Special Projects – Roads Infrastructure Fund be endorsed;*
- iv) *A further report be presented to the Civil and Environment Committee in respect of the specific projects to be funded under the Special Projects – Roads Infrastructure Fund;*
- v) *the transfers to and from Internally Restricted Assets be endorsed; and*
- vi) *the list of inclusions as included in the 2021/2022 draft Operational Plan/Budget and listed in section 4.2.2 & 4.2.3 of the report be endorsed.*

5. *That:*

i) *The following rating categories be utilised for the 2021/2022 rating year:*

Residential – Inverell

Residential – General

Residential – Ashford

Residential – Delungra

Residential – Gilgai

Residential – Yetman

Residential - Tingha

Residential – Rural

Business – Inverell Industrial/Commercial

Business – Other

Farmland

Mining

ii) *A General Base Amount of \$225 plus an Ad Valorem Rate be determined for the categories detailed in above.*

6. *That the Interest Rate applicable to Outstanding Rates and Charges for 2021/2022 be set at the maximum allowable rate as advised by the Office of Local Government.*

7. *That the following Waste Management Charges be adopted:*

i) *Waste Management Charge – All Properties* *\$95.00*

ii) *Waste Management Charge – All Properties* *\$95.00*

(Tingha Boundary Adjustment)

iii) *Domestic Waste Management - Occupied Charge: per service per assessment* *\$350.00*

iv) *Domestic Waste Management - Occupied Charge* *\$350.00*

Tingha Boundary Adjustment – properties with 140lt garbage bin per service per assessment

v) *Domestic Waste Management – Unoccupied Charge* *\$65.00*

vi) *Weekly Commercial Waste Management Charge* *\$350.00*

(This Charge is levied per Service, and GST is charged if applicable)

vii) *Weekly Commercial Recycling Charge (ex GST)* *\$130.00*

viii) *Fortnightly Commercial Recycling Charge (ex GST)* *\$70.00*

(These Charge are levied per Service, and GST is charged if applicable)

8. *That the Fees and Charges, as recommended, be adopted.*

9. *That:*

i) *the Stormwater Management Service Charge be set at the maximum amount allowable of \$25.00 per Residential Premises, \$12.50 per Residential Strata lot, and \$25.00 for Business Premises for each 350 square metres or additional part*

thereof, subject to a maximum charge on Business Premises of \$200.00; and

- ii) the Stormwater Management Program as recommended being Gilgai Drainage Project as per the adopted Gilgai Drainage Upgrade Plan, be adopted.*

10. That:

- i) the report on the balanced budget be noted;*
- ii) the draft estimates (incorporating the Operational Plan and Long Term Financial Plans) for the General Activities for 2021/2022 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

11. That:

- i) the Sewerage Charges as listed below be adopted for 2021/2022:*

- Sewerage Charge Occupied \$ 550.00
- Sewerage Charge Unoccupied \$ 345.00
- Sewerage Charge Unoccupied \$ 345.00
- Tingha
- Boundary adjustment
- Sewerage Charge Flats/Units \$ 345.00
- Sewerage Charge Nursing \$ 2,585.00
- Homes
- Sewerage Charge Hotel/Licenced \$ 1,650.00
- Clubs

<i>Number of Services per Assessment</i>	<i>Annual Charge Per Assessment</i>
1	\$ 550.00
2	\$ 895.00
3	\$1,240.00
4	\$1,585.00
5	\$1,930.00
6	\$2,275.00
7	\$2,620.00
8	\$2,965.00
9	\$3,310.00
10	\$3,655.00
11	\$4,000.00
12	\$4,345.00
13	\$4,690.00
14	\$5,035.00
15	\$5,380.00

- Sewerage Non-Rateable Schools – \$90.00 per receptacle
- WC's
- Sewerage Non-Rateable Other – \$150.00 per receptacle
- WC's
- Sewerage Non-Rateable Urinals \$ 90.00 per receptacle

Charge Structure for Motels and Caravan Parks

In accordance with the new charge structure for Motels and Caravan Parks the following charges are proposed for 2021/2022:

- Motel Residence \$ 550.00
- Motel Restaurant \$ 550.00
- Motel Ensuite \$ 173.00
- Caravan Park Residence \$ 550.00
- Caravan Park Amenities \$1,650.00
Block
- Caravan Park Ensuite \$ 173.00
Cabins

- ii) *The Draft Estimates (incorporating Operational Plan) for the Sewerage Fund for 2021/2022 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

12. *That:*

- i) *a water availability base charge of \$395.00 per assessment (Includes first water meter) be adopted for 2021/2022;*
- ii) *a water charge of \$395.00 per additional water meter, per assessment be adopted for 2021/2022;*
- iii) *a water charge of \$370.00 per assessment (includes first water meter) be adopted for properties within the Tingha Boundary Adjustment area for 2021/2022;*
- iv) *a water charge of \$370.00 per additional water meter, per assessment be adopted for properties within the Tingha Boundary Adjustment area for 2021/2022;*
- v) *a charge of \$1.72 per kilolitre be adopted for commercial water consumption for 2021/2022;*
- vi) *a charge of \$1.72 per kilolitre, 0 to 600 kilolitres and \$2.00 per kilolitre over 600 kilolitres be adopted for residential water consumption for 2021/2022;*
- vii) *a charge of \$0.90 per kilolitre be adopted for water consumption - Abattoirs, plus a 20 per cent early settlement discount for 2021/2022;*
- viii) *a charge of \$0.90 per kilolitre be adopted for Community Facilities water consumption; Eligible entities include: Inverell Minor League, Inverell Golf Club, Inverell Tennis Club, Inverell Rugby Club, Gilgai Tennis Club, Inverell Equestrian Council and Inverell Shire Council (Sporting fields and Parks) for 2021/2022;*
- ix) *a charge of \$0.44 per kilolitre be adopted for Raw Water consumption for 2021/2022; and*
- x) *the draft Estimates (incorporating Operational Plan) for the Water Fund for 2021/2022 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act, 1993.*

8.2.2 High Security Water Charge**RECOMMENDATION:**

That:

- i) Council make a submission to IPART opposing the increase in high security water charges on the basis that the charges are not reflective of the costs involved; and*
- ii) Council seek reconsideration of the water charges imposed by Water NSW.*

CARRIED

8.2.3 Request to Close Council Road - Raingers Road, Mount Russell**RECOMMENDATION:**

The Committee recommend to Council that Council not accede to the request to close Raingers Road, Mount Russell.

8.2.4 Information Reports**RECOMMENDATION:**

That the information reports be received and noted.

8.2.5 Riverside Restaurant - Lease**RECOMMENDATION:**

The Committee recommend to Council that:

- i) Council notes that the lessee ceased trading at the Riverside Restaurant on 11 April, 2021,*
- ii) The Mayor and General Manager be delegated authority to negotiate the purchase of the lessee's restaurant equipment in accordance with a price guided by those with appropriate knowledge of the restaurant equipment market;*
- iii) Expressions of Interest be called at the earliest opportunity for the lease of the function centre tenancy including various options to purchase/lease the equipment detailed in ii) above.*

ATTACHMENTS:

- 1. Minutes of Economic and Community Sustainability Committee Meeting 14 April, 2021**

**MINUTES OF INVERELL SHIRE COUNCIL
ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 14 APRIL 2021 AT 9.30AM**

PRESENT: Cr Jacki Watts (Chair), Cr Paul King OAM, Cr Paul Harmon (Mayor), Cr Kate Dight and Cr Anthony Michael (Deputy Mayor).

IN ATTENDANCE: Cr Stewart Berryman.

Paul Henry (General Manager), Brett McInnes (Director Civil & Environmental Services), Paul Pay (Manager Financial Services) and Sharon Stafford (Executive Assistant).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

That the Minutes of the Economic and Community Sustainability Committee Meeting held on 10 March, 2021, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

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

Nil

4 DESTINATION REPORTS

4.1 2021/2022 DRAFT ESTIMATES AND OPERATIONAL PLAN, AND LONG TERM FINANCIAL PLAN S12.5.3

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

1. That the following works be funded from the Urban Works Vote and be included in the 2021/2022 Budget:

- i) Inverell and Villages - Urban Renewal and Upgrade General Fund. Water Fund

Project subject to a further report to Civil and Environmental Committee

\$538.15K

\$ 0K

- ii) Footpaths and Cycleway Construction

\$46.8K

*\$ for \$ Contribution to PAMP Program**(Subject to RMS approving the 2021/2022 Program)**iii) Village Works – Community suggested projects*

Ashford	\$7.54K
Delungra	\$7.54K
Gilgai	\$7.54K
Yetman	\$7.54K
Tingha	\$7.54K
Oakwood	\$1.12K
Bonshaw	\$1.12K
Graman	\$1.12K
Nullamanna	\$1.12K
Elsmore	\$1.12K
Stannifer	\$1.12K
Gum Flat	\$1.12K

GENERAL FUND GRAND TOTAL**\$ 630.49K****WATER FUND TOTAL****\$ 0K****2. That:**

- i) the budget allocations of \$2.26M for the 2021/2022 ACRD Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the funding allocations and individual works proposed to be undertaken under this program;*
- ii) the budget allocations of the \$160K RMS Supplementary Block Grant Program be the subject of a further report to the Civil and Environmental Services Committee Meeting;*
- iii) the budget allocation of \$1.402M for the 2021/2022 Roads to Recovery Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the specific projects to be funded;*
- iv) the budget allocation of \$2.970M for the 2021/2022 Block Grant Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the specific projects to be funded; and*
- v) the budget allocation of \$544.99K for the RMS Repair Program be endorsed and a report on the projects for the RMS approved Repair Program for 2021/2022 be presented to the Civil and Environmental Services Committee once advice has been received.*

3. That Council utilises the maximum permissible rate increase allowed by IPART of 2%.**4. That:**

- i) Council provide an allocation of \$115K for joint industry promotions and assistance;*
- ii) the following 2021/2022 Strategic Capital Infrastructure/Projects Program projects*

be endorsed:

- *Inverell Swimming Pool Redevelopment* \$ 515K

- iii) *The budget allocation of \$341K for the 2021/2022 Special Projects – Roads Infrastructure Fund be endorsed;*
- iv) *A further report be presented to the Civil and Environment Committee in respect of the specific projects to be funded under the Special Projects – Roads Infrastructure Fund;*
- v) *the transfers to and from Internally Restricted Assets be endorsed; and*
- vi) *the list of inclusions as included in the 2021/2022 draft Operational Plan/Budget and listed in section 4.2.2 & 4.2.3 of the report be endorsed.*

5. *That:*

- i) *The following rating categories be utilised for the 2021/2022 rating year:*

Residential – Inverell

Residential – General

Residential – Ashford

Residential – Delungra

Residential – Gilgai

Residential – Yetman

Residential - Tingha

Residential – Rural

Business – Inverell Industrial/Commercial

Business – Other

Farmland

Mining

- ii) *A General Base Amount of \$225 plus an Ad Valorem Rate be determined for the categories detailed in above.*

6. *That the Interest Rate applicable to Outstanding Rates and Charges for 2021/2022 be set at the maximum allowable rate as advised by the Office of Local Government.*

7. *That the following Waste Management Charges be adopted:*

- i) *Waste Management Charge – All Properties* \$95.00
- ii) *Waste Management Charge – All Properties* \$95.00
(Tingha Boundary Adjustment)
- iii) *Domestic Waste Management - Occupied Charge: per* \$350.00
service per assessment
- iv) *Domestic Waste Management - Occupied Charge* \$350.00
Tingha Boundary Adjustment – properties with 140lt garbage
bin per service per assessment

- | | | |
|-------|--|-----------------|
| v) | <i>Domestic Waste Management – Unoccupied Charge</i> | <i>\$65.00</i> |
| vi) | <i>Weekly Commercial Waste Management Charge</i> | <i>\$350.00</i> |
| | <i>(This Charge is levied per Service, and GST is charged if applicable)</i> | |
| vii) | <i>Weekly Commercial Recycling Charge (ex GST)</i> | <i>\$130.00</i> |
| viii) | <i>Fortnightly Commercial Recycling Charge (ex GST)</i> | <i>\$70.00</i> |
| | <i>(These Charge are levied per Service, and GST is charged if applicable)</i> | |

8. *That the Fees and Charges, as recommended, be adopted.*

9. *That:*

- i) *the Stormwater Management Service Charge be set at the maximum amount allowable of \$25.00 per Residential Premises, \$12.50 per Residential Strata lot, and \$25.00 for Business Premises for each 350 square metres or additional part thereof, subject to a maximum charge on Business Premises of \$200.00; and*
- ii) *the Stormwater Management Program as recommended being Gilgai Drainage Project as per the adopted Gilgai Drainage Upgrade Plan, be adopted.*

10. *That:*

- i) *the report on the balanced budget be noted;*
- ii) *the draft estimates (incorporating the Operational Plan and Long Term Financial Plans) for the General Activities for 2021/2022 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

11. *That:*

- i) *the Sewerage Charges as listed below be adopted for 2021/2022:*

- | | | |
|---|---|--------------------|
| • | <i>Sewerage Charge Occupied</i> | <i>\$ 550.00</i> |
| • | <i>Sewerage Charge Unoccupied</i> | <i>\$ 345.00</i> |
| • | <i>Sewerage Charge Unoccupied –Tingha</i> | <i>\$ 345.00</i> |
| | <i>Boundary adjustment</i> | |
| • | <i>Sewerage Charge Flats/Units</i> | <i>\$ 345.00</i> |
| • | <i>Sewerage Charge Nursing Homes</i> | <i>\$ 2,585.00</i> |
| • | <i>Sewerage Charge Hotel/Licenced Clubs</i> | <i>\$ 1,650.00</i> |

<i>Number of Services per Assessment</i>	<i>Annual Charge Per Assessment</i>
<i>1</i>	<i>\$ 550.00</i>
<i>2</i>	<i>\$ 895.00</i>

3	\$1,240.00
4	\$1,585.00
5	\$1,930.00
6	\$2,275.00
7	\$2,620.00
8	\$2,965.00
9	\$3,310.00
10	\$3,655.00
11	\$4,000.00
12	\$4,345.00
13	\$4,690.00
14	\$5,035.00
15	\$5,380.00

- Sewerage Non-Rateable Schools – WC's \$90.00 per receptacle
- Sewerage Non-Rateable Other – WC's \$150.00 per receptacle
- Sewerage Non-Rateable Urinals \$ 90.00 per receptacle

Charge Structure for Motels and Caravan Parks

In accordance with the new charge structure for Motels and Caravan Parks the following charges are proposed for 2021/2022:

- Motel Residence \$ 550.00
- Motel Restaurant \$ 550.00
- Motel Ensuite \$ 173.00
- Caravan Park Residence \$ 550.00
- Caravan Park Amenities Block \$1,650.00
- Caravan Park Ensuite Cabins \$ 173.00

- ii) *The Draft Estimates (incorporating Operational Plan) for the Sewerage Fund for 2021/2022 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

12. *That:*

- i) *a water availability base charge of \$395.00 per assessment (Includes first water meter) be adopted for 2021/2022;*
- ii) *a water charge of \$395.00 per additional water meter, per assessment be adopted for 2021/2022;*
- iii) *a water charge of \$370.00 per assessment (includes first water meter) be adopted for properties within the Tingha Boundary Adjustment area for 2021/2022;*

- iv) a water charge of \$370.00 per additional water meter, per assessment be adopted for properties within the Tingha Boundary Adjustment area for 2021/2022;
- v) a charge of \$1.72 per kilolitre be adopted for commercial water consumption for 2021/2022;
- vi) a charge of \$1.72 per kilolitre, 0 to 600 kilolitres and \$2.00 per kilolitre over 600 kilolitres be adopted for residential water consumption for 2021/2022;
- vii) a charge of \$0.90 per kilolitre be adopted for water consumption - Abattoirs, plus a 20 per cent early settlement discount for 2021/2022;
- viii) a charge of \$0.90 per kilolitre be adopted for Community Facilities water consumption; Eligible entities include: Inverell Minor League, Inverell Golf Club, Inverell Tennis Club, Inverell Rugby Club, Gilgai Tennis Club, Inverell Equestrian Council and Inverell Shire Council (Sporting fields and Parks) for 2021/2022;
- ix) a charge of \$0.44 per kilolitre be adopted for Raw Water consumption for 2021/2022; and
- x) the draft Estimates (incorporating Operational Plan) for the Water Fund for 2021/2022 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act, 1993.

