



BUSINESS PAPER

**Civil and Environmental Services
Committee Meeting
Wednesday, 13 April 2022**

INVERELL SHIRE COUNCIL**NOTICE OF CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING**

8 April, 2022

A Civil and Environmental Services Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 13 April, 2022, commencing at **9:00AM**.

Your attendance at this Civil and Environmental Services Committee Meeting 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 recorded. The 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

Agenda

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8am – Inspection of Roundabout

9am – Presentation by Caroline Downer, Arts North West

At the conclusion of the meeting an Asset Management Induction will be held.

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.



1 APOLOGIES

2 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Civil and Environmental Services Committee Meeting held on 9 March, 2022, as circulated to members, be confirmed as a true and correct record of that meeting.

**MINUTES OF INVERELL SHIRE COUNCIL
CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 9 MARCH 2022 AT 9:00AM**

PRESENT: Cr Stewart Berryman (Chairperson), Cr Paul Harmon (Mayor), Cr Jacko Ross, Cr Wendy Wilks.

IN ATTENDANCE: Cr Kate Dight, Cr Paul King OAM, Cr Nicky Lavender, Cr Jo Williams.
Brett McInnes (Acting General Manager), Paul Pay (Director Corporate and Economic Services) and Anthony Alliston (Manager Development Services).

1 APOLOGIES

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon
Seconded: Cr Paul King OAM

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

CARRIED

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Jacko Ross
Seconded: Cr Paul Harmon

That the Minutes of the Civil and Environmental Services Committee Meeting held on 9 February, 2022, as circulated to members, be confirmed as a true and correct record of that meeting noting that Item 8.1 Governance Reports – Performance Reporting on Road Maintenance Council Contracts S1.2.3/15, was moved by Cr Paul Harmon.

CARRIED

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

Nil

4 PUBLIC FORUM

Nil

5 DESTINATION REPORTS

5.1 GRAVEL RESHEET PROGRAM 2021-2022 S28.21.1/15

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Jacko Ross

That the Committee recommend to Council that:

- i. the 2021-2022 Gravel Resheeting Program as presented be adopted; and*
- ii. the adopted program be placed on Council's website for the information of the community.*

CARRIED

5.2 GILGAI SCHOOL BUS BAY UPGRADE S30.14.1

COMMITTEE RESOLUTION

Moved: Cr Wendy Wilks

Seconded: Cr Jacko Ross

That the Committee recommend to Council that:

- 1. The design for the upgrade of parking, parent drop off and school bus bay area at Gilgai Public School be endorsed; and*
- 2. Funding applications be submitted to cover any cost that Council is liable for associated with upgrade works on Council's adjacent road network.*

CARRIED

SUSPENSION OF STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

At 9.40am, standing orders were suspended and the Hon Adam Marshall MP was invited to address the Committee.

CARRIED

RESUMPTION OF STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Nicky Lavender

At 9.59am, standing orders were resumed.

CARRIED

5.3 RE-ALLOCATE 2021/2022 REPAIR PROGRAM FUNDING S15.8.22**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Jacko Ross

That the Committee recommend to Council that:

- i) the 2021/2022 REPAIR Program Funding of \$1,089,986 be re-allocated to the MR137 "Wandera South" Road rehabilitation project, and*
- ii) the cost of the upgrade of Bundarra Road adjacent to the Racecourse of \$1,080,088 be funded from Council's bitumen road renewal fund.*

CARRIED

5.4 REGIONAL ROAD TRANSFER AND ROAD CLASSIFICATION - UPDATE S28.24.1**COMMITTEE RESOLUTION**

Moved: Cr Wendy Wilks

Seconded: Cr Paul Harmon

That the Committee recommend to Council that Council make a full round submission for all Regional Roads in the Inverell LGA to be transferred to State Government control, provided the following conditions are met:

- 1. Funding for maintenance, rehabilitation and upgrade of the Regional Road Network in Inverell Shire must not be reduced;*
- 2. The level of service provided by the Regional Road network in Inverell Shire must not be reduced;*
- 3. Funding received by Council from State and Federal Government such as FAGS and Roads to Recovery must not be reduced; and*
- 4. Future maintenance of the State Controlled Regional Road network within Inverell Shire be undertaken on a similar basis as the RMCC – with lower level of service standards than the State Road network.*

CARRIED

6 INFORMATION REPORTS**COMMITTEE RESOLUTION**

Moved: Cr Jacko Ross

Seconded: Cr Paul Harmon

That the following information reports be received and noted.

CARRIED**6.1 WORKS UPDATE S28.21.1/15****6.2 EMPLOYMENT ZONES REFORM S18.6.49****7 GOVERNANCE REPORTS****7.1 GOVERNANCE - PERFORMANCE REPORTING ON ROAD MAINTENANCE COUNCIL CONTRACTS S1.2.3/15****COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Jacko Ross

That the information be received and noted.

CARRIED

The Meeting closed at 10.23am.

- 3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS**
- 4 PUBLIC FORUM**

5 DESTINATION REPORTS

5.1 REQUEST TO NAME CROWN LANE WITHIN VILLAGE OF WANDERA

File Number: S28.13.2 / 22/10814

Author: Chris Faley, Development Services Coordinator

SUMMARY:

Council has received a request to name a Crown lane within the village of Wandera.

The Committee is requested to recommend to Council that this lane be named "Sanctuary Lane".

RECOMMENDATION:

That the Committee recommend to Council that:

- 1. The lane, between Broad Street and Campbell Street, within the village of Wandera be named "Sanctuary Lane"; and*
- 2. The appropriate steps to formally name "Sanctuary Lane" be completed once the lane has been upgraded in accordance with DA-195/2005.*

COMMENTARY:

Council has received a request from Mrs Rosslyn Miller-Hardy to formally name the Crown lane, between Broad Street and Campbell Street, within the village of Wandera. Mrs Miller-Hardy has proposed the name "Sanctuary Lane". A copy of this request is included as **Attachment 1** and the location of the lane is shown in **Figure 1** below.

In relation to Crown roads and lanes, the Geographical Names Board (GNB) via the NSW Address Policy and User Manual "*advises that Local Government (with jurisdiction over the area in which the road is located) is responsible for endorsing the authoritative road name and ensuring it is approved by the GNB and gazetted*".

At present, the Crown lane between Broad Street and Campbell Street is unformed. The NSW Address Policy and User Manual states that unformed road reserves should only be named where a name is, or will be, required for addressing purposes. In this regard, a dwelling has been approved (Council Resolution 283/05) under DA-195/2005 on Lot 1 Section 2 DP 759043 reliant on the use and upgrade of the subject Crown lane (Condition 6 of DA-195/2005). The location of Lot 1 Section 2 DP 759043 is shown in **Figure 1** and a copy of the DA-195/2005 consent is included as **Attachment 2**. Council records confirm that this consent has not lapsed.

Whilst the upgrade of the lane is yet to be completed, it is not unreasonable for Council to consider the naming of this lane at this point in time. The steps to formally name the lane (i.e. advertising, signposting) can then be undertaken once the lane has been upgraded. It is noted that Mrs Miller-Hardy is the applicant for DA-195/2005 and currently responsible for the lane upgrade.

Road names must be selected in accordance with:

- Council's Street and Road Naming Management Policy (as modified in 2010) – A copy of this policy is included as **Attachment 3**; and
- The NSW Address Policy and User Manual (May 2021) published by the GNB.

It is considered that the proposed road name "Sanctuary Lane" complies with the above policies. The Committee is requested to recommend to Council that appropriate steps be taken to formally name the lane, between Broad Street and Campbell Street, within the Village of Wandera as "Sanctuary Lane".

