

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 27 APRIL 2022 AT 3.00PM**

PRESENT: Cr Paul Harmon (Mayor), Cr Jo Williams, Cr Di Baker, Cr Stewart Berryman, Cr Kate Dight, Cr Paul King OAM, Cr Jacko Ross, Cr Wendy Wilks and Cr Nicky Lavender.

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

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2022/60

Moved: Cr Paul King OAM

Seconded: Cr Di Baker

That the Minutes of the Ordinary Meeting of Council held on 23 March, 2022, 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 Dight declared a Pecuniary Interest in Item #12.2 of the minutes of the March Council Meeting. The nature of the interest is that Cr Dight is the owner of land that will be impacted by the Border Rivers Regional Water Strategy.

4 PUBLIC FORUM

At this juncture, the time being 3.03pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

Mr Mick Schofield, an employee of Brighter Access, highlighted a number of areas where accessibility is an issue on the path network in Inverell. Mr Schofield noted in particular that the southern approach to the Tingha Bridge is particularly challenging and requested that Council consider redesigning this path.

5 ADVOCACY REPORTS

Nil

6 NOTICES OF BUSINESS

6.1 NOTICE OF BUSINESS - REQUEST PERMISSION TO ATTEND THE ALGWA NSW ANNUAL CONFERENCE IN FAIRFIELD 2022 S13.5.3

RESOLUTION 2022/61

Moved: Cr Di Baker

Seconded: Cr Jo Williams

- A. *That three (3) delegates be authorised to attend the 2022 Conference of ALGWA, and that these delegates be Crs Baker, Williams and Wilks.*
- B. *That the attendance cost of the 3rd delegate be funded equally from the annual training allocation for Crs Baker, Williams and Wilks.*

CARRIED

6.2 NOTICE OF BUSINESS - NO SMOKING IN THE CBD S13.5.3

MOTION

Moved: Cr Paul King OAM

Seconded: Cr Nicky Lavender

That Inverell Shire Council prohibit smoking in the 24 designated seating areas in the Core CBD which is Australian Cafe in Otho Street to Byron Street, Coles to the Tatts Hotel in Byron Street. This is a trial to be actioned for 6 months then return to Council for consideration of feedback.

AMENDMENT 2022/62

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

That a report be brought back to the May round of Committee meetings for the Committee to consider fully consulting with the Inverell Community with the view of imposing a Smoking Prohibition Policy for the core CBD.

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

7 QUESTIONS WITH NOTICE

7.1 FLOOD PREPARATION - ADVICE TO PROPERTY OWNERS S18.6.14

RESOLUTION 2022/63

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

That:

- a) *The report be received and noted; and*

- b) A report be brought back to Committees for information on the advice which was provided to Cr Wilks in relation to flood preparation for property owners.*

CARRIED

8 COMMITTEE REPORTS

8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 13 APRIL 2022

RESOLUTION 2022/64

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

- i. That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 13 April, 2022, be received and noted; and*
- ii. The following recommendations of the Civil and Environmental Services Committee be adopted by Council.*

CARRIED

8.1.1 Request to Name Crown Lane within Village of Wandera

RECOMMENDATION:

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.*

8.1.2 Residential Land Review

RECOMMENDATION:

That staff continue to monitor and report annually on residential land supply and demand in Inverell.

8.1.3 Information Reports

RECOMMENDATION:

That the information reports be received and noted.

Cr Di Baker declared a Pecuniary Interest in Item #10 of the minutes of the April Economic and Community Sustainability Meeting. The nature of the interest is Cr Baker is a member of the Regional Planning Panel which may be required to evaluate the Development Application for the redevelopment of the Inverell Aquatic Centre.