CARRIED

4.2 HIGH SECURITY WATER CHARGE

COMMITTEE RESOLUTION

Moved: Cr Kate Dight

Seconded: Cr Paul Harmon

That the Committee recommend to Council that:

- i) Council make a submission to IPART opposing the increase in high security water charges on the basis that the charges are not reflective of the costs involved; and
- iii) Council seek reconsideration of the water charges imposed by Water NSW.

CARRIED

At 10:12 am, Cr Anthony Michael left the meeting to enable him to represent Council at the official opening of Stage 2 of the Inverell Hospital Redevelopment.

4.3 REQUEST TO CLOSE COUNCIL ROAD - RAINGERS ROAD, MOUNT RUSSELL S28.22.1/14

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Paul King OAM

The Committee recommend to Council that Council not accede to the request to close Raingers Road, Mount Russell.

CARRIED

4.4 RIVERSIDE RESTAURANT - LEASE S5.10.93**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

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

- a personnel matters concerning particular individuals (other than councillors).*

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

5 INFORMATION REPORTS**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That the information reports be received and noted.

CARRIED

5.1 SUMMARY OF ARTS NORTH WEST SUPPORT OF ARTS AND CULTURAL ACTIVITY 2020 S26.5.4**5.2 MOBILE BLACK SPOT PROGRAM S10.12.2/14****5.3 UPDATE ON CROWN LAND MANAGED BY COUNCIL S5.19.1****6 GOVERNANCE REPORTS****6.1 GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2****COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

The Committee recommend to Council 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.*

CARRIED

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

At 10.23am, the Chairperson noted that no members of the public or press were in attendance at the meeting therefore the Committee proceeded to consider the motion to close the meeting to the press and public.

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

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

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That the Committee proceeds out of Closed Committee into Open Committee.

CARRIED

Upon resuming Open Committee at 10.47am, the Chairperson verbally reported that the Committee had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend to Council the following:

7.1 RIVERSIDE RESTAURANT - LEASE S5.10.93

RECOMMENDATION:

The Committee recommend to Council that:

- i) *Council notes that the lessee ceased trading at the Riverside Restaurant on 11 April, 2021,*
- ii) *The Mayor and General Manager be delegated authority to negotiate the purchase of the lessee's restaurant equipment in accordance with a price guided by those with appropriate knowledge of the restaurant equipment market;*
- iii) *Expressions of Interest be called at the earliest opportunity for the lease of the function centre tenancy including various options to purchase/lease the equipment detailed in ii) above.*

ADOPTION OF RECOMMENDATIONS

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That the recommendations of Closed Committee be adopted.

CARRIED

LEAVE OF ABSENCE

Cr Watts sought a leave of absence for the April Ordinary Council Meeting for personal reasons.

The Meeting closed at 10.49am.

9 DESTINATION REPORTS

9.1 LOCAL GOVERNMENT ELECTIONS - VARIOUS MATTERS

File Number: S13.7.4/04 / 21/13134

Author: Paul Henry, General Manager

SUMMARY:

The NSW Electoral Commission (the Commission) has begun to release information relating to the September 2021 Local Government Elections. Council is invited to submit comment on the proposed polling venues.

RECOMMENDATION:

- i) *That the information be noted; and*
- ii) *Council consider the proposed polling venues and determine if any changes are required.*

COMMENTARY:

The 2021 Local Government Elections will be conducted on Saturday, 4 September. The Elections will be conducted by the NSW Electoral Commission.

The Commission has begun to release information relating to the conduct of the Election.

1. Election Timetable

The key dates for the Elections are:

- Monday, 28 June - Nominations Online Management System available to prospective candidates in late June/early July.
- Thursday, 1 July - Capped expenditure period opens.
- Monday, 26 July - Lodgement of nominations open.
- Monday, 26 July - 6pm: Close of roll for the purposes of being a candidate, nominator and roll printing.
- Tuesday, 27 July - Lodgement of postal vote applications open.
- Wednesday, 4 August - 12 noon: Close of nominations and close of registration of candidates and groups.
- Wednesday, 4 August - Registration of electoral materials open.
- Thursday, 5 August - 10am: Conduct of ballot paper draw.
- Monday, 23 August - Pre-poll voting period opens.
- Friday, 27 August - 5pm: Close of registration of electoral material.
- Friday, 27 August - Close of registration for third-party campaigners.
- Monday, 30 August - 5pm: Close of postal vote applications.
- Friday, 3 September - Close of pre-poll voting period.
- Saturday, 4 September – **Election Day** – 8am to 6pm.
- Saturday, 4 September - Close of capped expenditure period.

2. Returning Officer

The Commission will appoint one Returning Officer to carry out all the required election tasks in both Inverell Shire and Gwydir Shire. The Returning Officer will set up an office at the Inverell Masonic Hall, Otho Street, Inverell.

3. Pre-Poll Venue

The venue for voters to cast a pre-poll vote is the Inverell Masonic Hall.

4. Proposed Polling Venues

As at 23 February, 2021, 12732 persons are registered to cast a vote in the upcoming election.

The Commission has released the venues that it intends to utilise as polling sites. Details of past and projected voting statistics were included.

Council is invited to consider the proposed venues and raise any matters that it wishes the Commission to take into account before advertising the final list of polling venues.

The proposed polling venues are:

Venue	2016 Ordinary Votes
Ashford Central School – Memorial Hall	388
Delungra Community Hall	257
Gilgai Public Hall	219
Inverell Public School	874
Inverell Town Hall	1425
Ross Hill Public School	1038
Tingha Public School	460
Yetman Memorial Hall	94
	4755

In 2016, 5122 votes were cast during the two week pre-polling period.

5. Caretaker Period

Clause 393 B of the Local Government Regulation 2005 limits Council's ability to exercise some of its functions in the four weeks preceding the date of the election.

This 'caretaker period' will commence at 12am on 7 August, 2021. During this 30 day period Council must not make decisions which would limit the actions of an incoming Council.

The types of matters that Council, the general manager or delegate are prevented from making are:

- Entering into any contract or undertaking involving an expenditure or receipt by the Council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is larger);
- Determining a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period;
- Appointing or reappointing the council's general manager (except for temporary appointments).

The Office of Local Government has advised that a “controversial development application” means a DA under the *Environment Planning and Assessment Act 1979* for which at least 25 persons have made a submission by way of objection.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

9.2 TRANSITION BACK TO IN-PERSON COUNCIL AND COMMITTEE MEETINGS**File Number:** S0.0.0 / 21/13173**Author:** Paul Henry, General Manager**SUMMARY:**

The Minister for Local Government has advised that the exemption from “in-person” Council and Committee meetings has expired. New modified attendance requirements may be put in place if Council wishes to provide a transition period back to “in-person” meetings.

RECOMMENDATION:

A matter for Council.

COMMENTARY:

Due to the COVID-19 pandemic, the Minister for Local Government authorised that the Local Government Act requirement for Councillors to attend meetings is satisfied if the meeting is held in whole or in part remotely using audio visual links.

The general exemption to Councillors from attending Council and Committee meetings “in person” has now expired and clause 5.2 of the “Code of Meeting practice” is back in force.

However, the Minister notes that Councils have successfully implemented remote attendance for Councillors using audio-visual links and that some councils have called for this remote attendance option to be made available on an on-going basis.

In response, the Minister has decided to allow Councils to determine if they will allow remote attendance at meetings for a narrow set of circumstances and for a limited period of time. The Minister refers to this limited period of time as a “transition period”. The “transition period” is 26 March, 2021 to 31 December, 2021.

The only circumstances that Council will be permitted to give approval for Councillors to attend meetings by audio-visual links are:

- Due to illness of the Councillor,
- Disability of the Councillor,
- Carer responsibilities of the Councillor,
- A natural disaster, or
- The Councillor is away from the area on Council related business.

On 1 April, 2021 the Minister issued the procedures Council must adopt if it wishes to participate in the transition back to “in-person” meetings. Please note granting the limited access to audio-visual meetings is discretionary – it is not mandatory. A copy of the procedures is attached to this report.

It should also be noted that if Council decides to adopt the OLG procedures, the exemption only applies to an individual that meets the criteria but not all Councillors.

The suggested procedures refer to the amount of notice a Councillor is required to give if they wish to request permission to join a meeting remotely. The suggestion from the OLG is that the timeframe should be consistent with the timeframe for lodging notices of motion. Under Council’s meeting code the period of notice for motions is 7 business days (refer to cl.3.10).

Council is now requested to determine:

- a) Does it wish to permit attendance by Councillors at meetings by audio-visual link?

- b) If so, the standard procedures need to be adopted with the inclusion of a requirement that a Councillor needs to give 7 business days notice of wishing to join a meeting remotely.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

1. Procedures for attendance by Councillors at meetings by audio-visual link

3

ATTACHMENT**Procedures for attendance by councillors at meetings by audio-visual link****What is an “audio visual link”**

- For the purposes of these procedures, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

Approval for councillors to attend meetings by audio visual link

- The council and committees of the council comprising wholly of councillors may, in response to a request made by a councillor, resolve to permit the councillor to attend one or more meetings of the council or committee remotely by audio visual link where it is satisfied that the councillor will be prevented from attending the meeting/s in person because of illness, disability, caring responsibilities, or such other reason that is acceptable to the council or committee.
- Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the General Manager at least *[council to specify a timeframe that is consistent with the timeframe for lodging notices of motion]* business days before a meeting, and must provide information about the meetings the councillor will be prevented from attending in person and the reason why the councillor will be prevented from attending the meeting/s in person.
- A resolution by the council or a committee of the council permitting a councillor to attend one or more meetings by audio-visual link must provide the following information:
 - the grounds on which the councillor is being permitted to attend meetings remotely by audio visual link, but not where those grounds relate to illness, disability or caring responsibilities, and
 - details of the meetings the resolution applies to.
- The council or committee of the council may permit more than one councillor to attend a meeting by audio-visual link but must not permit all councillors to attend a meeting by audio-visual link.
- A decision to permit a councillor to attend a meeting remotely by audio-visual link is at the council's or the committee's discretion. The council and its committees must act reasonably when considering requests by councillors to attend meetings remotely by audio-visual link.
- The council and its committees are under no obligation to permit a councillor to attend a meeting remotely by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.
- The council and its committees may refuse a councillor's request to attend a meeting remotely by audio-visual link where the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or comply with the council's code of meeting practice on one or more previous occasions when they have attended a meeting of the council or its committees by audio-visual link.

Attendance by councillors at meetings by audio visual link

- Where a councillor attends a meeting by audio-visual link with the approval of the council or a committee of the council they are to be taken as attending the meeting in person for the purposes of the council's code of meeting practice and will have the same voting rights as if they were attending the meeting in person.
- The council's code of meeting practice will apply to a councillor attending a meeting remotely by audio-visual link, in the same way it would if the councillor was attending the meeting in person.
- Councillors must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.
- Councillors must be appropriately dressed when attending meetings by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.
- Where a councillor attends a meeting of the council or a committee of the council by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

Conflicts of interest

- Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct.
- Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

Confidentiality

- Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the *Local Government Act 1993*.

Maintenance of order

- Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with the council's code of meeting practice.
- If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

5

Compliance with the Health Privacy Principles

- The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting remotely by audio-visual link.

9.3 SAPPHIRE SOLAR FARM AND BATTERY INSTALLATION - ROAD DILAPIDATION DEED**File Number:** S18.6.52/05 / 21/13260**Author:** Justin Pay, Manager Civil Engineering**SUMMARY:**

A condition of the Development Consent for the Sapphire Solar Farm and Sapphire Battery Installation projects requires the proponents enter into an agreement with associated road authorities. The agreement covers maintenance and repair of public roads that are used during the construction phase of the project. Council has received the Sapphire Solar Farm Road Dilapidation Deed (Inverell) and Sapphire Battery Installation Road Dilapidation Deed (Inverell) for execution. Council is being asked to provide their concurrence for the execution of the deed.

RECOMMENDATION:*That:*

1. *The Sapphire Solar Farm, Road Dilapidation Deed (Inverell) be executed under the common seal of Council.*
2. *The Sapphire Battery Installation, Road Dilapidation Deed (Inverell) be executed under the common seal of Council.*

COMMENTARY:

The Sapphire Solar Farm involves the installation of solar photovoltaic panels and battery-based storage facilities with a generation capacity of approximately 180 megawatts, producing enough energy to power the equivalent of 66,000 average NSW households.

Council may recall a report on the Sapphire Solar Farm that was presented to the February 2018 Civil & Environmental Services Committee meeting. A copy of this report is provided in Attachment 1 for the information of Council. The state significant development was subsequently approved by the Minister for Planning on 16 August, 2018.

A condition of the Development Consent for the Sapphire Solar Farm and Sapphire Battery Installation projects requires the proponents enter into an agreement with associated road authorities. The agreement covers maintenance and repair of public roads that are used during the construction phase of the projects. Council's Civil Engineering branch staff have been in negotiations with the proponent for several months regarding the details in the agreements (deeds). A copy of the deeds is provided in Attachment 2 for the information of Council.

The Inverell Shire Council controlled roads that are included in the project transport route and hence covered by the Sapphire Solar Farm deed are:

- (a) Waterloo Road from the Council boundary to Western Feeder Road;
- (b) Waterloo Road from Western Feeder road for a distance of 2.7 kilometres towards Woodstock Road; and
- (c) Western Feeder Road for a distance of 1.5 kilometres north of Waterloo Road,

The Inverell Shire Council controlled roads that are included in the project transport route and hence covered by the Sapphire Battery Installation deed are:

- (a) Waterloo Road from the Council boundary to Western Feeder Road; and
- (b) Western Feeder Road for a distance of 400 metres north of Waterloo Road.