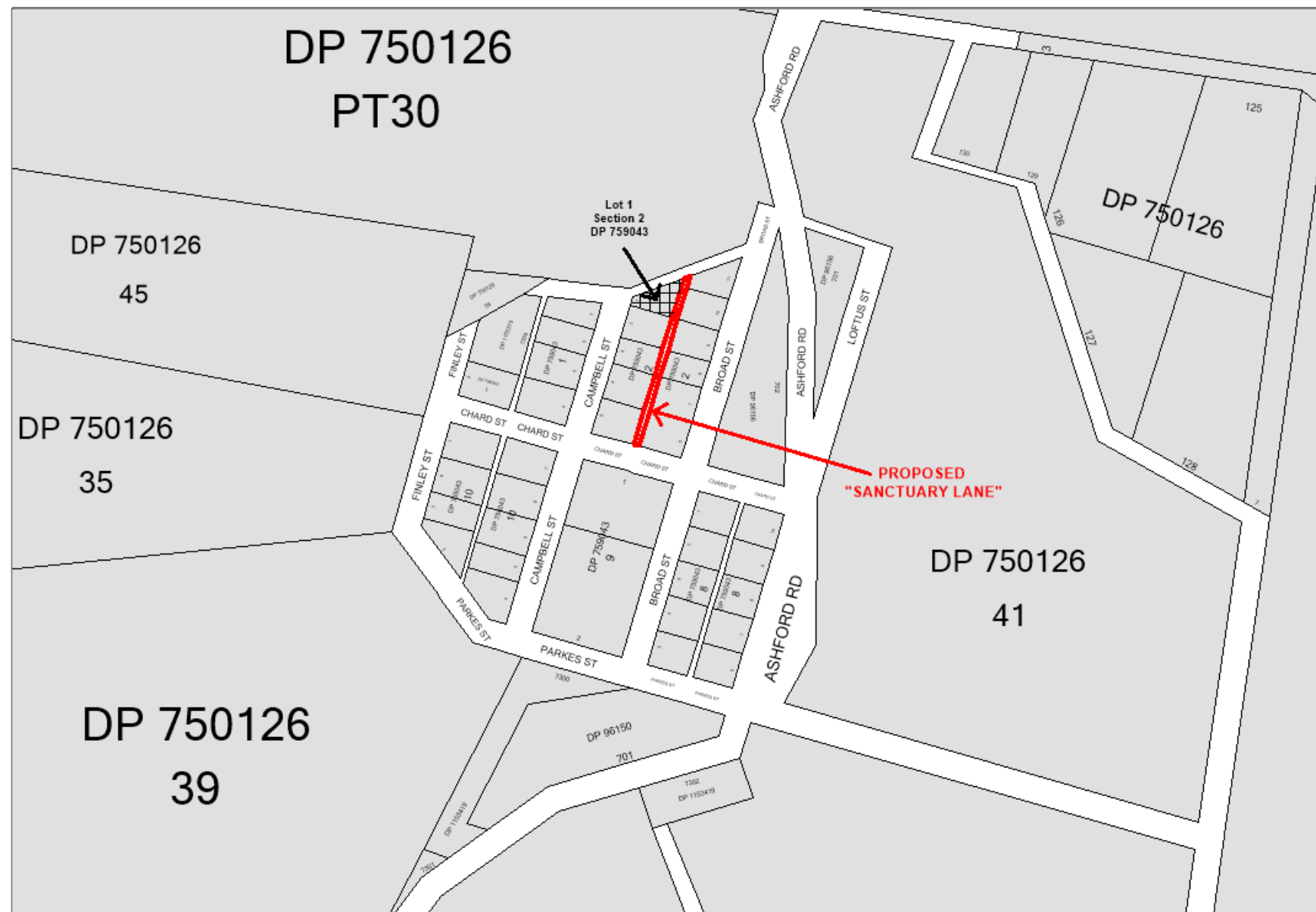


Figure 1 – Location of crown lane proposed to be named “Sanctuary Lane”

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

The proposed road name is consistent with Council's Street and Road Naming Management Policy (as modified in 2010) and the NSW Address Policy and User Manual (May 2021) published by the Geographical Names Board.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

1. Enquiry - Naming of Crown Lane at Wandera - Rosslyn Miller-Hardy [↓](#)
2. DA-195/2005 - Consent [↓](#)
3. Management Policy - Street & Road Naming [↓](#)

Page 1

Mrs Rosslyn Miller-Hardy

INVERELL SHIRE COUN

04 MAR 2022

Mr Chris Bailey

Civil Engineer (Council Inverell)

Dear Chris,

I wish to submit to name
an unnamed private lane in my
title deeds.

The name I wish to submit is
Sanctuary.

The name came about from an
ambience of home coming with
memories of family visits,

laughter and news of changes in
generation tree.

Place of refuge to stay; and; see the
scenery inland; and; Inverell.

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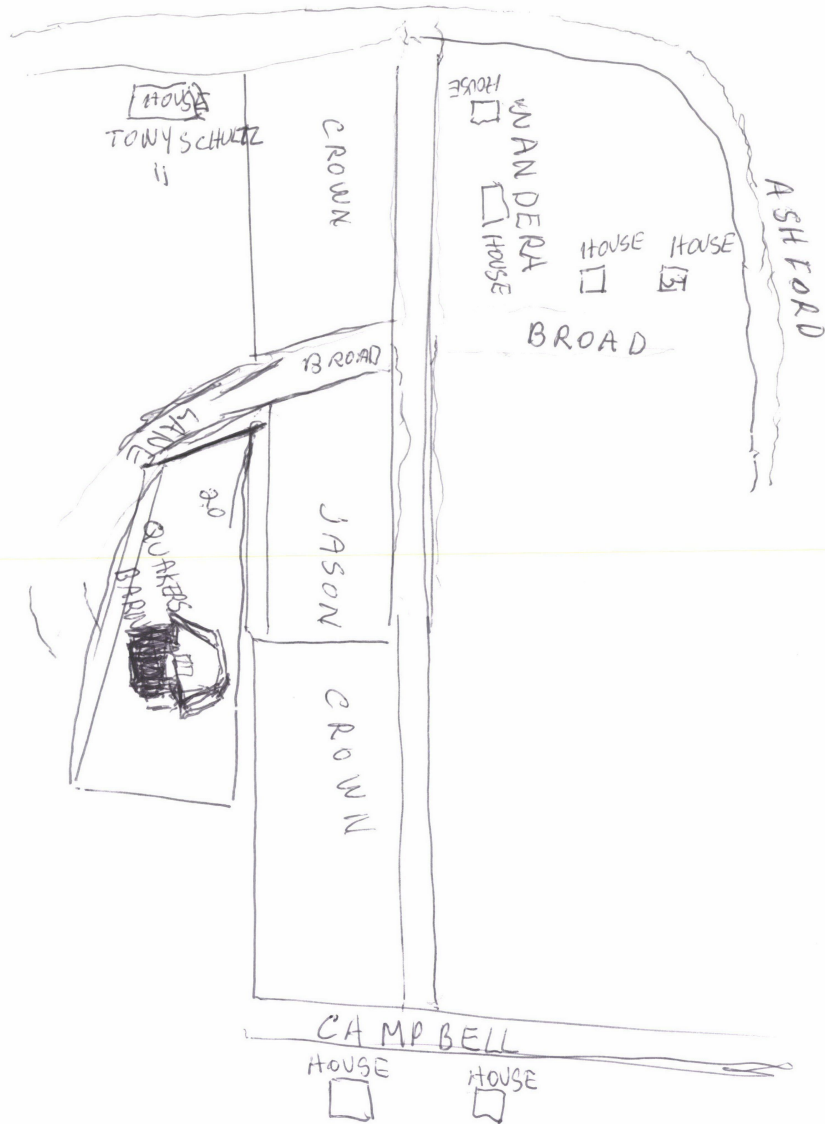
Enjoy organic fruit and veges. Travel stop-over from their travels.

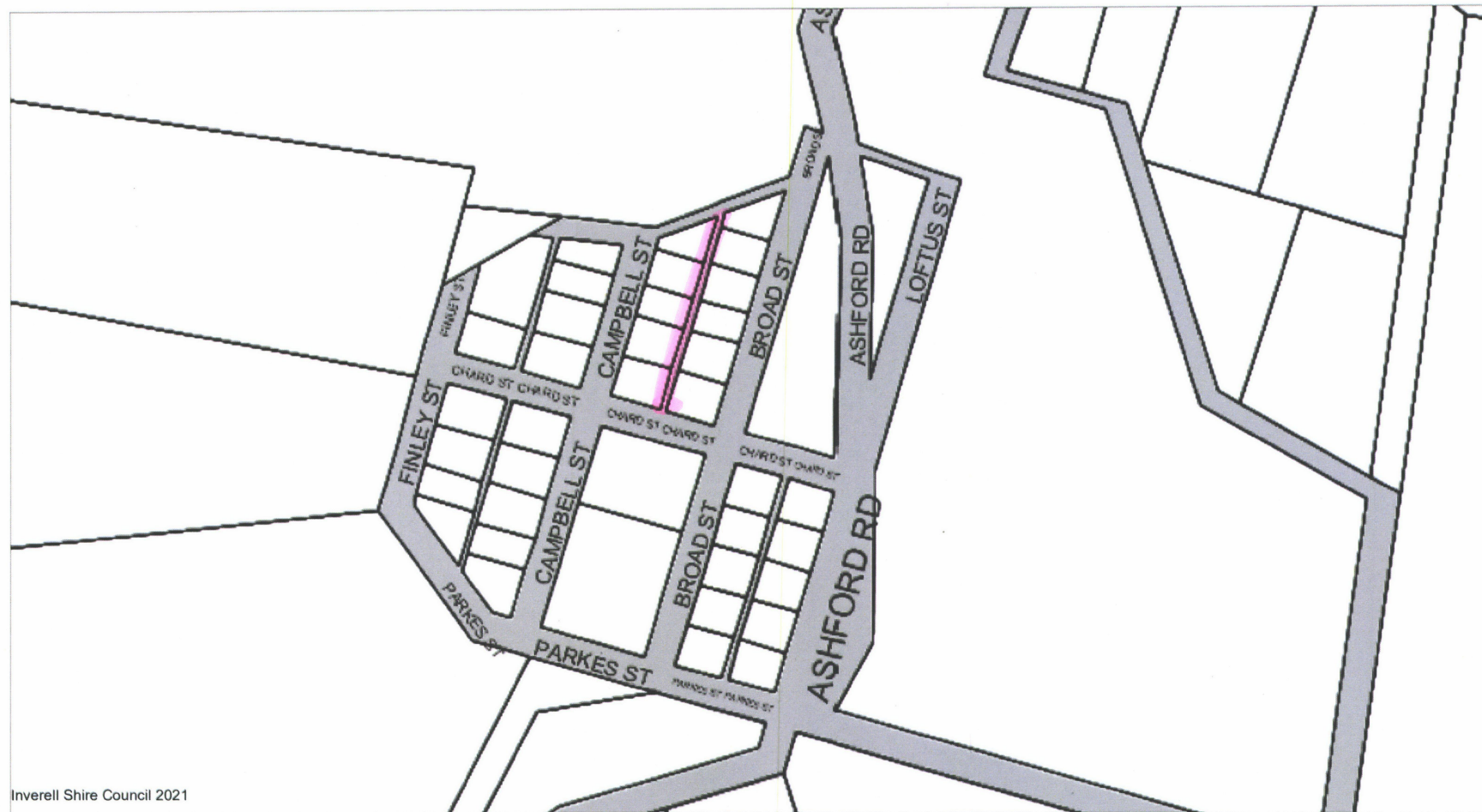
Enclosed is photo from Chard Street. to bend. Curve from bend to entrance of Quaker's Barn:- lane Diagram rough too.

Sincerely yours,
Rosslyn Miller - Hardy.

dated 4th March.

