

**MINUTES OF INVERELL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 22 SEPTEMBER 2021 AT 3.00PM**

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

**IN ATTENDANCE:** Paul Henry (General Manager), Brett McInnes (Director Civil and Environmental Services) and Paul Pay (Director Corporate and Economic Services).

**1 APOLOGIES**

**RESOLUTION 2021/94**

Moved: Cr Jacki Watts

Seconded: Cr Di Baker

*That the apology received from Cr Mal Peters for personal reasons be accepted and leave of absence granted.*

**CARRIED**

**2 CONFIRMATION OF MINUTES**

**RESOLUTION 2021/95**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

*That the Minutes of the Ordinary Meeting of Council held on 25 August, 2021, as circulated to members, be confirmed as a true and correct record of that meeting.*

**CARRIED**

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

Cr Kate Dight declared a non-pecuniary interest in 'Item 10.4 - New England Renewable Energy Zone'. Cr Dight stated that her interest arises as her family has an interest in another Renewable Energy Project in another Local Government Area.

**4 PUBLIC FORUM**

Nil

## 5 NOTICES OF BUSINESS

### 5.1 NOTICE OF BUSINESS - DISPOSAL OF GOODS AND PROPERTY S13.5.3

**RESOLUTION 2021/96**

Moved: Cr Jacki Watts

Seconded: Cr Di Baker

*That the notice of business be received and noted.***CARRIED**

### 5.2 NOTICE OF BUSINESS - CREDIT CARDS S13.5.3

**RESOLUTION 2021/97**

Moved: Cr Jacki Watts

Seconded: Cr Di Baker

*That the notice of business be received and noted.***CARRIED**

### 5.3 NOTICE OF BUSINESS - SUPPORT TO BRING MORE DOCTORS TO INVERELL SHIRE S13.5.3

**RESOLUTION 2021/98**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

*That:*

- I. Inverell Shire Council (ISC) supports government action to bring more Doctors to Inverell Shire, the New England and Rural and Regional NSW; and*
- II. ISC take a regional approach and consult with the Primary Health Network and Hunter New England Health on this issue.*
- III. ISC seeks the support of the New England Joint Organisation on this issue through the submission process currently open.*

**CARRIED**

## 6 QUESTIONS WITH NOTICE

Nil

## 7 ADVOCACY REPORTS

Nil

## 8 COMMITTEE REPORTS

### 8.1 AQUATIC CENTRE PLANNING SUNSET COMMITTEE MINUTES - 22 SEPTEMBER 2021

#### RESOLUTION 2021/99

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

- I. *That the Minutes of the Aquatic Centre Planning Sunset Committee held on Wednesday, 22 September, 2021, be received and noted; and*
- II. *The following recommendations of the Aquatic Centre Planning Sunset Committee be adopted by Council.*

**CARRIED**

### 1 AQUATIC CENTRE DESIGN CONCEPT RATIONALE AND REVIEW

#### COMMITTEE RESOLUTION

Moved: Cr Paul King OAM

Seconded: Cr Stewart Berryman

- I. *The Committee endorse amendment 1 to the adopted concept plan for the purposes of further costing and investigation.*
- II. *The committee acknowledge a closure period of 12 to 18 months will be required to facilitate construction of the new Aquatic Centre.*

## 9 DESTINATION REPORTS

### 9.1 ELECTION OF DEPUTY MAYOR S13.7.2

#### RESOLUTION 2021/100

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

1. *That Council appoint a Deputy Mayor; and the term be a three (3) month period.*

The General Manager advised that being only one (1) nomination, Cr Anthony Michael was duly declared elected as Deputy Mayor for the ensuing three (3) month period.

**CARRIED**

**9.2 REQUEST TO LICENCE LAND - PART LOT 1 DP 1140913 CAMERON PARK AND PART CLOSED ROAD, CAMERON STREET, INVERELL S5.10.18****RESOLUTION 2021/101**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

*That:*

- i) Council enter into a Licence Agreement with Sarah Clayton for Part Lot 1 DP 140913 Cameron Park and Part Closed Road, Cameron Street, Inverell for a five (5) year period with a five (5) year option;*
- ii) the Licence fee be \$500.00 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

**CARRIED****9.3 REQUEST TO LICENCE LAND - LOT 1 DP 124236 WYNDHAM STREET, INVERELL S5.10.33****RESOLUTION 2021/102**

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

*That:*

- i) Council enter into a Licence Agreement with Mr and Mrs Paul and Jayne Miller for Lot 1 DP 124236, Wyndham Street, Inverell for a five (5) year period with a further five (5) year option;*
- ii) the Licence fee be \$600.00 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

**CARRIED****9.4 REQUEST FOR DONATION IN LIEU OF RATES - INVERELL THEATRE COMPANY S12.22.18/08****RESOLUTION 2021/103**

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

*Council provide a one-off donation in lieu of rates to the Inverell Theatre Company from Council's donation budget.***CARRIED**

**9.5 PROPOSAL FOR AN INVERELL SHIRE YOUTH COUNCIL S3.16.13****RESOLUTION 2021/104**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

*That:*

1. Council agree to the concept of forming an Inverell Shire Council Youth Council; and
2. Council Staff present a plan of Management to Council for further discussion on the manner in which this proposed Council will operate.