These roads are the only Inverell Shire Council roads listed in the projects Construction Transport Management Plan and as such, are the only roads that any traffic associated with the solar farm and battery installation construction are permitted to use.

The key element of the deeds is that all damage to Council road infrastructure resulting from the solar farm and battery installation construction projects is to be rectified by the proponent. Council will carry out usual maintenance on these roads over the period of the deeds.

If, during the construction period, any additional maintenance is required as a result of damage caused by the construction of the project works, then the responsible party (Sapphire Solar Farm or Sapphire Battery Installation) is responsible for works to rectify the damage.

If the responsible party (Sapphire Solar Farm or Sapphire Battery Installation) fails to rectify the damage in a timely manner, Council will complete works to rectify the damage and recover the reasonable costs of doing so as a debt due and payable by the proponent to Council. A bank guarantee is in place for each proponent (Sapphire Solar Farm or Sapphire Battery Installation) to ensure that sufficient funds are available should the above clause be exercised by Council.

Further to the above, at the end of the construction phase, all roads are to be returned to their pre-construction condition. To facilitate this, a baseline report will be prepared (at the expense of the proponent and to the satisfaction of Council) that outlines the pre-construction condition of the above sections of Council roads.

This approach to the road dilapidation deeds is consistent with the method utilised during construction of the Sapphire Wind Farm. During the construction phase of the wind farm the road dilapidation deed mechanism provided an adequate level of service to road users and ensured that any impacts caused by the development were remediated by the proponents prior to the project being finalised. It is anticipated that similar positive outcomes will be achieved under the proposed Sapphire Solar Farm Road Dilapidation Deed (Inverell) and Sapphire Battery Installation Road Dilapidation Deed (Inverell).

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

The deeds outlines responsibilities of both parties regarding maintenance of road infrastructure relating to activities associated with construction of the solar farm and battery installation, in accordance with the Development Consent.

ATTACHMENTS:

1. **Report - State Significant Development (SSD 8643) - Sapphire Solar Farm - Kings Plains NSW - February 2018**
2. **Sapphire Battery Installation - Road Dilapidation Deed and Sapphire Solar Installation - Road Dilapidation Deed**

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO
STREET, INVERELL ON WEDNESDAY, 28 FEBRUARY, 2018, COMMENCING
AT 3 PM.

**SECTION C
COMMITTEE REPORTS**

CSOP-A 1. **CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING –
14 FEBRUARY 2018 S.4.11.16/10**

5/18 RESOLVED (Baker/Berryman) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 14 February 2018, be received and noted; and*
- ii) *the following recommendations of the Civil & Environmental Services Committee be adopted by Council with the exception of Item #2 'Meeting Attended: Gilgai Community Meeting, Gilgai Hall' which was dealt with previously in the meeting, please refer Section B Advocacy Report, Item #1, 'Notice of Business – Shared Pedestrian/Cycle Path Gilgai to Inverell (Motion for Early Public Consultation and Extensive Community Input)':*

1. **STATE SIGNIFICANT DEVELOPMENT (SSD 8643) – SAPPHIRE SOLAR
FARM – KINGS PLAINS, NSW S18.6.52/05**

That Council make an online submission in respect of State Significant Development (SSD 8643) Sapphire Solar Farm – Kings Plains NSW in relation to:

- *Independent road dilapidation reporting prior to construction, for all local and state roads;*
- *After construction, a subsequent report to assess the damage that may have resulted from construction;*
- *On-going and regular measures to restore and reinstate road damage resulting from construction of the project;*
- *Fire risk associated with the development being adequately addressed;*
- *Council having the opportunity to review the draft approval conditions prior to being finalised; and*
- *Any other matters raised by a Councillor or the public during the exhibition period.*

MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE
MEETING HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL
ON WEDNESDAY, 14 FEBRUARY 2018, COMMENCING AT 9.00 AM.

**SECTION D
DESTINATION REPORTS**

DP-A 1. **STATE SIGNIFICANT DEVELOPMENT (SSD 8643) – SAPPHIRE SOLAR
FARM – KINGS PLAINS, NSW S18.6.52/05**

RESOLVED (Harmon/Berryman) that the Committee recommend to Council that Council make an online submission in respect of State Significant Development (SSD 8643) Sapphire Solar Farm – Kings Plains NSW in relation to:

- Independent road dilapidation reporting prior to construction, for all local and state roads;
- After construction, a subsequent report to assess the damage that may have resulted from construction;
- On-going and regular measures to restore and reinstate road damage resulting from construction of the project;
- Fire risk associated with the development being adequately addressed;
- Council having the opportunity to review the draft approval conditions prior to being finalised; and
- Any other matters raised by a Councillor or the public during the exhibition period.

ITEM NO:	1.	FILE NO: s18.6.52/05
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	STATE SIGNIFICANT DEVELOPMENT (SSD 8643) – SAPPHIRE SOLAR FARM – KINGS PLAINS, NSW	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY:

A State Significant Development Application for Sapphire Solar Farm at Kings Plains has been lodged with the NSW Department of Planning and Environment and has been publicly exhibited until 28 February, 2018.

The Committee is being asked to consider making an on-line submission in relation to:

- Independent road dilapidation reporting prior to construction, for all local and state roads;
- After construction, a subsequent report to assess the damage that may have resulted from construction;
- On-going and regular measures to restore and reinstate road damage resulting from construction of the project;
- Council having the opportunity to review the draft approval conditions prior to being finalised; and
- Any other matters raised by a Councillor or the public during the exhibition period.

COMMENTARY:

Introduction

On 29 January 2018, the NSW Department of Planning and Environment publicly exhibited State Significant Development 8643, being the Sapphire Solar Farm. The exhibition period ends on Wednesday 28 February, 2018.

The Environmental Impact Statement for the development is available on the NSW Department of Planning and Environment Major Projects Register website, with a hard copy available for inspection at Council's Administration Centre during the exhibition period.

The link to the Department of Planning and Environment website including all relevant project information has been sent to the Councillors separately.

As the Sapphire Solar Farm has a capital investment value estimated to be approximately \$280M it is classified as State Significant Development under Clause 8 and Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011*. The NSW Minister for Planning is the consent authority for State Significant Development applications.

Sapphire Solar Farm Location

The proposed Sapphire Solar Farm is located entirely within the Inverell Local Government Area, approximately 30 kilometres east of Inverell. It will be co-located with the Sapphire Wind Farm, being situated within the New England Renewable Energy Precinct. Other renewable energy projects within the precinct include:

- Glen Innes Wind Farm – approved;
- White Rock Wind Farm – operational;
- White Rock Solar Farm – under construction; and
- Proposed Sundown Solar Farm – Environmental Impact Statement under preparation.

A map showing the location of Sapphire Solar Farm, and other renewable energy projects, between Inverell and Glen Innes is attached as Appendix 2 (D13-D15).

The Sapphire Solar Farm directly accesses onto Waterloo Road and Western Feeder. Construction and operational access for staff and material deliveries to the site will be from the Gwydir Highway via Waterloo Road or Woodstock Road. Over-size and over-mass loads will access the Site via Waterloo Road only.

Sapphire Solar Farm Proposed Development

The Sapphire Solar Farm involves the installation of solar photovoltaic panels and battery-based storage facilities with a generation capacity of approximately 180 megawatts, producing enough energy to power the equivalent of 66,000 average NSW households.

The site area of the Sapphire Solar Farm is approximately 2,369 hectares, with the actual infrastructure footprint within the site being approximately 445 hectares. Once constructed, sheep grazing can continue within the footprint to control vegetation beneath the solar panels.

The development includes the following key elements:

- Solar arrays comprised of approximately 660,000 individual solar panels fitted to either or a combination of:
 - Fix tilt frames which would be orientated so the panels face upwards at approximately 300 through 25 degrees in a north, north west or north easterly direction; or

- A single-axis tracking system which would track the sun from east to west as it moves throughout the day.
- Battery-based storage facilities;
- Power Conversion Units (PCU's) inclusive of Inverters/Rectifiers, Ring Main Units, LV/MV step-up
- Transformers located throughout the Proposed Development;
- Collector systems: above and/or below ground onsite cabling and electrical connections between the existing Substation and the respective PCU's;
- Operation and maintenance (O&M) building including workshop, warehouse, offices, ablutions, and car park;
- Site access and onsite access tracks;
- Fencing and security system;
- Meteorological stations;
- Vegetation buffers (if required) for visual screening; and
- Firebreaks.

In addition to the key elements outlined above, there would be a temporary construction compound required to facilitate the construction, upgrading and decommissioning phases of the proposed development. The construction compound would include:

- Temporary construction offices;
- Car and bus parking areas;
- Staff amenity block (including portable toilets, showers and a kitchen) designed for peak staff numbers during the construction period; and
- Laydown areas.

A Site Plan and Indicative Elevations/Image of the Solar Panels are included within Appendix 2 (D13-D15).

The projected timeframe for the Sapphire Solar Farm Project is:

Phase	Start	Indicative Period
Construction	Mid 2018	18 months
Operation / Repowering	Mid/Late 2019	53 years
Decommissioning	c. 2070	6 months

The construction of the Sapphire Solar Farm will not overlap construction of the Sapphire Wind Farm.

Discussion

The proponent of the Sapphire Solar Farm has engaged in consultation with Council since August 2017 in relation to impacts on Council operations, including construction and operational traffic on the road network.

The access routes for construction have already been upgraded to accommodate the construction requirements of Sapphire Wind Farm. These routes will also be maintained for the duration of Sapphire Solar Farm construction. Traffic modelling indicates a reduction in local road traffic volumes associated with construction of Sapphire Solar Farm, relative to Sapphire Wind Farm.

The potential environmental impacts of the development (biodiversity, visual impact, land use conflict, etc.) will be subject to a detailed assessment by the NSW Department of Planning and Environment in consultation with other State agencies.

In respect of possible impacts on Council operations, including construction and operational traffic on the road network, it is recommended that Council's Manager Development Services make an on-line submission to the Department of Planning and Environment, with a focus on traffic and road dilapidation.

Committee Members are also encouraged to contact Council's Manager Development Services should they have a particular issue they wish to discuss. Any additional matters can be submitted on-line to the Department of Planning and Environment.

Should Council receive submissions from surrounding landowners or the public, these will be actively reviewed and considered by relevant Council staff, prior to being forwarded to the NSW Department of Planning and Environment for inclusion in the environmental assessment. If considered relevant Council's Manager Development Services can also include the issues raised as part of Council's on-line submission.

The Committee is being asked to consider making an on-line submission in relation to:

- Independent road dilapidation reporting prior to construction, for all local and state roads;
- After construction, a subsequent report to assess the damage that may have resulted from construction;
- On-going and regular measures to restore and reinstate road damage resulting from construction of the project;
- Council having the opportunity to review the draft approval conditions prior to being finalised; and
- Any other matters raised by a Councillor or the public during the exhibition period.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: E.03 Protect, rehabilitate and manage all impacts on the built and natural environment.

Term Achievement: E.03.04 A community environmental impact assessment has been completed to identify resources that must be preserved and protected.

Operational Objective: E.03.04.01 To facilitate the adoption of energy efficient practices and the use of renewable resources.

POLICY IMPLICATIONS: Nil

CHIEF FINANCIAL OFFICERS COMMENT: Nil.

LEGAL IMPLICATIONS: Nil

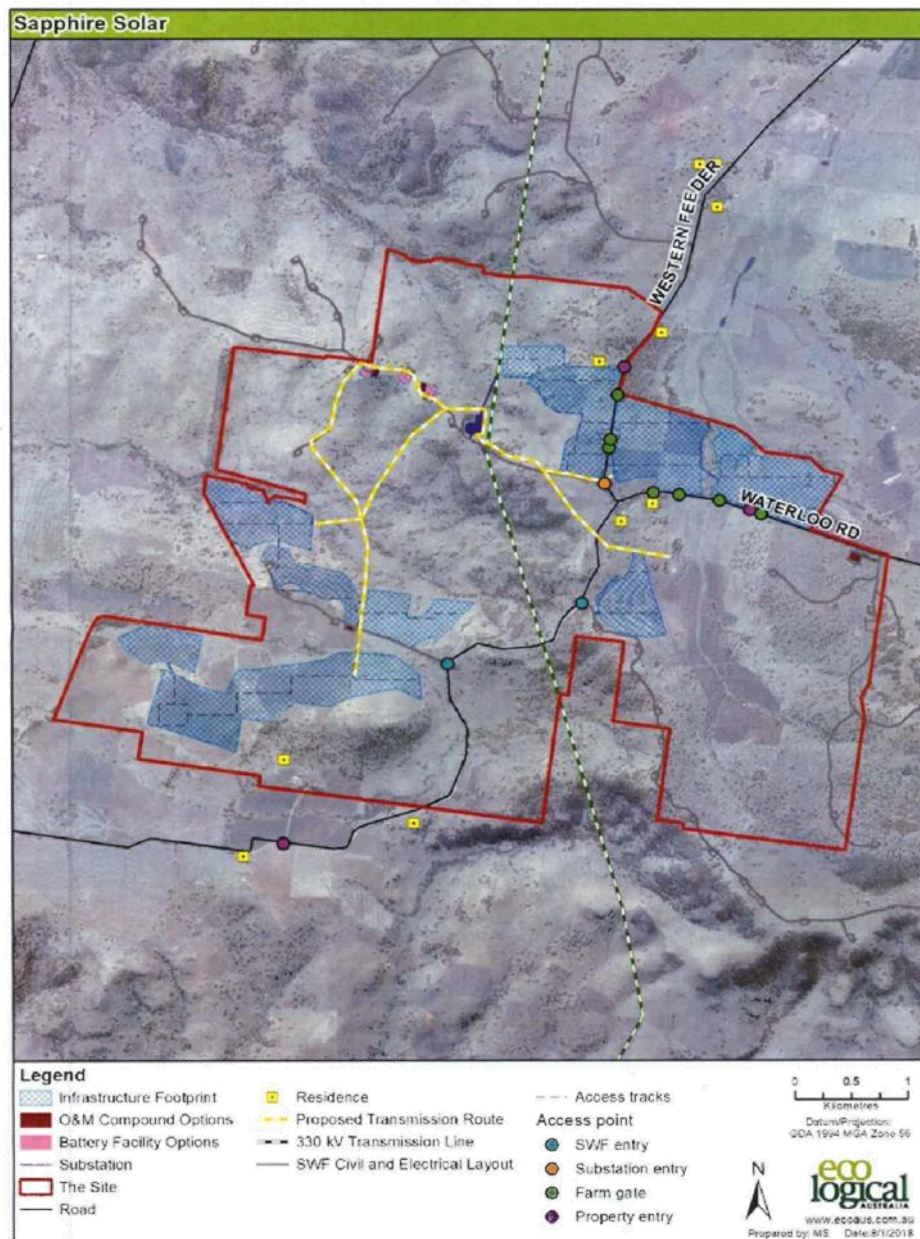
RECOMMENDATION:

The Committee recommend to Council that Council make an online submission in respect of State Significant Development (SSD 8643) Sapphire Solar Farm – Kings Plains NSW in relation to:

- *Independent road dilapidation reporting prior to construction, for all local and state roads;*
- *After construction, a subsequent report to assess the damage that may have resulted from construction;*
- *On-going and regular measures to restore and reinstate road damage resulting from construction of the project;*
- *Council having the opportunity to review the draft approval conditions prior to being finalised; and*
- *Any other matters raised by a Councillor or the public during the exhibition period.*

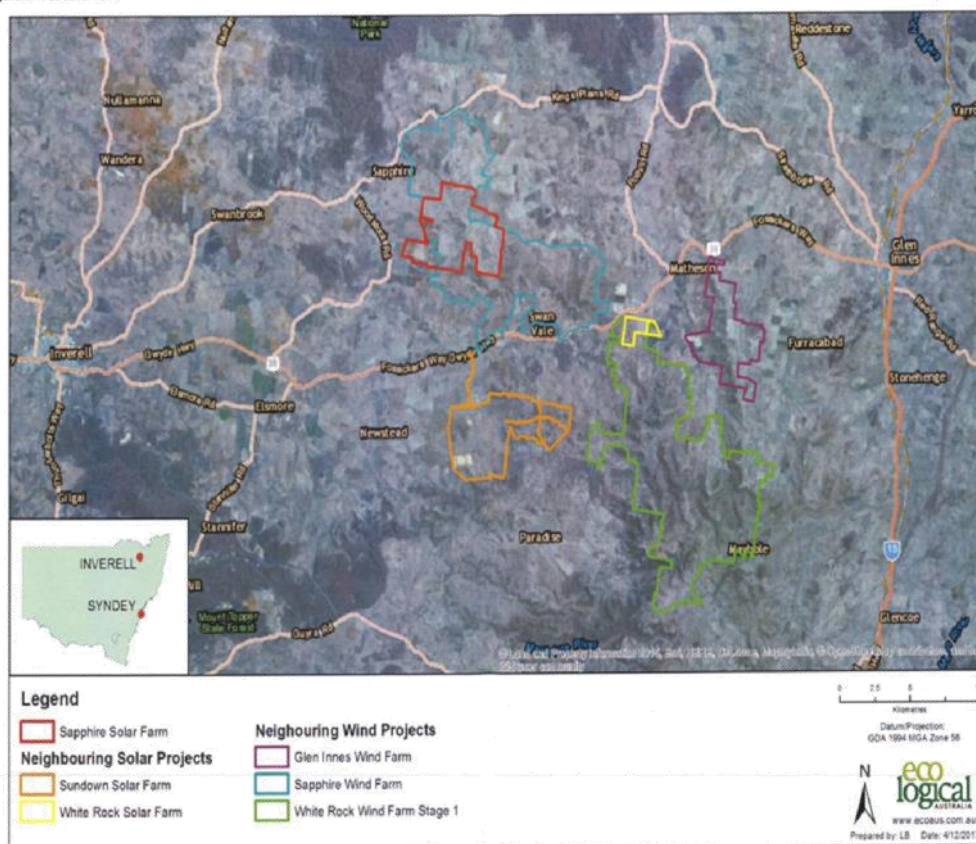
APPENDIX 2

Figure 2-4: Sapphire Solar Farm Site Plan

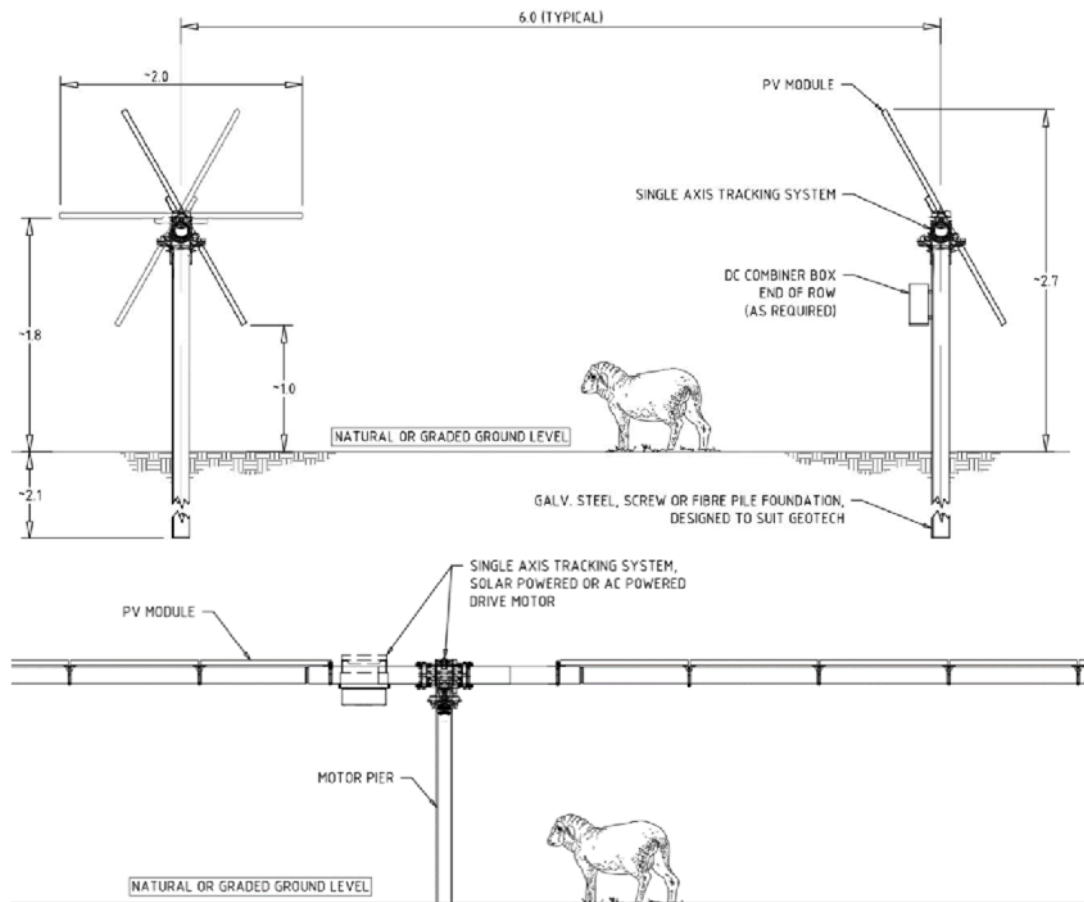


Sapphire Solar Farm Pty Ltd
Volume 2 - Figures

Figure 3-1: Local Context



Sapphire Solar Farm Pty Ltd
Volume 2 - Figures





Sapphire Battery Installation Road Dilapidation Deed (Inverell)

Parties

Inverell Shire Council

**Sapphire Battery Nominees Pty Ltd in its capacity as trustee for the Sapphire
Battery Trust**

Norton Rose Fulbright Australia
Level 5, 60 Martin Place
Sydney NSW 2000, Australia
Telephone: +61 2 9330 8000
nortonrosefulbright.com
Our ref: 4017207

Deed dated

Parties **Inverell Shire Council** ABN 72 695 204 530
of 144 Otho Street, Inverell NSW 2360
(**Council**)

and

Sapphire Battery Nominees Pty Ltd ACN 641 182 998 in its capacity as trustee
for the **Sapphire Battery Trust**
of '01' Suite 1, Level 1, 17 Moore Street Canberra 2601
(**Sapphire ProjectCo**)

Introduction

- A** Sapphire ProjectCo and its affiliates are developing that portion of the Project which includes the Project Works.
- B** The Contractor will carry out design and construction works in relation to the Project Works.
- C** Condition 7 of Schedule 3 to the Project Approval requires that, prior to the commencement of any road maintenance works, the developer must prepare in consultation with RMS and Council the Traffic Management Plan incorporating those matters prescribed by Condition 7 of Schedule 3 of the Project Approval.
- D** Council is the relevant road authority for the Route Council Roads.
- E** The parties wish to enter into this Deed to document the manner in which the requirements of conditions 7(b) and 7(c) of Schedule 3 to the Project Approval will be fulfilled to the extent that those obligations apply to the Project Works.

It is agreed

1 Definitions and interpretation

1.1 Definitions

In this Deed, unless the contrary intention appears:

- (1) **Additional Maintenance** means maintenance works required to the Route Council Roads which are:
 - (a) over and above the Usual Council Maintenance; and
 - (b) necessary to render the Route Council Road safe and trafficable and to meet Council's reasonable required services levels (as notified in writing by Council to Sapphire ProjectCo prior to the date of this Deed).
- (2) **Battery Energy Storage System** means the 30MW battery storage facility being constructed as stage 1 of the Project.
- (3) **Baseline Report** has the meaning given in clause 2.1(1).

- (4) **Business Day** means a day that is not a Saturday, Sunday or any other day which is a public holiday or a bank holiday in the place where an act is to be performed or a payment is to be made.
- (5) **Construction Period** means the period commencing on the date on which construction of the relevant Project Works commences and ending on the date that Haulage associated with construction of the relevant Project Works has ceased.
- (6) **Contractor** means such suitably qualified contractor as is nominated by Sapphire ProjectCo.
- (7) **Deed** means this document, including any schedule or annexure to it.
- (8) **DPIE** means the New South Wales Department of Planning, Industry and Environment.
- (9) **Haulage** means the transportation of materials, plant and equipment to the site of the Project Works.
- (10) **Post Construction Report** has the meaning given in clause 2.2(2).
- (11) **Project** means the Sapphire Solar Farm, Battery Energy Storage System and associated infrastructure, as defined in the Project Approval.
- (12) **Project Approval** means Development Consent SSD 8643 granted on 16 August 2018 under section 4.38 of the *Environmental Planning & Assessment Act 1979* (NSW), as modified from time to time.
- (13) **Project Works** means the:
 - (a) initial construction of the Battery Energy Storage System and related infrastructure associated with the Battery Energy Storage System;
 - (b) significant upgrade to the Battery Energy Storage System and related infrastructure associated with the Battery Energy Storage System; and
 - (c) decommissioning of the Battery Energy Storage System and related infrastructure associated with the Battery Energy Storage System.
- (14) **RMS** means Roads and Maritime Services (now Transport for NSW).
- (15) **Route Council Roads** means the following roads:
 - (a) Waterloo Road from the Council boundary to Western Feeder Road; and
 - (b) Western Feeder Road for a distance of 400 metres north of Waterloo Road,

as generally identified in the Traffic Management Plan within the Council boundary as forming part of the proposed transport route to the site of the Project Works in respect of which the Council is the relevant roads authority.
- (16) **Secretary** means the Secretary of the DPIE.
- (17) **Security** has the meaning given in clause 4.1.
- (18) **Traffic Management Plan** means the traffic management plan prepared and approved pursuant to condition 7 of Schedule 3 to the Project Approval titled

"Sapphire Solar Farm Traffic Management Plan December 2020", as modified from time to time.

- (19) **Usual Council Maintenance** means the Council's standard and usual periodic maintenance of the Route Council Roads, including vegetation control and pavement maintenance.

1.2 Interpretation

- (1) Reference to:
- (a) one gender includes the others;
 - (b) the singular includes the plural and the plural includes the singular;
 - (c) a person includes a body corporate;
 - (d) a party includes the party's executors, administrators, successors and permitted assigns;
 - (e) a thing includes the whole and each part of it separately;
 - (f) a statute, regulation, code or other law or a provision of any of them includes:
 - (i) any amendment or replacement of it; and
 - (ii) another regulation or other statutory instrument made under it, or made under it as amended or replaced; and
 - (g) dollars means Australian dollars unless otherwise stated.
- (2) "Including" and similar expressions are not words of limitation.
- (3) Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.
- (4) Headings are for convenience only and do not form part of this Deed or affect its interpretation.
- (5) A provision of this Deed must not be construed to the disadvantage of a party merely because that party was responsible for the preparation of this Deed or the inclusion of the provision in this Deed.
- (6) If an act must be done on or by a specified day which is not a Business Day, it must be done instead on or by the next Business Day.

1.3 No fetter

Nothing in this Deed shall fetter the Council in the exercise of its discretion for the purpose of section 138 of the *Roads Act 1993* (NSW).

1.4 Satisfaction

The Council acknowledges and agrees that:

- (1) Council does not require Sapphire ProjectCo to undertake any road maintenance works at the intersection of Waterloo Road and Gwydir Highway under condition 4 of Schedule 3 of the Project Approval; and
- (2) Sapphire ProjectCo's entry into this Deed wholly satisfies the obligations imposed on Sapphire ProjectCo under conditions 7(b) and 7(c) of Schedule 3 of the Project Approval; and

2 Road Dilapidation Reports

2.1 Baseline Report

- (1) Sapphire ProjectCo acknowledges and agrees that, prior to commencing construction of the relevant Project Works, it must direct and procure that the Contractor:
 - (a) undertake an assessment of the Route Council Roads by recording video footage of the Route Council Roads from a motor vehicle travelling the proposed routes; and
 - (b) prepare a written report on the results of that assessment which:
 - (i) includes clear digitally recorded video footage of the Route Council Roads from a motor vehicle travelling the proposed routes; and
 - (ii) records the GPS coordinates of the route travelled and the length in kilometres of the Route Council Roads; and

(collectively **Baseline Report**).

2.2 Post Construction Report

Following completion of construction and any Additional Maintenance performed by the Contractor on the relevant Route Council Roads in accordance with clause 3.1, Sapphire ProjectCo must procure that the Contractor (or one of the entities comprising the Contractor):

- (1) undertakes a further assessment of the Route Council Roads by:
 - (a) recording video footage of the Route Council Roads from a motor vehicle travelling the utilised routes; and
 - (b) a gravel depth survey; and
- (2) provides a written report on the results of that assessment which must:
 - (a) include clear digitally recorded video footage of the Route Council Roads from a motor vehicle travelling the utilised routes;
 - (b) record the GPS coordinates of the route travelled and the length in kilometres of each Route Council Road; and
 - (c) include the results of a gravel depth survey,

(**Post Construction Report**).

3 Maintenance

3.1 Maintenance Works during the Construction Period

- (1) The Council shall carry out Usual Council Maintenance on all Route Council Roads over the period of this Deed.
- (2) If, during the Construction Period, any Additional Maintenance to a Route Council Road is required as a result of damage to that Route Council Road caused by the construction of the relevant Project Works, then Sapphire ProjectCo must procure that the Contractor, subject to the Council providing its consent as roads authority under section 138 of the *Roads Act 1993* (NSW), undertakes such Additional Maintenance as soon as practicable.
- (3) If Sapphire ProjectCo fails to comply with its obligation under clause 3.1(2), then the Council may issue a notice to Sapphire ProjectCo requiring such performance and specifying a reasonable time for performance. If Sapphire ProjectCo does not comply with the notice, then the Council may, by further notice to Sapphire ProjectCo, perform or have others perform the Additional Maintenance and may recover the reasonable costs of doing so as a debt due and payable by Sapphire ProjectCo to the Council.