8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 13 APRIL 2022

RESOLUTION 2022/65

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

- i. *That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 13 April, 2022, be received and noted; and*
- ii. *The following recommendations of the Economic and Community Sustainability Committee be adopted by Council with the exception of Item 8.2.2.*

CARRIED

8.2.1 Donation Request - Inverell Anglers' Association

RECOMMENDATION:

That Council donate \$500 to the Inverell Anglers' Association to assist with costs associated with restocking trout in the Macintyre River Catchment.

8.2.3 2022/2023 Draft Estimates and Operational Plan, and Long-Term Financial Plan

RECOMMENDATION:

That:

1. *Council authorise the General Manager to submit a permanent Additional Special Variation (ASV) under section 508(2) of the Local Government Act 1993 of 1.3% increase in General Rates Revenue which will generate additional revenue of \$191,179;*
2. *Council proceed with a permanent Additional Special Variation application for the purpose of maintaining financial sustainability and to maintain essential community infrastructure assets including Council's road network; and*
3. *Council has considered the impact of the ASV on ratepayers and the community and considers the increases in general rates to be reasonable.*

4 2022/2023 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 2022/2023 Budget:*
 - i) *Inverell and Villages - Urban Renewal and Upgrade General Fund, Water Fund*

		General Fund	Water Fund
A	Inverell and Villages - Urban Renewal and Upgrade <i>Project subject to a further report to Civil and Environmental Committee</i>	\$500.16K	\$ 0K
B	Urban Work Contribution to Pool Loan	\$98.76K	
C	Footpaths and Cycleway Construction \$ for \$ Contribution to PAMP Program (Subject to RMS approving the 2022/2023 Program)	\$47.73K	
D	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	
	TOTALS	\$ 692.19K	\$0K

2. *That:*

- i) *the budget allocations of \$2.378M for the 2022/2023 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 \$2.912M for the 2022/2023 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*
- iv) *the budget allocation of \$1.402M for the 2022/2023 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;*
- 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 2022/2023 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 0.7% plus any approved ASV of up to 1.3%.*
4. *That:*
 - i) *The Financial Reserves Policy be adopted;*
 - ii) *The new format for reporting of the financial reserves be endorsed;*
 - iii) *Council provide an allocation of \$117K for joint industry promotions and assistance;*
 - iv) *the 2022/2023 Strategic Capital Infrastructure Fund of \$630K be utilised for loan repayments for the Inverell Aquatic Centre Redevelopment*
 - v) *The budget allocation of \$341K for the 2021/2023 Special Projects – Roads Infrastructure Fund be endorsed;*
 - vi) *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;*
 - vii) *the transfers to and from Internally Restricted Assets be endorsed; and*
 - viii) *the list of inclusions as included in the 2022/2023 draft Operational Plan/Budget and listed in section 6.2.2 & 6.2.3 of the report be endorsed.*
5. *That:*
 - i) *The following rating categories be utilised for the 2022/2023 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. *Extra charges on overdue rates and charges will be levied at the rate of six (6) per cent per annum on a daily simple interest basis for the year ending 30 June 2023.*
7. *That the following Waste Management Charges be adopted:*
 - i) *Waste Management Charge – All Properties* *\$96.00*