IVERELL





IMPORTANT: This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Inverell Shire Council nor the Department of Lands makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason. © The State of New South Wales (Department of Lands) 2008, © Inverell Shire Council 2008. This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD) heights. For most practical purposes GDA94 coordinates and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84) are the same.



Inverell Shire Council

144 Otho Street
INVERELL NSW 2360
ABN 72 695 204 530

For Enquiries Please Contact: Elizabeth Cumming, Town Planner

Please address all correspondence to:
The General Manager
PO Box 138

TELEPHONE: 02 6728 8202
FACSIMILE: 02 6728 8240
DX: 6159
E-MAIL: council@inverell.nsw.gov.au

NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

Issued under the Environmental Planning & Assessment Act, 1979 Section 81(1)(a)

TO: Rosslyn Seaton Miller-Hardy
OF: PO Box 569
Inverell NSW 2360

FILE COPY

being the applicant in respect of Application No DA-195/2005

Notice is hereby given of the determination by Council of Application No.DA-195/2005 relating to the land owned by Mr Guy Mitton Miller-Hardy and Rosslyn Seaton Miller-Hardy, of PO Box 569, Inverell NSW 2360 and is described as follows:-

**Lot 1 Sec 2 DP 759043
Ashford Road, WANDERA 2360**

The development proposal is:-

Construct New Dwelling

The Building Code of Australia building classification is:-

Single Dwelling 1a

The Determination is **consent granted subject to conditions described below** made on **27 October 2005**.

This consent expires five (5) years from the date on which it commences to operate in accordance with Section 83 unless the work to which it relates has physically commenced on site within that period. Where the approval relates to a use of the land rather than to the carrying out of works then that use must have commenced on site within that five year period.

The conditions of consent are set out as follows:-

1. Prior to the issue of an occupation certificate fulfilment of the commitments listed in the BASIX certificate relevant to the dwelling are to be met
2. An asset protection zone of 20m is to be maintained around the dwelling in accordance with the Planning for Bushfire Protection Guidelines
3. A minimum of 22,500 litre of water is to be provided to the dwelling and such tank is to be provided with a fitting approved by the Rural Fire Service for the purpose of bushfire protection.
4. The dwelling is to be located so as to maintain the minimum clearance distances from power lines as specified by Country Energy and a survey by a registered surveyor is to be provided to Council upon the forming of the concrete slab and prior to the pouring of the concrete showing the horizontal clearance from power lines on the property.
5. Erosion and sedimentation measures are to be undertaken in accordance with Council's erosion and sedimentation control policy and such details are provided to Council prior to the Construction Certificate being released
6. The unnamed lane to the east of the property is to be upgraded from Chard Street to the property entrance such construction is to be of a standard as specified by Councils Engineering & Technical Services. This work is to be completed at the applicants expense
7. An application for approval to install the on-site sewage system, being a composting toilet and reed bed grey water system, is to be submitted and approved by Council prior to the release of the Construction Certificate
8. Approval to occupy any temporary accommodation is subject to further Council approval upon application at such time as the building is substantially commenced and the appropriate facilities

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- including drinking water are provided.
9. **Conditions relating to critical stage inspections;**
Council, in the case of being the Principal Certifying Authority, is to be given 24 hours notice of the following critical stage inspections where applicable;
- at the commencement of the building work, and
 - after excavation for, and prior to the placement of, any footings, and
 - prior to pouring any in-situ reinforced concrete building element, and
 - prior to covering of the framework for any floor, wall, roof or other building element, and
 - prior to covering waterproofing in any wet areas, and
 - prior to covering any stormwater drainage connections, and
 - after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
- Reason: To comply with the provisions of Clause 162A of the Environmental Planning & Assessment Regulation 2000 for Class 1 & 10 buildings*
10. All work must be carried out in accordance with the requirements of the Building Code of Australia. *(Reason: To comply with the provisions of Clause 136A Environmental Planning & Assessment Regulation 2000)*
11. Prior to any residential building work commencing a contract of insurance in accordance with the Home Building Act 1989 is to be in force.
12. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed. The sign must include the following:
- showing the name, address and telephone number of the principal certifying authority for the work, and
 - showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - stating that unauthorised entry to the work site is prohibited.
13. A copy of each compliance certificate relied on in issuing an occupation certificate must be forwarded to the consent authority and the council when a certifying authority notifies them of the issue of an occupation certificate.
14. For the duration of any work on site, the builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent and Construction Certificate on site.
Reason: To ensure compliance with the conditions in the Development Consent.
15. The building shall not be used or occupied prior to the issue of an Occupation Certificate. *(Pursuant to Section 109M, of the Environmental Planning and Assessment Act 1979.)*

Approval has been given under the Local Government Act 1993 Section 68, for the following approvals:-

16. Plumbing and drainage shall be carried out in accordance with the provisions of the NSW Code of Practice and Australian Standard AS 3500.

If you are dissatisfied with this decision section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

On behalf of Inverell Shire Council


DAVID PRYOR
DIRECTOR PLANNING
AND DEVELOPMENT

DATE : 27 October 2005

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2 of 2

MANAGEMENT POLICY:	STREET & ROAD NAMING POLICY
Contact Officer	Director Civil & Environmental Services
Approval Date	20 May 1997
Approval Authority	Council
Reviewed	Nov 1998, Dec 99, Jan 2001, March 2007, September 2009, December 2010, September 2018
Amended	December 2010
Date of Next Review	September 2021

1 Policy statement

That Council adopt the following policy concerning the naming of roads and streets within the Shire area:

Public Roads

- A public road is defined as a road that has been gazetted under the *Roads Act 1993* under the control of Council.
- A request to name a new public road or rename an existing public road can be made by anybody.
- Generally, Council will not consider the naming of any unformed road reserves.
- The payments of costs associated with the erection of road name signage will be determined by Council.

Private Roads

- A private road is defined as Right of Carriageway over privately owned land utilised by two or more parcels of land or common property within a Strata or Community Title.
- Council will only consider formally naming a private road where it serves a minimum of three (3) separate properties.
- A request to name a private road can be made by any land owner who is legally entitled to the use of the road.

However, the concurrence of all land owners who are legally entitled to utilise the road must be obtained by the applicant.

- The applicant shall be liable for the costs associated with the erection of a road name sign. In addition to the 'road name', the sign is to specify that the road is 'private'.
- In the case of rural properties, each owner shall be liable for the costs associated with the erection of rural addressing posts.

Road Naming Process

1. The applicant is to nominate a name for the road. This name can be chosen from the pre-approved list of names (Appendix A) or chosen in accordance with the road naming guidelines (Appendix B).

If a name is not proposed by the applicant or the works are undertaken by Council, a name may be chosen by the Director of Civil and Environmental Services.

2. The name is then to be submitted to Council for preliminary consideration.
3. If accepted, then the proposed name is to be advertised for twenty-eight days in the Inverell Times and written notification provided to the following persons or bodies:
 - (i) Australia Post,
 - (ii) the Registrar-General,
 - (iii) the Surveyor-General,
 - (iv) the Chief Executive of the Ambulance Service of NSW,
 - (v) New South Wales Fire Brigades,
 - (vi) the NSW Rural Fire Service,
 - (vii) the NSW Police Force,
 - (viii) the State Emergency Service,
 - (ix) the New South Wales Volunteer Rescue Association Incorporated,
 - (x) in the case of a classified road—the RMS.
4. The matter is then re-submitted to Council if there are any objections received or alternative suggestions made at which time another decision will be made.
5. When the final decision has been made, or if no objections were received, the new name is to be advertised in the Inverell Times and the Government Gazette with written notification provided to the following persons or bodies:
 - (i) Australia Post,
 - (ii) the Registrar-General,
 - (iii) the Surveyor-General,
 - (iv) the Chief Executive of the Ambulance Service of NSW,
 - (v) New South Wales Fire Brigades,
 - (vi) the NSW Rural Fire Service,
 - (vii) the NSW Police Force,
 - (viii) the State Emergency Service,
 - (ix) the New South Wales Volunteer Rescue Association Incorporated,

(x) in the case of a classified road—the RMS.

APPENDIX A - APPROVED LIST OF POTENTIAL ROAD AND STREET NAMES

- Apex Avenue
- Burge
- Comino
- Cush
- Dasey
- Fay
- John Northey
- Turner
- Wills
- Harkins

APPENDIX B - GUIDELINES TO THE NAMING OF STREETS

1. Preference to euphonious, pleasant sounding names. Names should where possible be pleasant and harmonious.
2. Aboriginal or historic names are encouraged.
3. Long established unofficial names should be preserved where possible. This includes old property names where the road has been called by a particular name.
4. The naming of roads or streets after living people should not be a common practice unless the person is famous or has made an outstanding contribution to the community eg Queen Elizabeth.
5. The use of Christian names preceding a surname is not favoured.
6. Long roads and streets should have only one name.
7. The use of the cardinal points of the compass in names is not favoured.
8. Names should not include apostrophes or hyphens.
9. Names which may cause offence will not be used.
10. Satisfactory to name after eminent persons now deceased (i.e. early explorers and settlers).
11. Long and clumsy names are not favoured.
12. Do not alter names that have been corrupted by usage back to the original.
13. Retention of old property names appropriate.

5.2 RESIDENTIAL LAND REVIEW**File Number: S18.6.51 / 22/10920****Author: Anthony Alliston, Manager Development Services****SUMMARY:**

In 2017 and 2018, a Residential Land Review was undertaken to update Committee Members on the residential land supply and demand in Inverell since the gazettal of the *Inverell Local Environmental Plan 2012*.

As a result of the Residential Land Review, it was resolved at the October 2018 Ordinary Meeting of Council that Council implement a "Water Contribution Subsidy Scheme" for the 2018 and 2019 calendar years.