3.2 Maintenance Works after the Construction Period

- (1) The Council shall carry out Usual Council Maintenance on all Route Council Roads over the period of this Deed.
- (2) If the Post Construction Report identifies that any Additional Maintenance to a Route Council Road is required as a result of damage to that Route Council Road caused by the construction of the relevant Project Works, then Sapphire ProjectCo must procure that the Contractor, subject to the Council providing its consent as roads authority under section 138 of the *Roads Act 1993* (NSW), promptly undertakes such Additional Maintenance.
- (3) If Sapphire ProjectCo fails to comply with its obligation under clause 3.2(1), then the Council may issue a notice to Sapphire ProjectCo requiring such performance and specifying a reasonable time for performance. If Sapphire ProjectCo does not comply with the notice, then the Council may, by further notice to Sapphire ProjectCo, perform or have others perform the Additional Maintenance and may recover the reasonable costs of doing so as a debt due and payable by Sapphire ProjectCo to the Council.

3.3 Standard for Additional Maintenance

The parties acknowledge nothing in this Deed nor the performance of Additional Maintenance by Sapphire ProjectCo in compliance with its obligations in clause 3.1 and 3.2 requires Sapphire ProjectCo to improve the standard or condition of the relevant Route Council Road to a greater standard or condition that it was in prior to the relevant damage occurring (being the standard or condition is identified in the Baseline Report).

4 Security

4.1 Provision of Security

- (1) Sapphire ProjectCo shall provide the Council with a bank guarantee in the amount of \$75,000 and in a form and from a bank approved by the Council (acting reasonably) (**Security**) not less than 15 days prior to the Construction Period commencing.

- (2) The Security may contain an expiry date however if that expiry date is a date before the relevant Security is reasonably expected to be released under clause 4.3, then Sapphire ProjectCo must, not less than 20 Business Days before the expiry date of that Security, provide to the Council a replacement Security.

4.2 Recourse to Security

- (1) Subject to the Council giving Sapphire ProjectCo 10 Business Days' written notice of its intention to do so, the Council may have recourse to the Security to recover a debt due and payable by Sapphire ProjectCo to the Council under clause 3.1(3).
- (2) Where the Council has recourse to the Security in respect of an amount and it is subsequently determined that the amount is not payable by Sapphire ProjectCo to the Council, then the Council must pay that amount to Sapphire ProjectCo plus interest at the rate of the Reserve Bank of Australia interest rate plus 1.5% for every day from the date of recourse up to and including the date of payment.

4.3 Return of Security

- (1) The Council must return the Security to Sapphire ProjectCo within 15 Business Days after the provision to the Council of the Post Construction Report.

5 Dispute Resolution

5.1 Notice of dispute

If a dispute arises between the parties out of or in connection with this Deed, then the party affected by the dispute may give the other party a written notice specifying the dispute.

5.2 Meeting of senior representatives

- (1) If a dispute notified under clause 5.1 remains unresolved within 10 Business Days after the date of that notice, a party may require in writing to the other party that a senior representative of each of the Council and Sapphire ProjectCo with authority to resolve the dispute (**Senior Representatives**) meet and undertake genuine and good faith negotiations with a view to resolving the dispute.
- (2) If a meeting is required under clause 5.2(1) by a party, then each party shall ensure attendance on its behalf. Each party shall use its best endeavours to ensure that a meeting required under clause 5.2(1) takes place within 10 Business Days after the receipt of a written requirement for the meeting.

5.3 Referral to Secretary

- (1) If the dispute has not been resolved within 30 Business Days after the dispute is notified under clause 5.1, then the dispute may be referred to the Secretary for determination in accordance with this clause 5.3.
- (2) The parties:
 - (a) must provide the Secretary with all assistance requested by the Secretary in relation to the determination of the dispute, including the provision of documents; and
 - (b) may make submissions to the Secretary, including the provision of expert reports;

- (3) Each party shall bear its own costs in relation of making submissions to the Secretary.
- (4) The determination of the Secretary will be final and binding on the parties (other than in the case of fraud or manifest error).

5.4 Expert determination

- (1) If the Secretary is unwilling or unable to make a determination in accordance with clause 5.3, then either party may, by giving notice to the other party, require that the dispute be referred to an expert for determination in accordance with this clause 5.4.
- (2) If a dispute is referred to expert determination under this clause 5.4, then an expert must be selected and the dispute determined in accordance with the provisions of the Expert Determination Rules 2016 as published by Resolution Institute, as modified by this clause 5.4.
- (3) The determination of the expert will be final and binding on the parties (other than in the case of fraud or manifest error).

6 General

6.1 Notices

- (1) A notice or other communication connected with this Deed (**Notice**) has no legal effect unless it is in writing.
- (2) In addition to any other method of service provided by law, the Notice may be:
 - (a) sent by prepaid priority post to the address of the addressee set out in clause 6.1(4) or subsequently notified;
 - (b) sent by email to the email address of the addressee set out in clause 6.1(4), or subsequently notified; or
 - (c) delivered by hand at the address of the addressee set out in clause 6.1(4) or subsequently notified.
- (3) If the Notice is sent or delivered in a manner provided by clause 6.1(2), it must be treated as given to and received by the party to which it is addressed:
 - (a) if sent by prepaid priority post, on the 3rd Business Day (at the address to which it is posted) after posting;
 - (b) if sent by email before 5pm on a Business Day at the place of receipt, on the day it is sent and otherwise on the next Business Day at the place of receipt; or
 - (c) if delivered by hand before 5pm on a Business Day at the place of delivery, upon delivery, and otherwise on the next Business Day at the place of delivery.
- (4) As at the date of this Deed, the address of each party for Notices is:

Party	Address for Notices
Council	<u>Prepaid priority post:</u> Justin Pay Manager, Civil Engineering, Civil and Environmental Services PO Box 138, Inverell NSW 2360 <u>Email:</u> Justin.Pay@inverell.nsw.gov.au <u>Hand delivery:</u> Justin Pay Manager, Civil Engineering, Civil and Environmental Services 144 Otho Street, Inverell NSW 2360
Sapphire ProjectCo	<u>Prepaid priority post:</u> '01' Suite 1, Level 1, 17 Moore Street Canberra 2601 <u>Email:</u> Operations-SBF@cwprenewables.com <u>Hand delivery:</u> '01' Suite 1, Level 1, 17 Moore Street Canberra 2601

- (5) A party must promptly notify the other party to the Deed of any change of address of that party.

6.2 Further assurance

Each party must promptly at its own cost do all things (including executing and if necessary delivering all documents) necessary or desirable to give full effect to this Deed.

6.3 Costs

- (1) Sapphire ProjectCo must each pay its own costs and outlays connected with the negotiation, preparation and execution of this Deed.
- (2) Sapphire ProjectCo must reimburse Council for its reasonable costs connected with the negotiation, preparation and execution of this Deed, up to a maximum amount of \$1,000.

6.4 Variation

An amendment or variation to this Deed is not effective unless it is in writing and signed by the parties.

6.5 Waiver

- (1) A party's failure or delay to exercise a power or right does not operate as a waiver of that power or right.
- (2) The exercise of a power or right does not preclude either its exercise in the future or the exercise of any other power or right.
- (3) A waiver is not effective unless it is in writing.

- (4) Waiver of a power or right is effective only in respect of the specific instance to which it relates and for the specific purpose for which it is given.

6.6 Severability

If any provision in this Deed is unenforceable, illegal or void or makes this Deed or any part of it unenforceable, illegal or void, then that provision is severed and the rest of this Deed remains in force.

6.7 Counterparts

- (1) This Deed may be executed in any number of counterparts and electronically by the parties.
- (2) Each counterpart is an original but the counterparts together are one and the same agreement.
- (3) The parties agree that this Deed can be executed electronically.

6.8 Entire understanding

This Deed:

- (1) is the entire agreement and understanding between the parties on everything connected with the subject matter of this Deed; and
- (2) supersedes any prior agreement or understanding on anything connected with that subject matter.

6.9 Governing law

- (1) The law of New South Wales governs this Deed.
- (2) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and of the Commonwealth of Australia.

6.10 Consent to security

Sapphire ProjectCo may grant security interests over this Deed where such security interest is granted to financiers for the purposes of financing the Project (including the Project Works).

6.11 Assignment or novation

- (1) Council agrees that Sapphire ProjectCo may assign the benefit of this Deed or novate the benefit and burden of this deed, or otherwise dispose of this Deed, to a related body corporate of Sapphire ProjectCo, any joint venture in which Sapphire ProjectCo or any related body corporate of Sapphire ProjectCo is a participant or a partnership comprised of related body corporates of Sapphire ProjectCo without the consent of Council provided that Sapphire ProjectCo complies with clause 6.11(2).
- (2) In respect of any assignment or novation of this Deed in accordance with clause 6.11(1), the parties agree to enter into an agreement with the assignee / novatee under which that party assumes all of Sapphire ProjectCo's obligations under this Deed and agrees to observe and perform all such obligations as if they were named as Sapphire ProjectCo in this Deed, from the date the assignment or novation becomes effective.

6.12 Sapphire ProjectCo's limitation of liability

- (1) The meanings of the terms used in this clause 6.12 are set out below.
 - (a) **Obligations** means all obligations and liabilities of the Trustee of any kind undertaken or incurred by, or imposed on, the Trustee under or concerning this Deed or any document collateral to or entered into under this Deed;
 - (b) **Trust** means Sapphire Battery Trust;
 - (c) **Trust Assets** means all the Trust's assets, property and rights, real and personal, of any kind
 - (d) **Trustee** means the Tenant or any other trustee of the Trust.
- (2) The Trustee enters into this Deed as trustee of the Trust and in no other capacity. The parties other than the Trustee acknowledge that the Trustee incurs the Obligations solely in its capacity as trustee of the Trust.
- (3) Except in the case of fraud, negligence, breach of trust or breach of duty by the Trustee:
 - (a) the Trustee is only liable to pay or satisfy the Obligations out of Trust Assets; and
 - (b) the Council may enforce its rights against the Trustee arising from the Trustee's breach of the Obligations only by seeking application of, or recourse to, Trust Assets.
- (4) If the Trustee breaches the Obligations and the Council does not recover all money owing to it arising from the breach by exercising rights referred to in clause 6.12(3)(b), except in the case of fraud, negligence, breach of trust or breach of duty by the Trustee, the Council must not seek to recover the shortfall by:
 - (a) bringing proceedings against the Trustee in its personal capacity; or
 - (b) applying to have the Trustee wound up, or proving in the Trustee's winding up, unless another creditor has initiated the winding up proceedings.
- (5) Except in the case of fraud, negligence, breach of trust or breach of duty by the Trustee, the Council waives its rights and releases the Trustee from any personal liability for loss or damage:
 - (a) which the Council suffers as a result of the Trustee's breach of the Obligations; and
 - (b) which cannot be satisfied out of the Trust Assets.

Executed as a deed and delivered on the date shown on the first page.

Signed sealed and delivered for and on behalf of **Inverell Shire Council** ABN 72 695 204 530 by its authorised representative in the presence of:

Signature of witness

Strike out if not applicable Electronic signature affixed by me, or at my direction, on _____

Signature of authorised representative

Strike out if not applicable Electronic signature affixed by me, or at my direction, on _____

Name of witness
(BLOCK LETTERS)

Name of authorised representative
(BLOCK LETTERS)

Address of witness

Strike out if not applicable This document was signed in counterpart and was witnessed over audio visual link in accordance with section 14G of the *Electronic Transactions Act 2000* (NSW)

Executed by **Sapphire Battery Nominees Pty Ltd in its capacity as trustee for the Sapphire Battery Trust** ACN 641 182 998 in accordance with section 127 of the *Corporations Act 2001*:

Director/company secretary

Strike out if not applicable Electronic signature affixed by me, or at my direction, on _____

Director

Strike out if not applicable Electronic signature affixed by me, or at my direction, on _____

Name of director/company secretary
(BLOCK LETTERS)

Name of director
(BLOCK LETTERS)



Sapphire Solar Farm Road Dilapidation Deed (Inverell)

Parties

Inverell Shire Council

Sapphire Solar Farm Pty Ltd

Norton Rose Fulbright Australia
Level 5, 60 Martin Place
Sydney NSW 2000, Australia
Telephone: +61 2 9330 8000
nortonrosefulbright.com
Our ref: 2848741

Deed dated

Parties **Inverell Shire Council** ABN 72 695 204 530
of 144 Otho Street, Inverell NSW 2360
(**Council**)

and

Sapphire Solar Farm Pty Ltd ACN 620 649 069
of '01' Suite 1, Level 1, 17 Moore Street Canberra 2601
(**SSF**)

Introduction

- A** SSF and its affiliates are developing that portion of the Project which includes the Project Works.
- B** The Contractor will carry out design and construction works in relation to the Project Works.
- C** Condition 7 of Schedule 3 to the Project Approval requires that, prior to the commencement of any road maintenance works, the developer must prepare in consultation with RMS and Council the Traffic Management Plan containing, amongst other things:
1. a protocol for undertaking independent dilapidation surveys to assess:
 - (a) the existing condition of local roads on the transport route/s prior to construction, upgrading or decommissioning activities; and
 - (b) the condition of local roads on the transport route/s following construction, upgrading or decommissioning activities; and
 2. a protocol for the repair of any local roads identified in the dilapidation surveys to have been damaged during construction, upgrading or decommissioning works.
- D** Council is the relevant road authority for the Route Council Roads.
- E** The parties wish to enter into this Deed to document the manner in which the requirements of conditions 7(b), 7(c) and 7(e) of Schedule 3 to the Project Approval will be fulfilled to the extent that those obligations apply to the Project Works.