ii)	<i>Domestic Waste Management - Occupied Charge: per service per assessment</i>	<i>\$363.00</i>
iii)	<i>Domestic Waste Management - Occupied Charge</i>	<i>\$363.00</i>
	<i>Tingha Boundary Adjustment – properties with 140lt garbage bin per service per assessment</i>	
iv)	<i>Domestic Waste Management – Unoccupied Charge</i>	<i>\$66.00</i>
v)	<i>Weekly Commercial Waste Management Charge</i>	<i>\$363.00</i>
	<i>(This Charge is levied per Service, and GST is charged if applicable)</i>	
vi)	<i>Weekly Commercial Recycling Charge (ex GST)</i>	<i>\$135.00</i>
vii)	<i>Fortnightly Commercial Recycling Charge (ex GST)</i>	<i>\$70.00</i>
	<i>(These Charge are levied per Service, and GST is charged if applicable)</i>	
8.	<i>That the Fees and Charges, as recommended, be adopted.</i>	
9.	<i>That:</i>	
i)	<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</i>	
ii)	<i>the Stormwater Management Program as recommended being Gilgai Drainage Project as per the adopted Gilgai Drainage Upgrade Plan, be adopted.</i>	
10.	<i>That:</i>	
i)	<i>Council borrow up to \$10,000,000 for the redevelopment of the Inverell Aquatic Centre over 20 years;</i>	
ii)	<i>Loan Repayments be funded from the Strategic Capital Infrastructure Fund and Urban Works allocations as detailed in the tables provided.</i>	
11.	<i>That:</i>	
i)	<i>the report on the balanced budget be noted;</i>	
ii)	<i>the draft estimates (incorporating the Operational Plan and Long-Term Financial Plans) for the General Activities for 2022/2023 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.</i>	
12.	<i>That:</i>	
i)	<i>the Sewerage Charges as listed below be adopted for 2022/2023:</i>	

Charge	\$
Sewerage Charge Occupied	580.00
Sewerage Charge Unoccupied	365.00
Sewerage Charge Flats/Units	365.00
Sewerage Charge Nursing Homes	2,720.00
Sewerage Charge Hotel/Licensed Clubs	1,735.00

<i>Number of Services per Assessment</i>	<i>Annual Charge Per Assessment \$</i>
1	580.00
2	925.00
3	1,270.00
4	1,615.00
5	1,960.00
6	2,305.00
7	2,650.00
8	2,995.00
9	3,340.00
10	3,685.00
11	4,030.00
12	4,375.00
13	4,720.00
14	5,065.00
15	5,410.00
16	5,755.00

Charge Structure for Non-Ratables

Charge	\$
Non-ratable - Schools - wc's	95.00
Non-ratable - Other - wc's	158.00
Non-rayable - Urinals	95.00

Charge Structure for Motels and Caravan Parks

In accordance with the new charge structure for Motels and Caravan Parks the following charges be adopted for 2022/2023:

Charge	\$
Motel Residence	1,735.00
Motel Restaurant	580.00
Motel Ensuite	183.00
Caravan Park Residence	580.00
Caravan Park Amenities Block	1,735.00
Caravan Park Ensuite Cabins	183.00

- ii) *The Draft Estimates (incorporating Operational Plan) for the Sewerage Fund for 2022/2023 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

13. *That:*

- i) *a water availability base charge of \$415.00 per assessment (Includes first water meter) be adopted for 2022/2023;*
- ii) *a water charge of \$415.00 per additional water meter, per assessment be adopted for 2022/2023;*
- iii) *a water charge of \$410.00 per assessment (includes first water meter) be adopted for properties within the Tingha Boundary Adjustment area for 2022/2023;*
- iv) *a water charge of \$415.00 per additional water meter, per assessment be adopted for properties within the Tingha Boundary Adjustment area for 2022/2023;*
- v) *a charge of \$1.78 per kilolitre be adopted for commercial water consumption for 2022/2023;*
- vi) *a charge of \$1.78 per kilolitre, 0 to 600 kilolitres and \$2.00 per kilolitre over 600 kilolitres be adopted for residential water consumption for 2022/2023;*
- vii) *a charge of \$0.93 per kilolitre be adopted for water consumption - Abattoirs, plus a 20 per cent early settlement discount for 2022/2023;*
- viii) *a charge of \$0.93 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 2022/2023;*
- ix) *a charge of \$0.45 per kilolitre be adopted for Raw Water consumption for 2022/2023; and*
- x) *the draft Estimates (incorporating Operational Plan) for the Water Fund for 2022/2023 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act, 1993.*

8.2.5 Governance - Monthly Investment Report

RECOMMENDATION:

That:

- i) the report indicating Council's Fund Management position be received and noted; and*
- ii) the Certification of the Responsible Accounting Officer be noted.*

8.2.2 Arts North West (ANW) Membership**MOTION**

Moved: Cr Nicky Lavender

Seconded: Cr Wendy Wilks

That Council not take up the membership of Arts North west for 2022/2023.