The purpose of this report is to provide Committee Members with:

- A report on the uptake of the Water Contribution Subsidy Scheme; and
- An update on residential land supply and demand in Inverell.

The Committee is requested to recommend to Council that staff continue to monitor and report on residential land supply and demand in Inverell.

RECOMMENDATION:

That the Committee recommend to Council that staff continue to monitor and report annually on residential land supply and demand in Inverell.

COMMENTARY:**Background**

At the Joint Committee Meeting on 14 June 2017, the matter of residential land supply and associated fees and charges was raised as part of discussions around Council's four (4) year Delivery Plan 2017-2021.

A Residential Land Review was provided to the Civil and Environmental Services Committee on 9 August, 2017. It was subsequently resolved (Res. 78/17) at the Ordinary Meeting of Council on 23 August, 2017 that:

'A further report be presented to the October 2017 Civil and Environmental Services Committee Meeting, following a committee tour of available residential land and provision of this report to industry participants.'

Councillors and Council staff conducted a tour of residential land in Inverell on 28 September, 2017 prior to the September 2017 Ordinary Meeting of Council.

Following the tour of residential land, a further Residential Land Review report was considered by the Civil and Environmental Services Committee on 11 October 2017. At the Ordinary Meeting of Council on 25 October, 2017, it was resolved (Res. 105/17) that:

- Council continue in a facilitating role monitoring the situation and allow normal market forces to dictate the outcome. A further evaluation of residential land supply and take up could be completed in 12 months' time;*
- Council to investigate a partnership with a Community Housing Provider to possibly facilitate the release of new social housing stock options in Inverell;*
- A report be brought back to the Committee for consideration on the options available in respect of possibly reducing water contributions for developers;*

- iv) *A report be brought back to the Committee on a proposal to call for Expressions of Interest for the identified Vernon Street land; and*
- v) *The support for Structure Plans to be prepared for new residential areas be acknowledged.*

In accordance with the October 2017 Council Resolution, a report was considered at the Ordinary Meeting of Council on 22 November, 2017 in relation to the water contribution for standard density residential subdivision. It was resolved (Res. 133/17) that:

- i) *A subsidy in the amount of \$2,325 per lot is offered on the water contribution for all new standard density residential lots created and offered to the market;*
- ii) *The subsidy applies for the period of the 2018 calendar year;*
- iii) *The subsidy is capped at a maximum of 50 lots;*
- iv) *The subsidy only applies in the R1 General Residential Zone;*
- v) *The subsidy not apply to multi-unit dwelling developments;*
- vi) *The subsidy only applies for lot releases of 1 into 3 lots or greater; and*
- vii) *The subsidy only applies for lot releases that are considered Subdivision Certificate ready and have a marketing arrangement in place.*

On 10 October, 2018, a twelve (12) month residential land review report (**Attachment 1**) was provided to Civil and Environmental Services Committee for consideration. At the Ordinary Meeting of Council on 24 October, 2018, it was resolved (Res. 132/18):

That the Water Contribution Subsidy Contribution Scheme be updated consistent with the following:

- i) *A subsidy in the amount of \$2,570 per lot is offered on the water contribution for all new standard density residential lots created and offered to the market;*
- ii) *The subsidy applies for the period of the 2018 and 2019 calendar years;*
- iii) *The subsidy is capped at a maximum of 75 lots;*
- iv) *The subsidy only applies in the R1 General Residential Zone;*
- v) *The subsidy not apply to multi-unit dwelling developments;*
- vi) *The subsidy only applies for lot releases of 1 into 3 lots or greater; and*
- vii) *The subsidy only applies for lot releases that are considered Subdivision Certificate ready and have a marketing arrangement in place.*

Discussion

Uptake of the Water Contribution Subsidy Scheme

No subdivisions were undertaken in the 2018 calendar year that qualified for the Water Contribution Subsidy Scheme.

In the 2019 calendar year however, two (2) subdivisions were undertaken that qualified for the Water Contribution Subsidy Scheme. These were:

- DA-70/2006 Stage 2 – Max Place Subdivision – 9 Standard Density Residential Lots created; and
- DA-254/2004/A Stages 2 and 3 – Inverell Parklands Estate – 32 Standard Density Residential Lots created.

The Water Subsidy Contribution Scheme relevant to these subdivisions is shown in **Table 1**.

Table 1 – Summary of 2019 Subdivisions Eligible for Water Contribution Subsidy Scheme

<u>Subdivision</u>	<u>Total No. of Residential Lots Created</u>	<u>No. of Lots Eligible for Subsidy</u>	<u>Total Amount of Subsidy Provided by Council</u>
DA-73/2006	9	8	\$20,560.00
DA-245/2004/A	32	31	\$79,670.00

It should be noted that at the time of introduction of the Water Contribution Subsidy Scheme in 2018, Council had recently approved DA-20/2018 for a twenty-two (22) lot subdivision off Vernon Street i.e. Terry Drive. It was expected that this subdivision would be completed in 2019 and be eligible for the Water Contribution Subsidy Scheme. This subdivision was not completed until December 2021; therefore, it was not eligible for the subsidy.

Residential Land Review – 2022 Update

The Residential Land Reviews undertaken in 2017 and 2018 analysed residential and rural residential supply and demand from the 2012/2013 financial year to the 2017/2018 financial year. This review was based on the following data and information:

- The amount of “greenfield” land zoned for residential purposes and rural residential purposes under the *Inverell Local Environmental Plan 2012*. **Attachment 2** includes a plan showing the location of residential land in Inverell which is considered to be “greenfield”.
- The review then tabulated dwelling construction and subdivision development data (i.e. what had been developed) from 2012 to 2017 to then determine the residential and rural residential land (in hectares) that was still available for subdivision development.
- The dwelling construction and subdivision development information was obtained using data extracted from Council’s property information system for the purpose of the mandatory annual reporting to NSW Planning and Environment. This reporting is known as the “*land and housing monitor*”.
- The review did not include identification or analysis of the existing developed residential or rural residential lands which are described as “infill” land.

The Residential Land Review has now been updated to reflect recent development. **Table 2** below shows:

- Residential land development between 2012/2013 and 2017/2018 – presented at the October 2018 Civil and Environmental Services Committee; and
- An update for residential development undertaken for the 2018/2019, 2019/2020, 2020/2021 and 2021/2022 (until February 2022) financial years.

Table 2 - Development within the R1 General Residential Zone 2012/2013 onwards to February 2022

	<u>No. of Dwellings Constructed</u>	<u>No. of Units Constructed</u>	<u>No. of Lots Approved</u>	<u>No. of Lots Developed</u>	<u>Available Land for Greenfield Development</u>
<i>Previous Reported Data</i>					
2012/2013	11	8	26	15	198.1ha
2013/2014	9	5	42	8	197.9ha
2014/2015	25	6	33	13	197.9ha
2015/2016	8	3	11	10	197.9ha
2016/2017	9	6	21	18	197.9ha
2017/2018	11	7	28	6	195.9ha
Total	73	35	161	70	-
Yearly avg.	12.2	5.8	26.8	11.7	-
<i>Update</i>					
2018/2019	6	5	7	12	195.9ha
2019/2020	8	8	13	61	188.3ha
2020/2021	19	8	8	15	188.3ha
2021/2022*	12	2	19*	22	184.9ha
<u>Updated Total</u>	<u>118</u>	<u>58</u>	<u>208</u>	<u>180</u>	
<u>Updated Average</u>	<u>11.8</u>	<u>5.8</u>	<u>20.8</u>	<u>18.0</u>	

* This figure excludes 25 lots approved under DA-126/2021, which relates to re-approval of the lapsed Panorama Estate (off Moore Street), which was originally approved and reported for 2014/2015 financial year.

As shown in **Table 2** above, there was a significant spike in the number of lots created in the 2019/2020 financial year during which thirty-nine (39) lots received a water contribution subsidy. Whilst there were likely a range of market factors at play during the 2019/2020 financial year, the water contribution subsidy scheme is considered a contributing factor to the spike in the number of lots created. It is also noted that despite the spike in number of lots created, there has been no significant change to the average number of dwellings and units constructed in Inverell each year.

At the end of the previous reported data period (2017/2018), the average number of dwellings (12.2) and units (5.8) constructed per year exceeded the average number of lots developed (11.7). Therefore, in 2018, it was concluded that the residential land supply in Inverell was insufficient to meet residential land demand.

However, in the subsequent four years since 2018 (updated data), the average number of lots developed per year has increased to 18 per year and is now consistent with the average number of dwellings (11.8) and units (5.8) constructed per year. This suggests that the residential land supply and demand in Inverell has (at this point in time) achieved a relative level of equilibrium.

It should also be noted, with reference to **Table 2** and **Attachment 2**, that while lots created and dwellings constructed is one aspect of the supply and demand equation, Inverell does not have a shortage of available residential land. **Table 2** and **Attachment 2** shows that there is currently 184.9 ha of residentially zoned land available for "greenfield development".

Table 2 also shows that the average number of lots approved per year has reduced from 26.8 to 20.8. This reduction can be largely attributed to Council not receiving any development applications for larger greenfield style subdivisions since 2018.

As Committee members would be aware, the Structure Plans for New Residential Areas were recently adopted at the Ordinary Meeting of Council on 23 February, 2022 (Res. 2022/18), which may facilitate the lodgement of larger greenfield style subdivisions in the near future. Overall, it is considered that the reduction in the average number of lots approved will not have any short term impacts due to the recent increase in the number of lots developed. However, a continued reduction in the average number of lots approved may have medium to long term impacts on residential land supply and demand. It is therefore recommended that Council continue to monitor this situation.

Land Which May Soon be Developed?