It is agreed

1 Definitions and interpretation

1.1 Definitions

In this Deed, unless the contrary intention appears:

- (1) **Additional Maintenance** means maintenance required to the Route Council Roads which is:
- (a) over and above the Usual Council Maintenance; and

- (b) necessary to render the Route Council Road safe and trafficable and to meet Council's reasonable required services levels (as notified in writing by Council to SSF prior to the date of this Deed).
- (2) **Baseline Report** has the meaning given in clause 2.1(1).
- (3) **Business Day** means a day that is not a Saturday, Sunday or any other day which is a public holiday or a bank holiday in the place where an act is to be performed or a payment is to be made.
- (4) **Construction** has the meaning given in the Project Approval.
- (5) **Construction Period** means the period commencing on the date on which Construction of the Project Works commences and ending on the date that Haulage associated with Construction of the Project Works has ceased.
- (6) **Consultant** means such independent and suitably qualified consultant approved by the Council in writing.
- (7) **Contractor** means such suitably qualified contractor as is nominated by SSF.
- (8) **Deed** means this document, including any schedule or annexure to it.
- (9) **DPIE** means the New South Wales Department of Planning, Industry and Environment.
- (10) **Haulage** means the transportation of materials, plant and equipment to the site of the Project Works.
- (11) **Post Construction Report** has the meaning given in clause 2.2(2).
- (12) **Project** means the Sapphire Solar Farm, as described in the Project Approval.
- (13) **Project Approval** means Development Consent SSD 8643 given on 16 August 2018 under section 4.38 of the *Environmental Planning & Assessment Act 1979* (NSW), as modified from time to time.
- (14) **Project Works** means that portion of the Project which includes the construction, development and commissioning the solar panels and related infrastructure associated with the solar panels (including the connection of that infrastructure to the electricity grid).
- (15) **RMS** means Roads and Maritime Services (now Transport for NSW).
- (16) **Route Council Roads** means the following roads:
 - (a) Waterloo Road from the council boundary to Western Feeder Road;
 - (b) Waterloo Road from Western Feeder road for a distance of 2.7 kilometres towards Woodstock road; and
 - (c) Western Feeder Road for a distance of 1.5 kilometres north of Waterloo Road,

as generally identified in the Traffic Management Plan within the Council boundary as forming part of the proposed transport route to the site of the Project Works in respect of which the Council is the relevant roads authority.

- (17) **Secretary** means the Secretary of the DPIE.
- (18) **Security** has the meaning given in clause 4.1.
- (19) **Traffic Management Plan** means the Traffic Management Plan required pursuant to condition 7 of Schedule 3 to the Project Approval.
- (20) **Usual Council Maintenance** means the Council's standard and usual periodic maintenance of the Route Council Roads, including vegetation control and pavement maintenance.

1.2 Interpretation

- (1) Reference to:
 - (a) one gender includes the others;
 - (b) the singular includes the plural and the plural includes the singular;
 - (c) a person includes a body corporate;
 - (d) a party includes the party's executors, administrators, successors and permitted assigns;
 - (e) a thing includes the whole and each part of it separately;
 - (f) a statute, regulation, code or other law or a provision of any of them includes:
 - (i) any amendment or replacement of it; and
 - (ii) another regulation or other statutory instrument made under it, or made under it as amended or replaced; and
 - (g) dollars means Australian dollars unless otherwise stated.
- (2) "Including" and similar expressions are not words of limitation.
- (3) Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.
- (4) Headings are for convenience only and do not form part of this Deed or affect its interpretation.
- (5) A provision of this Deed must not be construed to the disadvantage of a party merely because that party was responsible for the preparation of this Deed or the inclusion of the provision in this Deed.
- (6) If an act must be done on or by a specified day which is not a Business Day, it must be done instead on or by the next Business Day.

1.3 No fetter

Nothing in this Deed shall fetter the Council in the exercise of its discretion for the purpose of section 138 of the *Roads Act 1993* (NSW).

1.4 Satisfaction

The Council acknowledges and agrees that:

- (1) SSF's compliance with this Deed will wholly satisfy the obligations imposed on SSF under; and
- (2) the Council will impose no further obligations on SSF in relation to the satisfaction of,

conditions 7(b), 7(c) and & 7(e) of Schedule 3 to the Project Approval so far as it relates to the Project Works, including in relation to:

- (3) improvements, temporary upgrades or changes to the Route Council Roads;
- (4) the undertaking of a Road Dilapidation Report by an independent and qualified person or team prior to the Construction Period and then following completion of Construction Period; and
- (5) measures to be undertaken to restore or reinstate Route Council Roads damaged by the Project Works.

2 Road Dilapidation Reports

2.1 Baseline Report

- (1) The parties acknowledge and agree that, prior to commencing Construction of the Project Works, the Contractor, in respect of the Route Council Roads, must engage the Consultant to:
 - (a) undertake an assessment of the Route Council Roads by recording video footage of the Route Council Roads from a motor vehicle travelling the utilised routes; and
 - (b) prepared a written report on the results of that assessment which:
 - (i) includes clear digitally recorded video footage of the Route Council Roads from a motor vehicle travelling the proposed routes; and
 - (ii) records the GPS coordinates of the route travelled as well as length in kilometres of the Route Council Roads; and

(collectively **Baseline Report**).

2.2 Post Construction Report

Following completion of Construction and any Additional Maintenance performed by the Contractor on the relevant Route Council Roads in accordance with clause 3.1, SSF must procure that the Contractor (or one of the entities comprising the Contractor):

- (1) undertakes a further assessment of the Route Council Roads by:
 - (a) recording video footage of the Route Council Roads from a motor vehicle travelling the utilised routes; and
 - (b) a gravel depth survey; and
- (2) provides a written report on the results of that assessment which must:

- (a) include clear digitally recorded video footage of the Route Council Roads from a motor vehicle travelling the utilised routes;
 - (b) record the GPS coordinates of the route travelled as well as length in kilometres of each Route Council Road; and
 - (c) include the results of the gravel depth survey,
- (Post Construction Report).**

3 Maintenance

3.1 Maintenance Works during the Construction Period

- (1) The Council shall carry out Usual Council Maintenance on all Route Council Roads over the period of this Deed.
- (2) If, during the Construction Period, any Additional Maintenance to a Route Council Road is required as a result of damage to that Route Council Road caused by the Construction of the Project Works, then SSF must procure that the Contractor, subject to the Council providing its consent as roads authority under section 138 of the *Roads Act 1993* (NSW), undertakes such Additional Maintenance as soon as practicable.
- (3) If SSF fails to comply with its obligation under clause 3.1(2), then the Council may issue a notice to SSF requiring such performance and specifying a reasonable time for performance. If SSF does not comply with the notice, then the Council may, by further notice to SSF, perform or have others perform the Additional Maintenance and may recover the reasonable costs of doing so as a debt due and payable by SSF to the Council.

3.2 Maintenance Works after the Construction Period

- (1) If the Post Construction Report identifies that any Additional Maintenance to a Route Council Road is required as a result of damage to that Route Council Road caused by the Construction of the Project Works, then SSF must procure that the Contractor, subject to the Council providing its consent as roads authority under section 138 of the *Roads Act 1993* (NSW), promptly undertakes such Additional Maintenance.
- (2) If SSF fails to comply with its obligation under clause 3.2(1), then the Council may issue a notice to SSF requiring such performance and specifying a reasonable time for performance. If SSF does not comply with the notice, then the Council may, by further notice to SSF, perform or have others perform the Additional Maintenance and may recover the reasonable costs of doing so as a debt due and payable by SSF to the Council.
- (3) Compliance by SSF with clause 3.2 is in full satisfaction of SSF's obligation under the last paragraph of condition section 7(c) of Schedule 3 to the Project Approval to restore or reinstate any Route Council Roads damaged by the Project Works.

3.3 Standard for Additional Maintenance

The parties acknowledge that Additional Maintenance performed in compliance by SSF with its obligations in clause 3.1 and 3.2 does not require that the relevant Route Council Road be improved from the standard or condition that it was in prior to the relevant damage occurring (as that standard or condition is identified in the Baseline Report).

4 Security

4.1 Provision of Security

- (1) SSF shall provide the Council with a bank guarantee in the amount of \$75,000 and in a form and from a bank approved by the Council (acting reasonably) (**Security**) not less than 15 days prior to the Construction Period commencing.
- (2) The Security may contain an expiry date however if that expiry date is a date before the relevant Security is reasonably expected to be released under clause 4.3, then SSF must, not less than 20 Business Days before the expiry date of that Security, provide to the Council a replacement Security.

4.2 Recourse to Security

- (1) Subject to the Council giving SSF 10 Business Days' written notice of its intention to do so, the Council may have recourse to the Security to recover a debt due and payable by SSF to the Council under clause 3.1(3).
- (2) Where the Council has recourse to the Security in respect of an amount and it is subsequently determined that the amount is not payable by SSF to the Council, then the Council must pay that amount to SSF plus interest at the rate of the Reserve Bank of Australia interest rate plus 1.5% for every day from the date of recourse up to and including the date of payment.

4.3 Return of Security

- (1) The Council must return the Security to SSF within 15 Business Days after the provision to the Council of the Post Construction Report.

5 Dispute Resolution

5.1 Notice of dispute

If a dispute arises between the parties out of or in connection with this Deed, then the party affected by the dispute may give the other party a written notice specifying the dispute.

5.2 Meeting of senior representatives

- (1) If a dispute notified under clause 5.1 remains unresolved within 10 Business Days after the date of that notice, a party may require in writing to the other party that a senior representative of each of the Council and SSF with authority to resolve the dispute (**Senior Representatives**) meet and undertake genuine and good faith negotiations with a view to resolving the dispute.
- (2) If a meeting is required under clause 5.2(1) by a party, then each party shall ensure attendance on its behalf. Each party shall use its best endeavours to ensure that a meeting required under clause 5.2(1) takes place within 10 Business Days after the receipt of a written requirement for the meeting.

5.3 Referral to Secretary

- (1) If the dispute has not been resolved within 30 Business Days after the dispute is notified under clause 5.1, then the dispute may be referred to the Secretary for determination in accordance with this clause 5.3.
- (2) The parties:

- (a) must provide the Secretary with all assistance requested by the Secretary in relation to the determination of the dispute, including the provision of documents; and
- (b) may make submissions to the Secretary, including the provision of expert reports;
- (3) Each party shall bear its own costs in relation of making submissions to the Secretary.
- (4) The determination of the Secretary will be final and binding on the parties (other than in the case of fraud or manifest error).

5.4 Expert determination

- (1) If the Secretary is unwilling or unable to make a determination in accordance with clause 5.3, then either party may, by giving notice to the other party, require that the dispute be referred to an expert for determination in accordance with this clause 5.4.
- (2) If a dispute is referred to expert determination under this clause 5.4, then an expert must be selected and the dispute determined in accordance with the provisions of the Expert Determination Rules 2016 as published by Resolution Institute, as modified by this clause 5.4.
- (3) The determination of the expert will be final and binding on the parties (other than in the case of fraud or manifest error).

6 General

6.1 Notices

- (1) A notice or other communication connected with this Deed (**Notice**) has no legal effect unless it is in writing.
- (2) In addition to any other method of service provided by law, the Notice may be:
 - (a) sent by prepaid priority post to the address of the addressee set out in clause 6.1(4) or subsequently notified;
 - (b) sent by email to the email address of the addressee set out in clause 6.1(4), or subsequently notified; or
 - (c) delivered by hand at the address of the addressee set out in clause 6.1(4) or subsequently notified.
- (3) If the Notice is sent or delivered in a manner provided by clause 6.1(2), it must be treated as given to and received by the party to which it is addressed:
 - (a) if sent by prepaid priority post, on the 3rd Business Day (at the address to which it is posted) after posting;
 - (b) if sent by email before 5pm on a Business Day at the place of receipt, on the day it is sent and otherwise on the next Business Day at the place of receipt; or

- (c) if delivered by hand before 5pm on a Business Day at the place of delivery, upon delivery, and otherwise on the next Business Day at the place of delivery.
- (4) As at the date of this Deed, the address of each party for Notices is:

Party	Address for Notices
Council	<u>Prepaid priority post:</u> Justin Pay Manager, Civil Engineering, Civil and Environmental Services PO Box 138, Inverell NSW 2360 <u>Email:</u> Justin.Pay@inverell.nsw.gov.au <u>Hand delivery:</u> Justin Pay Manager, Civil Engineering, Civil and Environmental Services 144 Otho Street, Inverell NSW 2360
SSF	<u>Prepaid priority post:</u> '01' Suite 1, Level 1, 17 Moore Street Canberra 2601 <u>Email:</u> TBC <u>Hand delivery:</u> '01' Suite 1, Level 1, 17 Moore Street Canberra 2601

- (5) A party must promptly notify the other party to the Deed of any change of address of that party.

6.2 Further assurance

Each party must promptly at its own cost do all things (including executing and if necessary delivering all documents) necessary or desirable to give full effect to this Deed.

6.3 Costs

- (1) SSF must each pay its own costs and outlays connected with the negotiation, preparation and execution of this Deed.
- (2) SSF must reimburse Council for its reasonable costs connected with the negotiation, preparation and execution of this Deed, up to a maximum amount of \$1,000

6.4 Variation

An amendment or variation to this Deed is not effective unless it is in writing and signed by the parties.

6.5 Waiver

- (1) A party's failure or delay to exercise a power or right does not operate as a waiver of that power or right.

- (2) The exercise of a power or right does not preclude either its exercise in the future or the exercise of any other power or right.
- (3) A waiver is not effective unless it is in writing.
- (4) Waiver of a power or right is effective only in respect of the specific instance to which it relates and for the specific purpose for which it is given.

6.6 Severability

If any provision in this Deed is unenforceable, illegal or void or makes this Deed or any part of it unenforceable, illegal or void, then that provision is severed and the rest of this Deed remains in force.

6.7 Counterparts

- (1) This Deed may be executed in any number of counterparts and electronically by the parties.
- (2) Each counterpart is an original but the counterparts together are one and the same agreement.

6.8 Entire understanding

This Deed:

- (1) is the entire agreement and understanding between the parties on everything connected with the subject matter of this Deed; and
- (2) supersedes any prior agreement or understanding on anything connected with that subject matter.

6.9 Governing law

- (1) The law of New South Wales governs this Deed.
- (2) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and of the Commonwealth of Australia.

6.10 Consent to security

SSF may grant security interests over this Deed where such security interest is granted to financiers for the purposes of financing the Project (including the Project Works).

6.11 Assignment or novation

- (1) Council agrees that SFF may assign the benefit of this Deed or novate the benefit and burden of this deed, or otherwise dispose of this Deed, to a related body corporate of SFF, any joint venture in which SFF or any related body corporate of SFF is a participant or a partnership comprised of related body corporates of SFF without the consent of Council provided that SFF complies with clause 6.11(2).
- (2) In respect of any assignment or novation of this Deed in accordance with clause 6.11(1), the parties agree to enter into an agreement with the assignee / novatee under which that party assumes all of SFF's obligations under this Deed and agrees to observe and perform all such obligations as if they were named as SFF in this deed, from the date the assignment or novation becomes effective.

Executed as a deed and delivered on the date shown on the first page.

Signed sealed and delivered for and on
behalf of **Inverell Shire Council**
ABN 72 695 204 530 by its authorised
representative in the presence of:

Signature of witness

Strike out if not applicable Electronic signature affixed
by me, or at my direction, on _____

Signature of authorised representative

Strike out if not applicable Electronic signature affixed
by me, or at my direction, on _____

Name of witness
(BLOCK LETTERS)

Name of authorised representative
(BLOCK LETTERS)

Address of witness

Strike out if not applicable This document was signed in counterpart and was witnessed over audio visual
link in accordance with section 14G of the *Electronic Transactions Act 2000* (NSW)

Executed by **Sapphire Solar Farm Pty Ltd**
ACN 620 649 069 in accordance with
section 127 of the *Corporations Act 2001*:

Director/company secretary

Strike out if not applicable Electronic signature affixed
by me, or at my direction, on _____

Director

Strike out if not applicable Electronic signature affixed
by me, or at my direction, on _____

Name of director/company secretary
(BLOCK LETTERS)

Name of director
(BLOCK LETTERS)

9.4 FORMER COMMUNITY HEALTH BUILDING - ASHFORD**File Number:** S3.15.1 / 21/13495**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

A confidential report has been prepared providing an update on the acquisition of the former Community Health Building. Council is requested to consider this report.