**CARRIED****9.6 REQUEST TO PURCHASE INDUSTRIAL LAND S5.2.0/14****RESOLUTION 2021/105**

Moved: Cr Anthony Michael

Seconded: Cr Di Baker

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

*“information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.” (s.10A(2)(c) Local Government Act 1993)*

*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****9.7 SALE OF LAND - BRISSETT STREET, INVERELL S5.2.0/14****RESOLUTION 2021/106**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

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

*“information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.” (s.10A(2)(c) Local Government Act 1993)*

*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**

**9.8 TRANSFER OF INTERNALLY RESTRICTED ASSETS AND BUDGET REVOTES FROM 2020/2021 S12.5.1/14****RESOLUTION 2021/107**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

*That:*

- i) the report be received and noted;*
- ii) the list of revotes in the attachment be revoted to the 2021/2022 budget; and*
- iii) the transfers to Council's Internally Restricted Assets for the 2020/2021 Financial Year totalling \$7,420,362 and Council's transfers from Internally Restricted Assets for the 2020/2021 Financial Year totalling \$5,250,969 be endorsed.*

**CARRIED**

At 3:32pm, Cr Paul Harmon left the meeting and Cr Michael assumed the Chair.

**9.9 SALE OF LAND FOR UNPAID RATES S12.8.9/05****RESOLUTION 2021/108**

Moved: Cr Di Baker

Seconded: Cr Jacki Watts

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

*"discussion in relation to the personal hardship of a resident or ratepayer." S.10A  
(2)(b) Local Government Act 1993)*

*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****9.10 MIGRATING FINANCIAL MANAGEMENT SYSTEMS TO A CLOUD BASED SOLUTION S16.7.12/04****RESOLUTION 2021/109**

Moved: Cr Di Baker

Seconded: Cr Jacki Watts

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

*"information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business." (s.10A(2)(c)  
Local Government Act 1993)*

*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**

At 3.34pm, Cr Paul Harmon returned to the meeting and resumed the Chair.

## **10 INFORMATION REPORTS**

### **RESOLUTION 2021/110**

Moved: Cr Paul King OAM

Seconded: Cr Di Baker

*That the following information reports be received and noted with the exception of Item '10.2 – Mobile Black Spot Program S10.12.2/14' and Item '10.4 New England Renewable Energy Zone S18.6.52/10' which were considered separately.*

**CARRIED**

### **10.1 STRATEGIC TASKS - 'SIGN OFF' - SEPTEMBER 2021 S4.13.2**

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### **10.3 WORKS UPDATE S28.21.1/14**

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### **10.5 SEPTIC TANK APPROVALS FOR AUGUST 2021 S29.19.1**

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

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### **10.7 ORDINANCE ACTIVITIES REPORT FOR AUGUST 2021 S18.10.1**

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### **10.8 FURTHER UPDATE - MARCH 2021 FLOOD EVENT S5.20.1**

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### **10.2 MOBILE BLACK SPOT PROGRAM S10.12.2/14**

#### **RESOLUTION 2021/111**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

*That Council forward a letter of appreciation to Hon. Barnaby Joyce, MP.*

**CARRIED**

### **10.4 NEW ENGLAND RENEWABLE ENERGY ZONE S18.6.52/10**

#### **RESOLUTION 2021/112**

Moved: Cr Kate Dight  
Seconded: Cr Stewart Berryman

*That:*

1. *That the information report be received and noted; and*
2. *Council request that the Renewable Energy Zone area boundary is expanded to include the 330Kva line that runs north to Bonshaw and over the Queensland Border.*