With reference to the plan included in **Attachment 2**, and subject to a range of market factors there are three (3) approved subdivision developments totalling 62 lots that may be the next constructed and released into the market. These include:

- DA-67/2013 – Swanbrook Road – 31 Lots;
- DA-61/2021 – Stage 1 Lake Inverell Drive – 6 Lots; and
- DA-126/2021 – Moore Street – 25 Lots.

Conclusion

Given the relative level of equilibrium (at this point in time) between residential land supply and demand, and the recent adoption of the Structure Plans for New Residential Areas, it is considered that Council should continue to monitor residential land and no specific action is required by Council at this time.

Committee members should also note that this report specifically relates to development of land zoned R1 General Residential under the *Inverell Local Environmental Plan 2012*. In addition to land zoned R1 General Residential, there has been significant development in rural and rural residential areas surrounding the Inverell township in recent years. Notable development areas include Windoona Estate, located off Fernhill Road, and Runnymede Heights Estate.

RISK ASSESSMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

ATTACHMENTS:

1. Residential Land Review - 10 October 2018 Committee Report [↗](#)
2. "Greenfield" Residential Land [↗](#)

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144
OTHO STREET, INVERELL ON WEDNESDAY, 24 OCTOBER, 2018,
COMMENCING AT 3 PM.

SECTION C
COMMITTEE REPORTS

CSO-P 1. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
MINUTES – 10 OCTOBER 2018 S4.11.16/10

132/18 RESOLVED (Baker/Berryman) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 10 October, 2018, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

1. RESIDENTIAL LAND REVIEW S18.6.51

That the Water Contribution Subsidy Contribution Scheme be updated consistent with the following:

- i) *A subsidy in the amount of \$2,570 per lot is offered on the water contribution for all new standard density residential lots created and offered to the market;*
- ii) *The subsidy applies for the period of the 2018 and 2019 calendar years;*
- iii) *The subsidy is capped at a maximum of 75 lots;*
- iv) *The subsidy only applies in the R1 General Residential Zone;*
- v) *The subsidy not apply to multi-unit dwelling developments;*
- vi) *The subsidy only applies for lot releases of 1 into 3 lots or greater; and*
- vii) *The subsidy only applies for lot releases that are considered Subdivision Certificate ready and have a marketing arrangement in place.*

MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE
MEETING HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL
ON WEDNESDAY, 10 OCTOBER, 2018, COMMENCING AT 9.00 AM.

SECTION D
DESTINATION REPORTS

3. RESIDENTIAL LAND REVIEW S18.6.51

RESOLVED (Berryman/Harmon) that the Committee recommend to Council that the Water Contribution Subsidy Contribution Scheme be updated consistent with the following:

- i) *A subsidy in the amount of \$2,570 per lot is offered on the water contribution for all new standard density residential lots created and*

offered to the market;

- ii) The subsidy applies for the period of the 2018 and 2019 calendar years;*
- iii) The subsidy is capped at a maximum of 75 lots;*
- iv) The subsidy only applies in the R1 General Residential Zone;*
- v) The subsidy not apply to multi-unit dwelling developments;*
- vi) The subsidy only applies for lot releases of 1 into 3 lots or greater; and*
- vii) The subsidy only applies for lot releases that are considered Subdivision Certificate ready and have a marketing arrangement in place.*

ITEM NO:	3.	FILE NO: S18.6.51
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	RESIDENTIAL LAND REVIEW	
PREPARED BY:	Anthony Alliston, Manager Development Services	

SUMMARY:

Between August 2017 and October 2017, a Residential Land Review was undertaken for the purpose of updating Committee Members on residential land supply and demand in Inverell since the gazettal of the *Inverell Local Environmental Plan 2012*.

At the October 2017 Ordinary Meeting of Council it was resolved that a further review of residential land supply could be completed in 12 months time (October 2018).

The purpose of this report is to provide Committee Members with a 12 month review of residential land supply and also update Committee Members on the status of the other Council initiatives for residential development, in particular the Water Contribution Subsidy Scheme introduced in October 2017.

To cater for recent subdivision development, the Committee is requested to recommend that the Water Contribution Subsidy Scheme be extended an additional 12 months to the end of the 2019 calendar year and the number of lots eligible for the subsidy be raised from 50 to 75.

COMMENTARY:

Background

The availability of residential land in Inverell has been the subject of some conjecture within the community in recent years. At the Joint Committee Meeting on 14 June 2017, the matter of residential land supply and associated fees and charges was raised as part of discussions around Council's four (4) year Delivery Plan 2017-2021.

A Residential Land Review was provided to the Civil and Environmental Services Committee on 9 August 2017. It was subsequently resolved (Res. 78/17) at the Ordinary Meeting of Council on 23 August 2017:

That a further report be presented to the October 2017 Civil and Environmental Services Committee Meeting, following a committee tour of available residential land and provision of this report to industry participants.

Councillors and Council staff conducted a tour of residential land in Inverell on 28 September 2017 prior to September 2017 Ordinary Meeting of Council.

Following the tour of residential land, a further Residential Land Review report was considered by the Civil and Environmental Services Committee on 11 October 2017. At the Ordinary Meeting of Council on 25 October 2017, it was resolved (Res. 105/17) that:

- i) Council continue in a facilitating role monitoring the situation and allow normal market forces to dictate the outcome. A further evaluation of residential land supply and take up could be completed in 12 months time;*
- ii) Council to investigate a partnership with a Community Housing Provider to possibly facilitate the release of new social housing stock options in Inverell;*
- iii) A report be brought back to the Committee for consideration on the options available in respect of possibly reducing water contributions for developers;*
- iv) A report be brought back to the Committee on a proposal to call for Expressions of Interest for the identified Vernon Street land; and*
- v) The support for Structure Plans to be prepared for new residential areas be acknowledged.*

Discussion has been provided below in respect to each point in the above resolution.

Discussion

Residential Land Review – 12 Month Update

The Residential Land Review undertaken between August 2017 and October 2017 analysed residential and rural residential supply and demand from the 2012/2013 financial year to the 2016/2017 financial year. This review was based on the following data and information:

- The amount of “greenfield” land zoned for residential purposes and rural residential purposes under the *Inverell Local Environmental Plan 2012*.
- The review then tabulated dwelling construction and subdivision development data (i.e. what had been developed) from 2012 to 2017 to then determine the residential and rural residential land (in hectares) that was still available for subdivision development.
- The dwelling construction and subdivision development information was obtained using data extracted from Council's property information system for the purpose of the mandatory annual reporting to NSW Planning and Environment. This reporting is known as the “*land and housing monitor*”.
- The review did not include identification or analysis of the existing developed residential or rural residential lands which are described as “infill” land.

The Residential Land Review concluded that:

- The current supply of developed rural residential land meets the current demand; and

- Whilst there was sufficient amount of land zoned for standard density residential development, there was not an adequate supply of actual (physically) developed standard density residential land/lots in Inverell.

In an attempt to stimulate the development of standard density residential land, Council introduced a Water Contribution Subsidy Scheme in November 2017 (discussed below).

Following the introduction of the Water Contribution Subsidy Scheme, a number of standard density residential subdivisions have now been initiated within Inverell, being:

- The commencement of construction of the subdivision of 10C Brewery Street, Inverell (Photo 1, D7) – **9 lots**;
- The commencement of construction of Parklands Estate, formerly known as Stages 2 and 3 of Sapphire Estate (Photo 2, D7) - **32 lots**; and
- The granting of development consent under DA-20/2018 for the subdivision of Lot 31 DP 876448 (off Vernon Street) - **22 lots**. Pre-construction engineering work is currently underway.



Photo 1 – Subdivision works 10C Brewery Street, Inverell



Photo 2 – Parklands Estate, Inverell (Formally known as Sapphire Estate) – View from Onus Avenue

It is anticipated that the above subdivisions will be completed and market ready in early to mid 2019.

The Residential Land Review undertaken in 2017 has now been updated to reflect recent and projected development. **Table 1** below shows:

- Residential land development between 2012/2013 and 2016/2017 – presented at the August 2017 Civil and Environmental Services Committee;
- An update for residential development undertaken within the 2017/2018 financial year; and
- A projection of lots anticipated to be developed in the 2018/2019 year (based on the three subdivisions underway).

Table 1 – Development within the R1 General Residential Zone 2012/2013 onwards

	<u>No. of Dwellings Constructed</u>	<u>No. of Units Constructed</u>	<u>No. of Lots Approved</u>	<u>No. of Lots Developed</u>	<u>Available Land for Greenfield Development</u>
2012/2013	11	8	26	15	198.1ha
2013/2014	9	5	42	8	197.9ha
2014/2015	25	6	33	13	197.9ha
2015/2016	8	3	11	10	197.9ha
2016/2017	9	6	21	18	197.9ha
Total	62	28	133	64	-
Yearly Avg.	12.4	5.6	26.6	12.8	-
2017/2018 (update)	11	7	28	6	195.9ha
Adjusted total	73	35	161	70	-
Adjusted yearly avg.	12.2	5.8	26.8	11.7	-
2018/2019	-	-	-	63*	187.3ha

(projected)					
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* Based on the three subdivisions currently underway (Brewery Street, Parklands Estate & Vernon Street)

Based on **Table 1**:

- Residential development has remained constant in the 2017/2018 financial year;
- With 3 larger subdivisions recently initiated, it is projected that there will be 63 standard density residential lots developed and market ready within the next 12 months; and
- Based on the data (**Table 1**) of 12 lots developed and 12 dwellings constructed per year, the projected 63 lots to be developed in 2018/2019 would equate to an estimate of 5 years supply of standard density residential land.