RECOMMENDATION:

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.

COMMENTARY:

The *Local Government Act 1993* (the Act), and the *Local Government (General) Regulation 2005* makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

- (a) Personnel matters concerning particular individuals (other than councillors.)*
- (b) The personal hardship of any resident or ratepayer.*
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
- (d) Commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret.*
- (e) Information that would, if disclosed, prejudice the maintenance of law.*
- (f) Matters affecting the security of the council, councillors, council staff or council property.*
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.*
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

In considering whether to close a part of a meeting to the public and media, Councillors are also reminded of further provisions of s.10D of the Act which states:

Grounds for closing part of meeting to be specified

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*
- (2) The grounds must specify the following:*
 - (a) the relevant provision of section 10A (2),*
 - (b) the matter that is to be discussed during the closed part of the meeting,*

- (c) *the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

It is recommended that, pursuant to Section 10A(2) of the *Local Government Act 1993* the matter be referred to Closed Committee 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*.

9.5 OFFER TO LEASE LAND - BRISSETT STREET, INVERELL**File Number:** S5.10.65 / 21/13496**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

Council is in receipt of a request to licence land (with an option to purchase) in Brissett Street, Inverell. Council is requested to consider a confidential report on this matter.

RECOMMENDATION:

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.

COMMENTARY:

The *Local Government Act 1993* (the Act), and the *Local Government (General) Regulation 2005* makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

- (a) Personnel matters concerning particular individuals (other than councillors.)*
- (b) The personal hardship of any resident or ratepayer.*
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
- (d) Commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret.*
- (e) Information that would, if disclosed, prejudice the maintenance of law.*
- (f) Matters affecting the security of the council, councillors, council staff or council property.*
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.*
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

In considering whether to close a part of a meeting to the public and media, Councillors are also reminded of further provisions of s.10D of the Act which states:

Grounds for closing part of meeting to be specified

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*
- (2) The grounds must specify the following:*
 - (a) the relevant provision of section 10A (2),*
 - (b) the matter that is to be discussed during the closed part of the meeting,*

- (c) *the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

It is recommended that, pursuant to Section 10A(2) of the *Local Government Act 1993* the matter be referred to Closed Committee 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*.

10 INFORMATION REPORTS**10.1 STRATEGIC TASKS - 'SIGN OFF' - APRIL 2021****File Number:** S4.13.2 / 21/12547**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

A part of a successful governance program is a need for administration to indicate to the policy makers that the requirements of the legislation, under which the organisation operates, has been provided. As a result, this information report provides Councillors with a statement of assurance from the General Manager that in accordance with the *Local Government Act, 1993*; the tasks have been complied with.

COMMENTARY:

The April, 2021 tasks required to be undertaken are detailed below. Any of these tasks may be added to as Council becomes familiar with this new initiative.

Date	Compliance Requirement	Achieved/Not Achieved	Comments
30 April 2021	Fourth quarter rates instalment notices to be sent. [LGA s562(5)].	Scheduled to be posted on Friday 23 April 2021	
30 April 2021	Public bodies to provide Council with a list of parcels of land to which rate rebate applies [LGA s600(5)]	No notifications as at 20 April 2021	

I confirm that the performance criteria as set out in the criteria for scheduled tasks have been met for the month of April, 2021. I confirm the accuracy and completeness of the information provided above, in that to the best of my knowledge and understanding, all material information has been herein disclosed.

P J HENRY PSM

GENERAL MANAGER

ATTACHMENTS:

Nil

10.2 ALGWA NSW EXECUTIVE BOARD**File Number:** S4.3.1 / 21/12672**Author:** Paul Henry, General Manager**SUMMARY:**

An Election for positions on the NSW Board of the Australian Local Government Women's Association was conducted on 20 March, 2021.

COMMENTARY:

The Secretary of the NSW Branch of the Australian Local Government Women's Association, Cr Sera Yilmaz has advised that an election for all positions on the NSW Board was conducted on 20 March, 2021.

This election resulted in Cr Di Baker being elected Vice president (Country) for a period of 24 months.

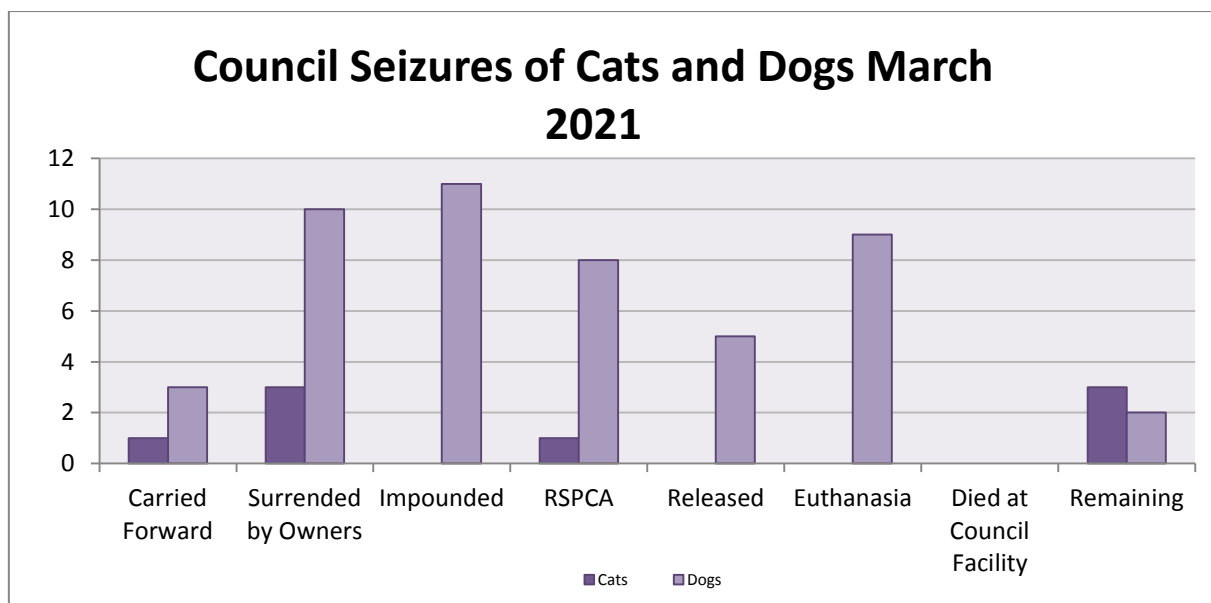
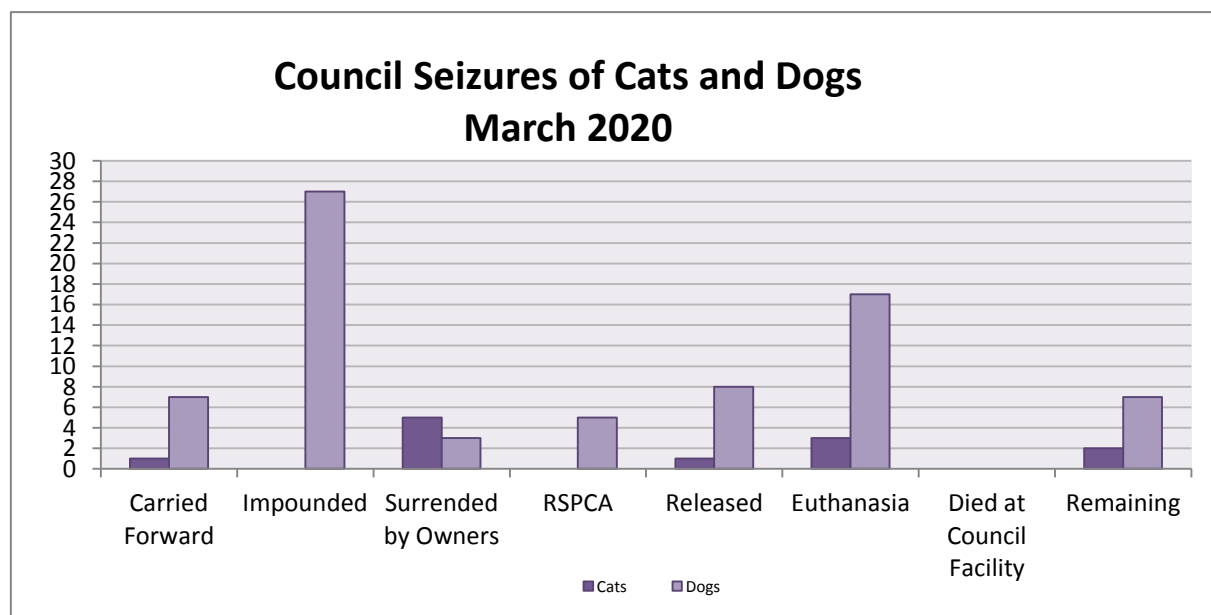
Congratulations Cr Baker.

ATTACHMENTS:

Nil

10.3 ORDINANCE ACTIVITIES REPORT FOR MARCH 2021**File Number:** S18.10.1 / 21/12813**Author:** Alexandra Kennedy, Administration Officer**SUMMARY:**

The following details the number of various Ordinance activities carried out during March 2021, in comparison to the same month in 2020.

INFORMATION:**COMPLIANCE****Inverell Shire Council Pound Monthly Report March 2021****Inverell Shire Council Pound Monthly Report March 2020****ATTACHMENTS:****Nil**

10.4 SEPTIC TANK APPROVALS FOR MARCH 2021**File Number: S29.19.1 / 21/12815****Author: Alexandra Kennedy, Administration Officer****SUMMARY:**

The following details the Septic Tank approvals for March 2021.

INFORMATION:

<u>Septic Application Number</u>	<u>Applicant</u>	<u>Property</u>
S-13/2021	Mr Bradley James Tindall & Mrs Tracey Jane Tindall	536 Yetman Road, INVERELL 2360
S-18/2021	Mr Dallas John Baldwin & Ms Clare Elizabeth McCosker	528 Fernhill Road, INVERELL 2360
S-19/2021	Dept. of Industry, Skills & Regional Development	7023 Gwydir Highway, INVERELL 2360

ATTACHMENTS:**Nil**

10.5 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING MARCH 2021

File Number: S18.10.2/14 / 21/12819

Author: Alexandra Kennedy, Administration Officer

SUMMARY:

This report is intended to keep Council updated on the Development Applications, Construction Certificates and Complying Development Certificates determined during the month of March 2021.

DEVELOPMENT APPROVALS, REFUSALS AND VARIATIONS DURING MARCH 2021

Development Approvals

<u>Development Application Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Development</u>	<u>\$ Amount</u>
DA-172/2020	Mr Clinton James Connery	42 Sapphire Street, INVERELL 2360	New Dwelling, Shed and Pool	480,000
DA-183/2020	Ms Alethea Marie Grills	21-23 Clive Street, INVERELL 2360	Dual Occupancy	355,000
DA-15/2021	Mr Brett Anthony Parker	12 Talbragar Close, INVERELL 2360	New Shed	8,935
DA-16/2021	Inverell District Family Services Ltd	120 Ross Street, INVERELL 2360	Community Facility	750,000
DA-17/2021	Mr Raymond Henry Eddy & Mrs Juanita Dell Eddy	51 Brae Street, INVERELL 2360	New Shed	16,000
DA-18/2021	Mr Benjamin David Lehman & Mrs Debra Ann Lehman	183 Copeton Dam Road, INVERELL 2360	Alterations and additions to dwelling	50,000
DA-19/2021	Mr Jason Paul Carpenter & Mrs Deirdre Anne Carpenter	21 Harland Street, INVERELL 2360	Carport	7,000
DA-20/2021	Ms Pamela Susan Bradley	1 Froude Street, INVERELL 2360	New Shed	15,000
DA-21/2021	Mr Bradley James Tindall & Mrs Tracey Jane Tindall	536 Yetman Road, INVERELL 2360	Dwelling, Shed and Shipping Container	600,000
DA-22/2021	Mr Graeme Christopher Tonkin	14 Vintage Close, INVERELL 2360	New shed	19,800

DA-24/2021	Mr David Henry Grady	563 Dintonvale Road, OAKWOOD 2360	Additions to Existing Dwelling	200,000
DA-25/2021	M B & C M Jorgensen Pty Ltd	135 Roscrae Lane, INVERELL 2360	Dwelling & Shed	920,000
DA-26/2021	Ms Karen Lee Dickson	123 Old Bundarra Road, INVERELL 2360	New Shed	29,359
DA-27/2021	Ruralplan Consultants	15 Butler Street, INVERELL 2360	Alterations and Additions to Existing Dwelling - Rear Deck	12,000
DA-28/2021	Mr Pieter Jan Colburn Mayne	Gunyan Road, BONSHAW 2361	Intensive Plant Agriculture - Installation of Centre Pivots	Nil
DA-29/2021	Mr Graham Alec Hoyer & Mrs Lesley Jean Hoyer	105 Brae Street, INVERELL 2360	New Shed	19,000
DA-30/2021	Local Government Engineering Services	40 King Street, INVERELL 2360	1 into 2 Lot Subdivision	Nil
DA-31/2021	Mr John Wayne Gunther & Mrs Colleen Maree Gunther	246 Kents Road, DELUNGRA 2403	Farm Shed	32,000
DA-32/2021	Vinecombe Construction Pty Ltd	45 Mulligan Street, INVERELL 2360	Alterations and Additions to Dwelling	119,500
DA-33/2021	Mr Jason Paul Carpenter	6375 Gwydir Highway, INVERELL 2360	Proposed Awning to Existing Clubhouse	25,000
DA-34/2021	Woolworths Limited	2 Vivian Street, INVERELL 2360	Installation of Shade Sails over 52 Existing Carparks	245,850
DA-35/2021	Mr Samuel Robert Kimmince	145 Nullamanna Road, INVERELL 2360	Additions to Existing Dwelling	250,000
Monthly estimated value of Approvals: March 2021			22	4,154,444

Development Amendments

<u>Development Application Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Development</u>	<u>\$ Amount</u>
DA-163/2010/C	Bundarra Business Solutions	133A Old Bundarra Road, INVERELL 2360	Modification to DA-163/2010 - Units 9 & 10	Nil
DA-68/2020/A	Creative Planning Solutions	25 Medora Street, INVERELL 2360	Dual Occupancy (Detached)	Nil
DA-124/2020/A	Mr Benjamin Cooper-Llewelyn & Ms Taylor Darci Gardner	545 Old Bundarra Road, INVERELL 2360	Dwelling	Nil
Monthly estimated value of Approvals: March 2021			3	Nil

Development Refusals

Nil

Variation to Development Standards Approved

As part of the monitoring and reporting requirements established by the NSW Department of Planning, a report of all variations approved under delegation in accordance with Clause 4.6 of *the Inverell Local Environmental Plan 2012* must be provided to a full council meeting.