**CARRIED**

## **11 GOVERNANCE REPORTS**

### **11.1 GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2**

#### **RESOLUTION 2021/113**

Moved: Cr Jacki Watts  
Seconded: Cr Kate Dight

*That:*

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

**CARRIED**

### **11.2 GENERAL & SPECIAL PURPOSE FINANCIAL REPORTS 2020/2021 S12.11.5**

#### **RESOLUTION 2021/114**

Moved: Cr Kate Dight  
Seconded: Cr Jacki Watts

*That:*

- i) *the report be received and noted;*
- ii) *Council's DRAFT 2020/2021 Financial Statements be "referred to audit" in accordance with s413(1) of the Local Government Act 1993.*
- iii) *If during the audit process, the NSW Audit Office requires any material changes, or discovers any audit issues that would render the Financial Statements false or misleading in any way, the draft financial statements are to be returned to Council for further consideration.*
- iv) *In the opinion of Council, in accordance with s413 (2c) of the Local Government Act 1993, the draft 2020/2021 annual financial report is in accordance with;*
  - *the Local Government Act 1993 (as amended) and the Regulations made there under,*
  - *the Australian Accounting Standards and professional pronouncements,*
  - *the Local Government Code of Accounting Practice and Financial Reporting,*
  - *presents fairly the Council's operating result and financial position for the year,*
  - *accords with Council's accounting and other records; and*
  - *that the Council is not aware of any matter that would render this report false or misleading in any way.*



- v) *Subject to no material audit changes or audit issues discovered as a result of the audit process:*
- i) *the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the statements as required by s413(2) of the Local Government Act 1993;*
  - ii) *Council authorise the General Manager to forward the Financial Statements to the Office of Local Government upon receipt of the Audit Reports from the NSW Audit Office;*
  - iii) *Council authorise the General Manager to place the audited Financial Statements on public exhibition and provide notice in accordance with s418(3) of the Local Government Act 1993, that Council will consider the Reports of its Auditors for the year ended 30 June, 2021 at its Ordinary Meeting to be held on Wednesday 17 November, 2021; and*
  - iv) *Council present the signed audited Financial Statements to the public at the ordinary Council meeting to be held on 17 November, 2021 in accordance with s 419 (1) of the Local Government Act 1993.*

**CARRIED**

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

At 3.57pm, 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.

At 3:57pm, Cr Di Baker left the meeting.

At 4.01pm, Cr Di Baker returned to the meeting.

### **RESOLUTION 2021/115**

Moved: Cr Jacki Watts

Seconded: Cr Stewart Berryman

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

**CARRIED**

### **RESOLUTION 2021/116**

Moved: Cr Jacki Watts

Seconded: Cr Kate Dight

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

**CARRIED**

Upon resuming Open Council at 4.25pm, 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 S5.2.0/14****RESOLUTION 2021/117**

Moved: Cr Anthony Michael

Seconded: Cr Stewart Berryman

*That:*

- a) *The General Manager be authorised to negotiate and complete the sale of lots 24 & 25 in the Rifle Range Road Industrial Estate to Precision Seeding Solutions P/L in accordance with the pricing options provided in the body of the report;*
- b) *That any necessary documents associated with the sale be completed under the Common Seal of Council; and*
- c) *The General Manager provide a report to Council on the outcome of the negotiations.*

**CARRIED****12.2 SALE OF LAND - BRISSETT STREET, INVERELL S5.2.0/14****RESOLUTION 2021/118**

Moved: Cr Anthony Michael

Seconded: Cr Neil McCosker

- i) *That the sale of Lot 3 DP 1080168 Brissett Street, Inverell to BRSM P/L for the sum of \$170K be approved; and*
- ii) *That any necessary documentation be completed under the Common Seal of Council.*

**CARRIED****12.3 SALE OF LAND FOR UNPAID RATES S12.8.9/05****RESOLUTION 2021/119**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

*That:*

- a) *the report be received and noted; and*
- b) *the General Manager be authorised to write off any unsatisfied rates, charges and legal fees, for all properties sold in accordance with Section 719 of the Local Government Act 1993.*

**CARRIED**

**12.4 MIGRATING FINANCIAL MANAGEMENT SYSTEMS TO A CLOUD BASED SOLUTION  
S16.7.12/04****RESOLUTION 2021/120**

Moved: Cr Di Baker

Seconded: Cr Jacki Watts

*That:*

- i) *In accordance with section 55(3)(i) of the Local Government Act 1993 (unavailability of competitive tenders) that Council not invite tenders for the provision of financial management systems through a cloud-based solution;*
- ii) *Council notes the reason why a satisfactory result would not be achieved by inviting tenders include:*
- *The unavailability of reliable alternative suppliers;*
  - *TechnologyOne is the only supplier that can deliver, manage and support their software under a 'Software as a Service model';*
  - *leveraging existing knowledge of TechnologyOne system capabilities; and*
  - *the cost and time burden of proceeding to tender will, in all likelihood, achieve a similar assessment.*
- iii) *Council delegate to the General Manager the authority to negotiate directly with TechnologyOne and enter into a contract with TechnologyOne (subject to appropriate terms and conditions) for the provision of a cloud-based solution.*

**CARRIED****ADOPTION OF RECOMMENDATIONS****RESOLUTION 2021/121**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

*That the recommendations of Closed Council be adopted.***CARRIED****The Meeting closed at 4.27pm.****The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 October 2021.**.....  
**CHAIRPERSON**