

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 28 APRIL 2021 AT 3.00 PM**

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

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

1 APOLOGIES

RESOLUTION 2021/28

Moved: Cr Neil McCosker

Seconded: Cr Kate Dight

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

CARRIED

2 CONFIRMATION OF MINUTES

RESOLUTION 2021/29

Moved: Cr Anthony Michael

Seconded: Cr Paul King OAM

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.

CARRIED

3 DISCLOSURE OF INTERESTS / PECUNIARY AND NON-PECUNIARY INTERESTS

Cr Harmon declared a Pecuniary Interest in Item 10.5 – ‘Summary of Development Applications, Construction Certificates and Complying Development Certificates during March 2021 S18.10.2/14’. The nature of the interest is that Cr Harmon is the owner of the land over which a DA has been lodged.

4 PUBLIC FORUM

Nil

5 NOTICES OF BUSINESS

Nil

6 QUESTIONS WITH NOTICE

Nil

7 ADVOCACY REPORTS**7.1 NSW ALGWA AGM AND CONFERENCE AT SHELLHARBOUR S4.3.1****RESOLUTION 2021/30**

Moved: Cr Kate Dight

Seconded: Cr Anthony Michael

*That the report on ALGWA NSW AGM and Conference be received and noted.***CARRIED****8 COMMITTEE REPORTS****8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 14 APRIL 2021****RESOLUTION 2021/31**

Moved: Cr Anthony Michael

Seconded: Cr Stewart Berryman

- 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.*

CARRIED**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. That a draft Pedestrian Access and Mobility Plan (PAMP) for Villages be prepared.*

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 achieve an outcome that utilises adjacent school land to deliver 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.

8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 14 APRIL 2021

RESOLUTION 2021/32

Moved: Cr Paul King OAM

Seconded: Cr Stewart Berryman

- 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.*

CARRIED

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 – 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 \$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:

- a water availability base charge of \$395.00 per assessment (Includes first water meter) be adopted for 2021/2022;*
- a water charge of \$395.00 per additional water meter, per assessment be adopted for 2021/2022;*
- 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;*
- 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;*
- a charge of \$1.72 per kilolitre be adopted for commercial water consumption for 2021/2022;*
- 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;*
- a charge of \$0.90 per kilolitre be adopted for water consumption - Abattoirs, plus a 20 per cent early settlement discount for 2021/2022;*
- 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

RESOLUTION 2021/33

Moved: Cr Neil McCosker

Seconded: Cr Kate Dight

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:

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:

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.

9 DESTINATION REPORTS

9.1 LOCAL GOVERNMENT ELECTIONS - VARIOUS MATTERS S13.7.4/04

RESOLUTION 2021/34

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

- i) That the information be noted; and*
- ii) Following consideration of the proposed polling venues, Council determined that no changes are required.*

CARRIED

9.2 TRANSITION BACK TO IN-PERSON COUNCIL AND COMMITTEE MEETINGS S0.0.0

MOTION

Moved: Cr Kate Dight

Seconded: Cr Anthony Michael

That Council allow remote attendance at meetings for the following set of circumstances:

- 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.

AMENDMENT 2021/35

Moved: Cr Anthony Michael

Seconded: Cr Paul King OAM

That the meeting procedure remain unaltered.

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

9.3 SAPPHIRE SOLAR FARM AND BATTERY INSTALLATION - ROAD DILAPIDATION DEED S18.6.52/05

RESOLUTION 2021/36

Moved: Cr Neil McCosker

Seconded: Cr Stewart Berryman

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.*

CARRIED

9.4 FORMER COMMUNITY HEALTH BUILDING - ASHFORD S3.15.1

RESOLUTION 2021/37

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

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

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

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

CARRIED

9.5 OFFER TO LEASE LAND - BRISSETT STREET, INVERELL S5.10.65

RESOLUTION 2021/38

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

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

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

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

CARRIED

10 INFORMATION REPORTS

RESOLUTION 2021/39

Moved: Cr Anthony Michael
Seconded: Cr Di Baker

That the information reports be received and noted with the exception of Item 10.5. - 'Summary of Development Applications, Construction Certificates and Complying Development Certificates during March 2021 S18.10.2/14' which was dealt with separately.

CARRIED

10.1 STRATEGIC TASKS - 'SIGN OFF' - APRIL 2021 S4.13.2

10.2 ALGWA NSW EXECUTIVE BOARD S4.3.1

10.3 ORDINANCE ACTIVITIES REPORT FOR MARCH 2021 S18.10.1

10.4 SEPTIC TANK APPROVALS FOR MARCH 2021 S29.19.1

10.6 APPROVAL OF FINANCIAL ASSISTANCE - RAW WATER SUPPLY - BONSHAW S32.13.2

10.7 STATUS OF TOWN WATER SUPPLIES S32.15.19

At 3.26pm, Cr Paul Harmon left the meeting having previously declared a pecuniary interest in Item 10.5 – 'Summary of Development Applications, Construction Certificates and Complying Development Certificates during March 2021 S18.10.2/14'. The nature of the interest is that Cr Harmon is the owner of the land over which a DA has been lodged.

Cr Michael assumed the chair.

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

Moved: Cr Stewart Berryman
Seconded: Cr Paul King OAM

That the information report be received and noted.

At 3.27pm, Cr Paul Harmon returned to the meeting and resumed the chair.

11 GOVERNANCE REPORTS

Nil

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

At 3.28pm, the Chairperson offered the opportunity to members of the press to make representations as to whether any part of the Council Meeting should not be considered in Closed Council. There was no response.

RESOLUTION 2021/40

Moved: Cr Neil McCosker

Seconded: Cr Kate Dight

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

CARRIED

RESOLUTION 2021/41

Moved: Cr Neil McCosker

Seconded: Cr Anthony Michael

That Council proceeds out of Closed Council into Open Council.

CARRIED

Upon resuming Open Council at 3.42pm, 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 FORMER COMMUNITY HEALTH BUILDING - ASHFORD S3.15.1

RECOMMENDATION:

That Council advise HNEHS that Council has no further interest in acquiring the Ashford property on behalf of the community.

12.2 OFFER TO LEASE LAND - BRISSETT STREET, INVERELL S5.10.65

RECOMMENDATION:

That the General Manager:

- a) *enter into dialogue with both adjoining land owners with a view to making optimum use of the land; and*
- b) *a further report be brought back to Council for consideration.*

ADOPTION OF RECOMMENDATIONS

RESOLUTION 2021/42

Moved: Cr Anthony Michael

Seconded: Cr Stewart Berryman

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 3.43pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 May 2021.

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CHAIRPERSON