The following details the variations to development standards approved during March 2021.

INFORMATION:

Nil

CONSTRUCTION CERTIFICATES APPROVED AND AMENDED DURING MARCH 2021**Construction Certificates approved by Council**

<u>Construction Certificate Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CC-57/2019	Mr Christopher Bird	2090 Nullamanna Road, NULLAMANNA 2360	Demolish dwelling and construct new dwelling	200,000
CC-129/2020	Mr Michael Scott Germany	Cameron Street, INVERELL 2360	New Shed	15,700
CC-4/2021	Mr Adam Taylor	22 Zircon Street, INVERELL 2360	Shed	10,000
CC-14/2021	Mr John Donald McRae	7374 Gwydir Highway, INVERELL 2360	Alterations and Additions to Dwelling	75,000
CC-15/2021	Mr Brett Anthony Parker	12 Talbragar Close, INVERELL 2360	New Shed	8,935
CC-17/2021	Mr Jason Paul Carpenter & Mrs Deirdre Anne Carpenter	21 Harland Street, INVERELL 2360	Carport	7,000
CC-18/2021	Ms Pamela Susan Bradley	1 Froude Street, INVERELL 2360	New Shed	15,000
CC-19/2021	Mr Bradley James Tindall & Mrs Tracey Jane Tindall	536 Yetman Road, INVERELL 2360	Shed	20,000
CC-22/2021	Ms Sarah Catherine Elizebeth Murray	93 Granville Street, INVERELL 2360	Demolish old shed and construct new shed	14,700
CC-24/2021	M B & C M Jorgensen Pty Ltd	135 Roscrae Lane, INVERELL 2360	Shed	20,000
CC-25/2021	Ms Karen Lee Dickson	123 Old Bundarra Road, INVERELL 2360	New Shed	29,359
CC-28/2021	Mr Graham Alec Hoyer & Mrs Lesley Jean Hoyer	105 Brae Street, INVERELL 2360	New Shed	19,000

CC-29/2021	Mr John Wayne Gunther & Mrs Colleen Maree Gunther	246 Kents Road, DELUNGRA 2403	Farm Shed	32,000
CC-31/2021	Mr Benjamin Cooper-Llewelyn & Ms Taylor Darci Gardner	545 Old Bundarra Road, INVERELL 2360	New Shed	17,000
CC-35/2021	Mr Samuel Robert Kimmince	145 Nullamanna Road, INVERELL 2360	Additions to Existing Dwelling	250,000
Monthly estimated value of Approvals: March 2021			15	733,694

Amended Construction Certificates approved by Council

Nil

Construction Certificates approved by Private Certifier

<u>Construction Certificate Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CC-33/2021	Mr Christopher James Tonkin	1612 Pindaroi Road, PINDAROI 2361	Demolition of Existing Dwelling and Construction of New Dwelling	562,000
CC-34/2021	Mr Jake Steven Woodward & Mrs Stephanie Madeline Woodward	15 White Box Place, INVERELL 2360	Dwelling	485,000
Monthly estimated value of Approvals: March 2021			2	1,047,000

Amended Construction Certificates approved by Private Certifier

Nil

COMPLYING DEVELOPMENT CERTIFICATES APPROVED AND AMENDED DURING MARCH 2021**Complying Development Certificates Approved by Council**

<u>Complying Development Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CD-11/2021	Mr Graham Alec Hoyer & Mrs Lesley Jean Hoyer	105 Brae Street, INVERELL 2360	New Shed	19,000
CD-12/2021	Thomas Nelson Building	68 Chester Street, INVERELL 2360	Minor Bathroom Alteration	5,000
CD-13/2021	Mr Dallas John Baldwin & Ms Clare Elizabeth McCosker	528 Fernhill Road, INVERELL 2360	New Dwelling	378,293
Monthly estimated value of Approvals: March 2021			3	402,293

Amended Complying Development Certificates approved by Council

Nil

Complying Development Certificates approved by Private Certifier

Nil

Amended Complying Development Certificates approved by Private Certifier

Nil

TOTAL BUILDING CONSTRUCTION FOR INVERELL SHIRE DURING MARCH 2021:

<u>Type of Consent</u>	<u>Number</u>	<u>\$ Amount</u>
Construction Certificates – Council Approved	15	733,694
Construction Certificates – Private Certifier	2	1,047,000
Complying Development – Council Approved	3	402,293
Complying Development – Private Certifier	0	Nil
Totals	20	2,182,987

Estimated Value of Approvals issued in the financial ytd in: **2020/2021** **(143)** **\$22,465,910**
2019/2020 **(103)** **\$15,173,052**

Attachments:

Nil

10.6 APPROVAL OF FINANCIAL ASSISTANCE - RAW WATER SUPPLY - BONSHAW

File Number: S32.13.2 / 21/13019

Author: Kristy Paton, Corporate Support Officer - Publishing

SUMMARY:

Council is in receipt of a letter from the Hon. Adam Marshall MP regarding financial assistance for the Raw Water supply in Bonshaw.

COMMENTARY:

In Council's November 2020 meeting it was resolved that Council make an application to the Minister for Water and Housing, the Hon. Melinda Pavey MP for financial assistance for a more secure back up raw water supply for the village of Bonshaw.

In December 2020, representations were made by Council to the Hon. Adam Marshall MP and the Hon. Melinda Pavey MP, Minister for Water, Property and Housing seeking \$190K in Drought Emergency Funding towards the costs of at least one (1) emergency back up bore and increased water storage for the village.

In March 2021, Council received correspondence from Hon. Adam Marshall MP advising the Minister has approved \$114K in financial assistance towards the works at Bonshaw.

Copies of the correspondence received from the Hon. Adam Marshall MP and the Hon. Melinda Pavey MP are attached.

ATTACHMENTS:

1. **Correspondence from the Hon. Adam Marshall MP and the Hon. Melinda Pavey MP - Approval of Financial Assistance - Raw Water Supply Bonshaw**



Mr Paul Henry PSM
General Manager
Inverell Shire Council
By email: council@inverell.nsw.gov.au

Dear Mr Henry

Paul,

I write further to your letter dated 11 December 2020 regarding your enquiry about state government assistance to provide a backup raw water supply for Bonshaw, in the local government area.

I made direct representations to the Minister for Water, Property and Housing, the Hon Melinda Pavey MP seeking her advice and consideration on the matter.

Following my representations, I have now received the enclosed response from the Minister. I am very pleased to note that the Minister has approved financial assistance of up to \$114,000 towards these essential emergency works. I trust this is welcome news.

Should I be able to provide you or council with any further assistance in this matter, please do not hesitate to get in touch.

Yours sincerely

Adam Marshall

ADAM MARSHALL MP
Member for Northern Tablelands

Enc:

12 MAR 2021

Armidale office: Suite 1, 175 Rusden Street, Armidale NSW 2350 **Phone:** 02 6772 5552 **Fax:** 02 6772 5026

Moree office: Suites 2-6, 161 Balgo Street, Moree NSW 2400 **Phone:** 02 6752 5002 **Fax:** 02 6752 6102

Mail: PO Box 77, Armidale NSW 2350 **Email:** northerntablelands@parliament.nsw.gov.au

Web: www.adammarshall.com.au



@aj_marshall



adammarshallmp



adammarshallmp



The Hon. Melinda Pavey MP
Minister for Water, Property and Housing

RECEIVED
11 MAR 2021

IM20/41652
Your ref: lh:isc

BY:

The Hon Adam Marshall MP
Minister for Agriculture and Western New South Wales
Member for Northern Tablelands
PO Box 77
ARMIDALE NSW 2350

Dear Minister

Thank you for your letter of 22 December 2020, on behalf of Mr Paul Henry, General Manager, Inverell Shire Council, seeking emergency financial assistance for town water supply to Bonshaw. As you are aware from Mr Henry's correspondence, he also wrote to me direct on this issue.

I am pleased to advise I have approved financial assistance of up to a maximum of \$114,000 (being 60 per cent of \$190,000 or actual project expenditure, whichever is lesser) toward these essential emergency works.

I understand Council has received initial technical advice from the Department of Planning, Industry and Environment (DPIE) Water regarding available groundwater and other bores in the area, aimed at ensuring Council is fully informed and is able to deliver a robust and cost-effective solution. I encourage Council to continue this dialogue to finalise solution details, including obtaining essential regulatory approvals such as licenses for the works through NRAR.

I also understand DPIE Water has recommended Council investigates the potential for acquisition of nearby privately-owned bores. This option, if found to be viable, has the potential to substantially reduce capital costs and licensing risks for Council, and should be considered.

I look forward to this project progressing quickly to resolve the ongoing drought risks at Bonshaw.

Thank you for your interest in this matter. If Council requires additional information or wishes to discuss this matter further, Mr Henry is invited to contact Mr Glenn George, Regional Manager Water Utilities, in DPIE, on 0411 449 745.

Thank you for your interest in this matter.

Yours sincerely



Melinda Pavey MP
Minister for Water, Property and Housing

05 MAR 2021

10.7 STATUS OF TOWN WATER SUPPLIES**File Number:** S32.15.19 / 21/13070**Author:** Michael Bryant, Manager Environmental Engineering**SUMMARY:**

The purpose of this report is to update Council on the status of all town water supplies with the extended drought impacting water resources in the region over the past four (4) years.

Surface water conditions have improved with well above average rainfall generating inflow at Copeton Dam and Pindari Dam. Bonshaw and Graman raw water supply bores have been stressed and are recovering.

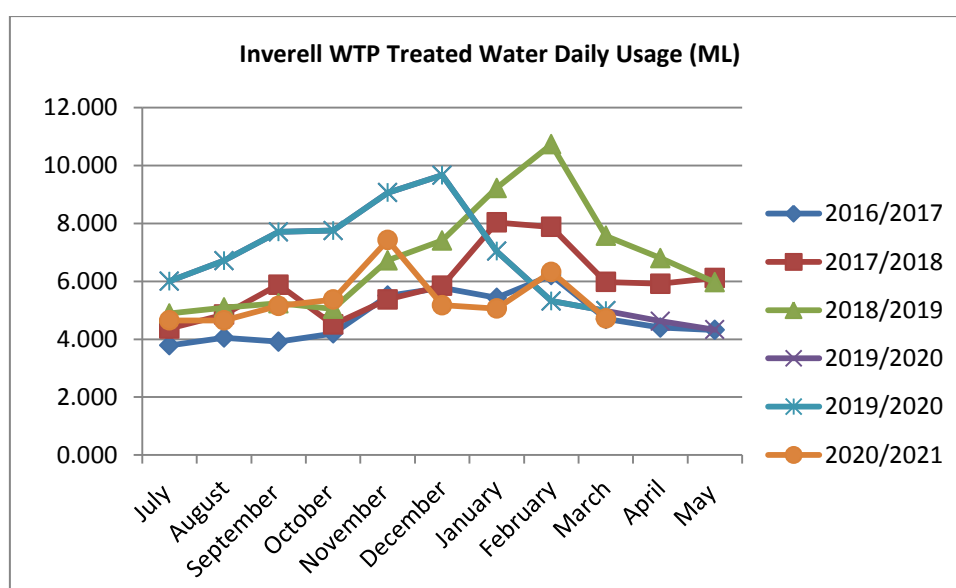
COMMENTARY:

At the November 2019 Ordinary Meeting of Council, it was confirmed that a Status Report on Council water supplies will be provided to monthly Council meetings whilst the drought continues.

Council operates three (3) treated (potable) town water supplies and two (2) raw water supplies. The current status of all water supplies is summarised in the table below. Monthly daily usage trends for the Copeton Scheme are also displayed in a graph.

Status of Water Supplies – 19 April 2021			
Name of Water Supply	Source of Water	Comments on Status of Supply	Remedial Action
Copeton Scheme Treated water supply. Supplies Inverell, Gilgai, Tingha, Mt Russell & Delungra.	Copeton Dam. Storage Capacity 1,364,000 ML. Storage level 40.7% and rising, 555,148 ML. Raw water pumped from dam outlet (no transmission losses).	Full allocation under WSP for 2020/2021. March 2021 average consumption 4.90ML/day. Demand decreasing with below average temperatures and above average autumn rainfall.	Continue monitoring.
Ashford Treated Water	Pindari Dam. Storage Capacity 312,000 ML. Storage level 49% and rising, 152,880 ML. Raw water pumped from Severn River to Ashford WTP.	Full allocation under WSP for 2020/2021. March 2021 average consumption 0.32ML/day. Demand decreasing with below average temperatures and above average autumn rainfall.	Continue monitoring.
Yetman Treated Water.	Ground water – two (2) bores in alluvial aquifer on Macintyre River floodplain.	Full allocation under WSP for 2020/2021. March 2021 average consumption low at 0.08 ML/day.	Continue monitoring ground water levels.
Bonshaw Raw Water – non	Ground water – One (1) bore in	Flow in the Dumaresq River at Bonshaw	Continue monitoring. Residents requested

potable. Restricted flow supply suitable for internal non potable domestic use only, mainly toilet flushing.	alluvial material on Dumaresq River floodplain.	increased with the recent flood event. Water table will increase going forward.	to limit water usage to 100L per person per day until bore is replenished.
Graman Raw Water – non potable. Restricted flow supply suitable for internal non potable domestic use only, mainly toilet flushing.	Ground water – one (1) bore adjacent Graman Creek.	Bore stressed, however will improve as ground water tends to increase with the above average rainfall.	Continue monitoring. Residents requested to limit water usage to 100L per person per day until bore is replenished.



Public Standpipes – Potable Water

Council has standpipes accessible to the public located at Inverell, Gilgai, Tingha, Delungra, Ashford and Yetman. The standpipes provide the opportunity for members of the community to access potable water. Demand remains low.

Conclusion

Above average rainfall has primed catchments and with a continuation of this trend dam levels will continue to increase. Copeton Dam and Pindari Dam water levels have increased to a level where Ashford and Copeton Town Water Supplies will receive a full allocation for the 2021/2022 water year. Graman and Bonshaw bores are on the improve.

The town water supplies will continue to be closely monitored.

RISK ASSESSMENT:

It is important that the town water supplies are closely monitored to ensure there is potable water available for the community.

The ISC community is very much dependent upon the judicious management of regional water resources by the NSW Government in ensuring that sufficient water reserves are retained in Copeton Dam and Pindari Dam for town water supplies during extended drought sequences.

POLICY IMPLICATIONS:

Council has a Drought Management Plan in place to manage town water supplies.

ATTACHMENTS:

Nil

11 GOVERNANCE REPORTS

Nil

12 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)**RECOMMENDATION:**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with the reasons stated in the referral reports:

12.1 Former Community Health Building - Ashford

12.2 Offer to Lease Land - Brissett Street, Inverell