Water Contribution Subsidy Scheme

A report was considered at the Ordinary Meeting of Council on 22 November 2017 in relation to the water contribution for standard density residential subdivision. It was resolved (Res. 133/17) that:

- A subsidy in the amount of \$2,325 per lot is offered on the water contribution for all new standard density residential lots created and offered to the market;*
- The subsidy applies for the period of the 2018 calendar year;*
- The subsidy is capped at a maximum of 50 lots;*
- The subsidy only applies in the R1 General Residential Zone;*
- The subsidy not apply to multi-unit dwelling developments;*
- The subsidy only applies for lot releases of 1 into 3 lots or greater; and*
- The subsidy only applies for lot releases that are considered Subdivision Certificate ready and have a marketing arrangement in place.*

Following the introduction of the water contribution subsidy scheme three standard residential subdivisions have been initiated. The developers of these subdivisions are aware of the Water Contribution Subsidy Scheme and are hopeful of obtaining the subsidy as their respective subdivisions progress. Unfortunately, due to construction timeframes these subdivisions will not be "Subdivision Certificate ready" within the 2018 calendar year and will not qualify for the subsidy under the current terms (as above). To date, there have been no other subdivisions, which would qualify for the water contribution subsidy. On this basis, Committee Members may wish to consider recommending an extension of the subsidy for an additional 12 months to the end of 2019 calendar year.

Additionally, the subsidy is currently capped at 50 lots. However, the total number of lots expected to be released and qualify for the subsidy is 63. Therefore, it is considered that the cap on the number of lots eligible for the subsidy be raised to 75. This would cater for the current 3 subdivisions, with scope for some additional smaller subdivision releases.

It should be noted that the water contribution subsidy was introduced during the 2017/2018 financial year, whereby the subsidy amount of \$2,325 was intended to reduce Council's water contribution from \$11,655 to \$9,330. This was the base rate per lot which was first implemented in 2007/2008.

In 2018/2019, Council standard water contribution per lot was indexed by CPI from \$11,655 to \$11,900. When the water contribution subsidy was introduced in October 2017, it was also intended to increase the subsidy by the CPI to continue levying the water contribution at the base rate of \$9,330. Therefore:

Table 2 – Water Contribution Subsidy Scheme

Period	Standard Contribution Per Lot	Subsidy Per Lot	Subsidised Contribution Amount Per Lot
27/10/2017 to 30/6/2018	\$11,655.00	\$2,325.00 (x 50 = \$116,250.00)	\$9,330.00
1/7/2018 to 31/12/2018 (current)	\$11,900.00	\$2,570.00 (x 50 = \$128,500.00)	\$9,330.00
1/1/2019 to 30/6/2019 (option)	\$11,900.00	\$2,570.00 (x 75 = \$192,750.00)	\$9,330.00

Note: Council's water contribution and subsequently the subsidy will increase by CPI after July 2019.

Partnership with a Community Housing Provider to possibly facilitate the release of new social housing stock options in Inverell

Since October 2017, Council's General Manager has held ongoing discussions with Homes North in relation to the construction of additional social housing stock in Inverell. At this stage, however, Homes North have been unsuccessful in attracting the necessary funding from the State Government *Social Housing Fund*.

Council will continue to liaise with, and look for opportunities with, Homes North in respect to public policy and the provision and development of additional social housing opportunities in Inverell. The Committee will be kept informed of any developments in this area.

Call for Expressions of Interest for the identified Vernon Street Land

In light of three standard residential subdivisions totalling 63 lots being initiated, Council have held off in calling for Expressions of Interest for the Vernon Street Land. In this respect there is a long-term Council position that it does not wish to compete in the land development market.

Whilst Expressions of Interest have been held off, Council Staff are reviewing the potential subdivision design and application process to enable action in response to changes in the land development market.

Structure Plans for New Residential Areas

At the Ordinary Meeting of Council on 28 March 2018, Council resolved to engage King and Campbell Pty Ltd to prepare Structure Plans for identified New Residential Areas around the Inverell Township (Res. 20/18).

The following actions have been undertaken in relation to the Structure Plans:

- The Communication Strategy, *Inverell Shire Council Structure Plan for New Residential Areas 2018* was endorsed at the Ordinary Meeting of Council on 23 May 2018 (Res. 48/18);
- In June 2018 notification letters advising of the preparation of the Structure Plans were sent to all property owners within the New Residential Areas;
- A two-day "drop-in" information session was held in September 2018 for:
 - Property owners within the New Residential Areas;
 - Property owners adjacent to the New Residential Areas; and
 - Industry stakeholders (real estate, developers, builders, etc.).

King and Campbell Pty Ltd are currently reviewing the feedback received from the information session for incorporation into further development of the Draft Structure Plans.

Conclusion

The 12 month review of residential land supply indicates that residential construction has remained constant in the previous 12 months; however, there is expected to be a large increase in residential lots available for development in the next 6-12 months. This follows the introduction of a Water Contribution Subsidy Scheme in October 2017.

The Water Contribution Subsidy Scheme was introduced with the goal of stimulating residential development. Since its introduction, 3 large subdivisions have commenced within Inverell, with 2 subdivisions under construction and another in the pre-construction engineering phase. The subdivisions will provide 63 lots, which based on development trends in recent years will provide up to 5 years of residential land supply. On face value the Water Contribution Subsidy Scheme appears to have had a positive impact.

The 3 large subdivisions currently underway will not be Subdivision certificate ready in 2018 and the total number of lots will exceed the current water subsidy cap. Therefore, Committee Members may wish to consider:

- Extending the water subsidy scheme an additional 12 months to the end of the 2019 calendar year; and
- Raising the cap on the number of lots from 50 to 75.

In relation to the other residential land initiatives:

- Council will continue to liaise with Homes North to facilitate additional social housing in Inverell;
- Council has held off calling for expressions of interest for Vernon Street to avoid competition in the land development market; and
- The Structure Plans for New Residential Areas are underway.

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.03.01 Industrial and residential estate areas designed constructed and maintained to deliver ecologically sustainable outcomes.

Operational Objective: E.03.01.01 To establish measures and processes to protect the built environment and safety of the residents of the Shire through both direct control and education.

POLICY IMPLICATIONS:

Any additional action proposed by Committee Members in response to the Residential Land Review may require preparation of a formal policy.

CHIEF FINANCIAL OFFICERS COMMENT:

Any subsidy offered on water contributions would need to be offset by a commensurate donation from the general fund. The model previously adopted had a maximum financial impact of \$116,250. That being a maximum 50 blocks at a contribution of \$2,325. As mentioned in the report it is unlikely that any blocks will be subdivision certificate ready in 2018 so the expectation is that as it stands there will be no actual cost

The current proposal would have a maximum financial impact of \$192,750; a maximum of 75 blocks at \$2,570. The likely source of funding for this would be Council's industry

development fund with an associated budget of \$227K for 2018/19. This consists of revotes of \$127K and recurrent funding of \$100K per annum.

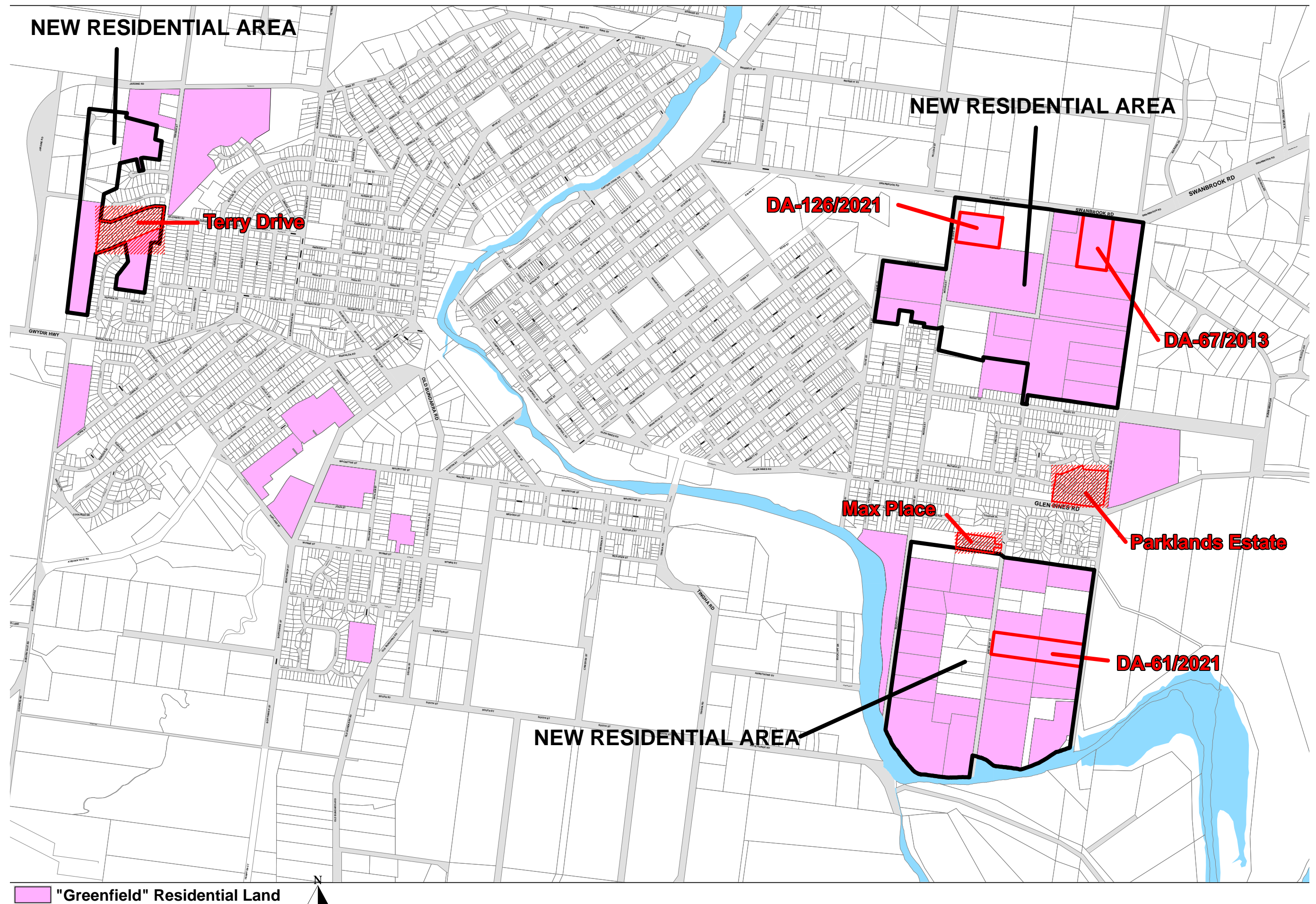
LEGAL IMPLICATIONS:

Nil

RECOMMENDATION:

That Committee recommend to Council that the Water Contribution Subsidy Contribution Scheme be updated consistent with the following:

- viii) A subsidy in the amount of \$2,570 per lot is offered on the water contribution for all new standard density residential lots created and offered to the market;*
- ix) The subsidy applies for the period of the 2018 and 2019 calendar years;*
- x) The subsidy is capped at a maximum of 75 lots;*
- xi) The subsidy only applies in the R1 General Residential Zone;*
- xii) The subsidy not apply to multi-unit dwelling developments;*
- xiii) The subsidy only applies for lot releases of 1 into 3 lots or greater; and*
- xiv) The subsidy only applies for lot releases that are considered Subdivision Certificate ready and have a marketing arrangement in place.*



6 INFORMATION REPORTS

6.1 WORKS UPDATE

File Number: S28.21.1/15 / 22/10241

Author: Justin Pay, Manager Civil Engineering

SUMMARY:

This report is intended to keep Council updated on the capital works and maintenance programs.

COMMENTARY:

Fixing Country Roads Funding Grant

Council has been successful in obtaining \$3.685M from the Fixing Country Roads Funding Grant to complete works on Yetman Road between Palaroo Lane and Oakwood.

An additional private contribution of \$20K from an industry beneficiary brings the total funding to \$3.705M. This grant will allow Council to upgrade this section of road to allow road train access. This will result in improved freight access and efficiency. Currently, road train access on Yetman Road terminates at the Inverell Regional Livestock Exchange however, once this project is complete, a further 12km along Yetman Road will have road train access.

This project includes the following works:

- Construction of a new two-lane bridge on a new and improved alignment crossing Rob Roy Creek to replace the old narrow bridge at Moseley Dene.
- Construction of 400m of approaches for the new bridge alignment.
- Full reconstruction and widening of 2km of road from Hunts Gully to approx. 300m past Stewarts Grain Trading.
- Widening and drainage works to 3.6km of road to bring the existing road up to standard for road train access.
- Drainage works for 1.2km to clean out and restore table drains.
- Replacement of 9 pipe sets between Palaroo Lane and Stewart's Grain Trading.

The new bridge at Moseley Dene has been designed and the review of the Environmental Factors and Aboriginal Cultural Heritage Study has been completed. A Fisheries Permit has been obtained as well.

Works commenced in January 2022, which included the opening up of the existing table drains for the full reconstruction section from Hunts Gully to Stewart's Grain Trading. The pavement works for Hunts Gully to Stewart's Grain Trading full reconstruction are halfway completed and the realignment works just north of Lochinvar Lane is nearing completion with the final layer of pavement material being put down ready for bitumen sealing to occur. The weather has held these works up intermittently but has had no major impacts thus far.

This project is currently on track and is required to be completed by the end of 2022.



MR187 Yetman Road – Pavement works nearing completion near Lochinvar Lane



MR187 Yetman Road – Pavement works 50% completed for Hunt's Gully to Stewart's Grain

Fixing Local Roads Funding Grant

Council has been successful in obtaining \$2.62M from the Fixing Local Roads Funding Grant to complete works on various roads throughout the shire. These roads include the following:

- SR050 Bukkulla Road
- SR035 Coolatai Road
- SR192 Copeton Dam Road
- SR246 Elsmore Road
- SR101 Gragin Road
- SR123 Mount Russell Road
- SR214 Old Bundarra Road
- SR048 Pindari Dam Road

Works commenced late October 2020, which included shoulder grading on each of the roads.

Vegetation removal works along Elsmore Road have been completed, Mount Russell Road trimming works and removals have also been completed.

In the northern part of the Shire, Bukkulla Road, Coolatai Road and Pindari Dam Road vegetation control works and heavy patching works have been completed.

The only remaining works for this program is Gragin Road which is on hold due to the availability of machinery. Quotes and availabilities for contractors to complete these works are currently being sought.

These works will be completed as soon as resources become available.

Bitumen Reseal Program

Council at its October 2021 meeting accepted the quotation from NSW Spray Seal Pty Ltd (NSWSS) to undertake a full-service contract for the 2021-2022 Bitumen Resealing Program. The program commenced on 3 November, 2021.

Bitumen resealing activities have been completed for Council controlled roads, those being: Regional Roads, Local Roads, Ashford Village, Delungra Village and Inverell Urban Streets.

The TfNSW resealing program for the Gwydir Highway is currently delayed due to the unavailability of aggregate from the quarry. It is envisaged that conforming aggregate will be available over the coming weeks at which time these seals will be undertaken.

Yetman Road-Taylor Avenue Intersection Upgrade

Council has secured funding from the Local Roads and Community Infrastructure Program for the upgrade of Yetman Road-Taylor Avenue Intersection.

The works will include pavement widening to accommodate a turning lane into Taylor Avenue and will also include a drainage upgrade at the location. Kerb and gutter will be constructed as well as a significant extension to underground drainage at the site.

Earthworks have commenced for the new underground drainage. The concrete pipes have now been installed and the concrete base slab for the box culverts has been poured. The concrete box culverts are being lifted in at the time of writing this report. The weather has also held this project up intermittently with days lost due to rain.

Due to the current weather, the project is slightly delayed and set to be completed in May 2022.



Taylor Avenue Intersection Upgrade Project – Earthworks and concreting commenced



Taylor Avenue Intersection Upgrade Project – Box Culvert installation commenced

Roundabout Construction – Intersection of Gwydir Highway, Bundarra Road and Chester Street

Project work has commenced on the construction of a roundabout at the intersection of Gwydir Highway, Bundarra Road and Chester Street. A construction budget of \$5,882,000 has been provided which includes contributions from the State Government of \$2.2M and the Federal Government of \$1.5M. The key budget components include:

- Design & Legals - \$660,000
- Works Authority Deed (TfNSW) - \$172,446
- Demolition/Rehabilitation - \$203,062
- Roundabout Construction - \$4,156,302
- Contingency - \$690,190

Council has entered into funding deeds with both the State and Federal Governments. These deeds require the completion of the roundabout construction by November 2022.

The project includes the following:

- Earthworks
- Vegetation clearing and grubbing
- Significant storm water drainage works

- Realignment of underground services including power, Telstra, NBN, water and sewer
- Realignment of the intersection
- Construction of a concrete pavement and roundabout
- Flexible pavement construction on roundabout approaches
- Kerb and gutter construction
- Footpath works
- Traffic management at multiple intersections in Inverell township

Demolition work is now completed and Council staff have begun site establishment, water main and drainage construction works. Delays were experienced during demolition due to additional asbestos being found in the old service station building. Initial site inspections were unable to identify the quantum of asbestos material given that “false” walls and facades had been constructed around the asbestos material containing it from view. Further delays were experienced given that the demolition contractors are based out of the northern rivers area and were significantly impacted by the flooding events of recent months.

During excavation of fuel tanks and surrounding soils there were initial concerns that the level of contamination may exceed those expected in the due diligence reports. These concerns were overcome with testing results indicating a general waste classification for this material. This allowed disposal at the Inverell Landfill rather than needing to haul material to a licenced facility at Newcastle.

Current traffic management at the site includes Chester Street being closed at the intersection of Gwydir Highway, with flow on the highway unimpeded. This traffic control arrangements will be in place until after the Easter weekend.

It is intended prior to the commencement of the Committee meeting, an onsite inspection of the construction site will be conducted and additional information will be provided by the Manager Environmental Services at the time.



Water main works in the fore ground and establishment of the site compound on the old Liberty Service Station site in the background

Moore Street Upgrade – Hospital Entrance

Council has secured funding to complete upgrade works on Moore Street at the Inverell hospital entrance. The project cost is \$1,349,000 funded by the State Governments Fixing Local Roads Program (\$911,654), contribution from NSW Health Infrastructure (\$337,250) and Council contribution (\$100,096).

The recent redevelopment of the Inverell Hospital resulted in the 'main entrance' for this facility being moved to Moore Street. Council has received grant funding from the State Government to undertake upgrade works to Moore Street to meet subsequent demand.

The project includes works along a 1,000-metre section of Moore Street and includes pavement rehabilitation, widening, a turning lane into the hospital and drainage upgrade including construction of kerb and gutter. The key aim of the project is to improve sight distance impacting safe access to the new hospital.

In order to meet the milestones of the funding deed for the project, Council must begin site works no later than 1 May 2022 and have construction completed and open to the traffic no later than 30 June 2023.

Site preparation works will be undertaken later this month to ensure that the commencement milestone is met. The main body of works will be undertaken later in the calendar year and construction completed and open to the traffic in accordance with the completion milestone.

Flood Damage

Council's road network received significant flood damage during 2021 from a number of severe storm and rainfall events. In particular there were three (3) events that were declared natural disasters within our LGA where Council were eligible to make application for repairs through the Disaster Recovery Funding Arrangements (DRFA).