AMENDMENT: 2022/66

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

That Council agree to membership of Arts North West for the year 2022/23 at \$14,866.70.

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 DESTINATION REPORTS****9.1 REQUEST TO PURCHASE INDUSTRIAL LAND S5.2.0/15****RESOLUTION 2022/67**

Moved: Cr Di Baker

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**9.2 ADVOCACY ISSUES S14.11.1/15****RESOLUTION 2022/68**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That the following 10 advocacy issues for Council in order of importance currently include:

1. *Water security*
2. *Access to health services*
3. *Cost shifting*
4. *Road funding*
5. *Financial assistance grants*
6. *Energy Security and Affordability*
7. *Telecommunications blackspots / Reliable mobile and internet services*
8. *Skills and education*
9. *Housing*
10. *Disaster preparedness and fair funding*

CARRIED

9.3 DUTIES OF DISCLOSURE - PECUNIARY AND OTHER MATTERS S13.6.5/14

RESOLUTION 2022/69

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

That the tabling of the 'Disclosure of Pecuniary Interests and Other Matters' returns by the General Manager be noted.

CARRIED

9.4 EMERGENCY SERVICES LEVY S12.13.1

RESOLUTION 2022/70

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

That:

1. *Council create a new internally restricted sub-category reserve, "Emergency Services Levy", under the Financial Risk Reserve for the purposes of funding future increases in emergency service levy above budget allocations; and*
2. *Council transfer the 2022/2023 budget saving resulting from the NSW Government announcement to the "Emergency Services Levy" internally restricted sub-category reserve.*

CARRIED

9.5 REQUEST TO WAIVE ALCOHOL PROHIBITED AREA FOR VICTORIA PARK - GRAFTON TO INVERELL SPORTING EVENT S18.8.1

RESOLUTION 2022/71

Moved: Cr Wendy Wilks

Seconded: Cr Stewart Berryman

That the information be noted and no action taken.

CARRIED

10 INFORMATION REPORTS

RESOLUTION 2022/72

Moved: Cr Kate Dight

Seconded: Cr Wendy Wilks

That the information reports be received and noted.

CARRIED

10.1 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING MARCH 2022 S18.10.2/15

10.2 ORDINANCE ACTIVITIES REPORT FOR MARCH 2022 S18.10.1

10.3 STRATEGIC TASKS - 'SIGN OFF' - MARCH 2022 S4.13.2

11 GOVERNANCE REPORTS

Nil

At 4.45pm Standing Orders were suspended.

At 4.48pm Standing Orders were resumed.

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

At 4.49pm, the Chairperson noted that no members of the public or press were in attendance at the meeting therefore Council proceeded to consider the motion to close the meeting to the press and public.

RESOLUTION 2022/73

Moved: Cr Di Baker

Seconded: Cr Jacko Ross

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

CARRIED

RESOLUTION 2022/74

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

*That Council proceeds out of Closed Council into Open Council.***CARRIED**

Upon resuming Open Council at 5.00pm, 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 REQUEST TO PURCHASE INDUSTRIAL LAND S5.2.0/15**RECOMMENDATION:**

- a) *The General Manager be authorised to complete the sale of lot 9 in the Rifle Range Road Industrial Estate to Mr David Basson at the purchase price of \$370,850 plus GST if applicable; and*
- b) *Any necessary documents associated with the sale be completed under the Common Seal of Council.*

ADOPTION OF RECOMMENDATIONS**RESOLUTION 2022/75**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

*That the recommendations of Closed Council be adopted.***CARRIED**

The Meeting closed at 5.05pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 June 2022.

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CHAIRPERSON