NSW Storms and Flood - 10 March 2021 (AGRN #960)

NSW Storms and Floods - 16 July 2021 onwards (AGRN #975)

NSW Severe Weather and Flooding - 9 November 2021 onwards (AGRN #987)

Under these arrangements Council are able to make application for the Restoration of Essential Public Assets under the sub-categories; Emergency Works (EW), Immediate Restoration Works (IRW) and Essential Public Asset Reconstruction Works (EPAR). The Restoration of Essential Public Assets Program is administered by Transport for NSW (TfNSW).

AGRN #960 March 2021

This event was by far the worst rainfall event we had seen for some time and significant damage was sustained to a large number of rural roads, bridges, culverts and causeways in both the northern and southern part of the LGA. The initial estimate of damage was in the vicinity of \$11M.

Under the DRFA Council had three (3) months to identify, gather evidence and undertake emergency works, however for this particular event, the emergency works timeframe was extended to 1 December 2021 due to the fact that significant widespread damage was sustained by Council. On reaching this EW timeframe any outstanding works then became EPAR.

Expenditure for EW is \$2.7M with an application for reimbursement of EW expenditure submitted to TfNSW. An application for EPAR has been submitted for outstanding works with an estimated value of \$6M.

AGRN #975 July 2021

This event although considered minor when compared to the March event was declared a natural disaster. Most of the roads damaged during March 2021 were re-damaged during this event. EW undertaken for AGRN #975 total \$228K. An application for reimbursement of \$228K has been submitted to TfNSW and is awaiting assessment. There are no outstanding EPAR works for this event.

AGRN #987 November 2021.

This event was similar to the July 2021 event where most of the damage was sustained to the roads previously damaged from the March 2021 event with the exception of Bruxner Way which sustained significant damage due to the events unfolding in Queensland and the fact that the Cunningham Highway between Warwick and Goondiwindi was closed due to flood waters and heavy vehicle traffic subsequently forced onto Bruxner Way. The initial estimate of damage was in the vicinity of \$1.1M.

Expenditure for EW is currently at \$500K with final expenditure to be determined and an application for reimbursement yet to be submitted. An application for EPAR has been submitted for outstanding works with an estimated value of \$115K.

A response from TfNSW on both EW & EPAR applications submitted for all events has not been received to date.

Maintenance Grading

The following maintenance grading works were undertaken during March 2022.

Works were completed by Council maintenance grading crews supplemented by contractor crews. Wet weather over the period has led to difficult grading conditions, however the results achieved have been to a high standard. Work completed by contractors is generally at a slightly higher cost per kilometre than Council crews, however it is necessary to have them engaged to improve the level of service of the unsealed road network that has been severely impacted by heavy rain and flooding in recent times.

Road Number	Road Name	Length Graded (km)
SR113	Wades Lane	3.30 km
SR174	Abbotts Lane	4.80 km
SR350	Jindalee Road (Gore)	6.75 km
SR238	Woodstock Road (Gore)	14.70 km
SR245	Eastern Feeder (Gore Feb)	9.40 km
SR243	Waterloo Road (Gore Feb)	8.50 km
SR244	Western Feeder (Gore)	8.35 km
SR234	Kings Plains Road (Gore)	17.00 km
SR173	Delungra Bypass Road	8.00 km
SR177	Blyths Lane	6.05 km
SR122	Benekes Lane	1.35 km
SR178	Turrawurra Lane	1.80 km
SR167	Sheep Station Creek Road	1.00 km
SR166	Reserve Creek Road	8.90 km

SR282	Bonvale Road	1.20 km
SR214	Old Bundarra Road	2.90 km
SR74	Gobberts Road	10.00 km
SR32	Coalmine Road	9.50 km
SR33	Limestone Road	21.40 km
SR34	Sandy Creek Road	6.75 km
SR59	Graman Road	22.20 km
SR40	Willowie Road	3.30 km
SR38	Craddock Road	3.15 km
SR39	Girraween Road	3.95 km
SR58	Rocky Creek Road	32.90 km
SR10	Tarwoona Road	14.50 km
	TOTAL	231.65 km

Reactive Spot Grading

There were no reactive spot grading works undertaken during March 2022.

Gravel Patching

The following gravel patching works were undertaken during March 2022.

Road Number	Road Name	Area Patched (m2)
SR106	Gunnee Road	400m2
SR58	Rocky Creek Road	6000m2
	TOTAL	6,400 m²

Gravel Re-sheeting

There were no gravel re-sheeting works undertaken during March 2022 due to wet weather. A number of gravel pits were unable to be accessed given washed out and waterlogged internal haul roads.

Heavy Patching

There were no heavy patching works undertaken during March 2022.

Other Maintenance Activities

Council's State, Regional and Local Roads, Urban and Village Street maintenance activities, such as bitumen patching, drainage and shoulder repairs as well as vegetation control, are continuing as required. Town maintenance will continue as programmed.

6.2 BITUMEN RESURFACING PROGRAM OUTCOMES - 2021/2022**File Number:** S28.21.1/15 / 22/10357**Author:** Scott Hamilton, Project Engineer**SUMMARY:**

This report is intended to keep the Committee updated on the completed Bitumen Resurfacing Program for the 2021/2022 financial year.

COMMENTARY:

Bitumen sealing contractors, NSW Spray Seal (NSWSS), were awarded a full-service contract and completed Council's Bitumen Resurfacing Program in February 2022. The program was significantly delayed due to the persistent wet weather experienced in 2021. Council's rural roads and urban streets program has been completed, however the TfNSW program for the Gwydir Highway is still yet to be undertaken. Expenditure against the program has now been reconciled for Council controlled roads and a detailed analysis has been undertaken.

The table below shows the cost per square metre for Council's previous four (4) years of bitumen resealing works.

	2021/2022	2020/2021	2019/2020	2018/2019
	Unit Rate	Unit Rate	Unit Rate	Unit Rate
Rural Roads	\$4.96/m ²	\$4.50/m ²	\$4.09/m ²	\$4.63/m ²
Urban Streets	\$4.98/m ²	\$4.55/m ²	\$3.74/m ²	\$4.29/m ²

The binder utilised for the rural roads program was S35E, a polymer modified binder. This product has superior qualities when compared to the standard C170 class binder that has been used in the past. The S35E binder has been used for the past two resealing programs with excellent results.

The binder utilised for the urban streets program was C170 with 5% crumb rubber. The addition of crumb rubber to the standard C170 binder significantly improves product quality. Council has been using C170 with 5% crumb rubber on its urban streets program for a number of years now with good results. S35E is not ideal in an urban area due to the fact that the product tends to float in the air when sprayed thus posing potential issues for resident's property.

During the 2021-2022 program, a total of 50.7 kilometres of pavement was resealed on Council's road network. The budget allocation adopted by Council (excluding the Gwydir Highway) was \$1,703,410. The total expenditure for the program was \$1,760,115, equating to an over expenditure of \$56,705. This over expenditure has been funded from efficiencies in other programs.

The resealing program is contracted through Local Government Procurement whereby tenderer's submit unit rates prior to the tender closing. With all bitumen resealing contracts unit rates for bitumen supply are subject to a rise and fall clause and is dependent on the bitumen refinery price at the time of spraying. Bitumen refinery prices are adjusted monthly.

The program over expenditure is attributed to bitumen refinery price rises during the latter part of 2021. Refinery prices increased from \$1296.75 per tonne in June 2021 (when unit rates were submitted) to \$1431.75 per tonne in December 2021 (when resealing works were carried out). This equates to a price increase of \$0.14 per litre of bitumen. The volume of bitumen sprayed during the program was 610,609 litres equating to a potential bitumen price increase of \$85,435.

NSWSS performed well and delivered the program efficiently and to a high-quality standard. Savings throughout all areas of program delivery were able to partly offset the cost of the bitumen price increase. The main contributor was by spraying larger quantities on a daily basis. Spraying larger quantities each day meant that NSWSS could provide a lower unit rate per litre of bitumen.

6.3 COMPANION ANIMALS AMENDMENT (REHOMING ANIMALS) ACT 2022

File Number: S11.1.1 / 22/10370

Author: Paul Henry, General Manager

SUMMARY:

In 2021, a Private Member's Bill was introduced into the State Parliament to seek an improvement into the rehoming outcomes for pet cats and dogs in the care of NSW Council pounds and animal welfare shelters.

COMMENTARY:

The Bill passed Parliament on 23 February, 2020 and assented to on 4 March 2022.

The amendment (title: Companion Animals Amendment (Rehoming Animals) Act, 2022) prescribes the actions that local councils must take when seeking to rehome a companion animal that has been seized or surrendered. These changes seek to standardise the rehoming process and create a consistent approach.

Key changes to the *Companion Animals Act 1998* as a result of this amendment include:

- The need for councils to give written notice to at least 2 rehoming organisations that the animal is available for rehoming and will remain available for at least 7 days from the date the notice is given.
- The need to take reasonable steps to advertise on a webpage or through a social media platform that the animal is available for rehoming.
- New record-keeping requirements in relation to:
 - the identification of animals either rehomed or destroyed, and
 - in the case of animals that are destroyed, the actions a council took to rehome that animal.

These amendments do not remove the prohibition on selling or giving away a dangerous, menacing or restricted dog. Also, the amendments do not apply for animals that, in the opinion of a veterinary practitioner, are so severely injured, so diseased or in such a physical condition that it is cruel to keep them alive.

The Office of Local Government has advised that guidelines are being developed in relation to the implementation of these rehoming amendments.

It should be noted that in November 2021, the Government announced a review of rehoming practices of companion animals. The review has been titled 'The Rehoming Practices Review'.

This review will proceed despite the passing of the private members bill.

The review will examine the factors driving animal euthanasia rates, including breeding, de-sexing and rehoming practices, and impounding.

ATTACHMENTS:

Nil