

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 23 FEBRUARY 2022 AT 3.00PM**

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

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

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2022/15

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

That the Minutes of the Ordinary Meeting of Council held on 12 January, 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 Nicky Lavender declared a Non-Pecuniary Interest in Item #9.2 'Northern Inland Academy of Sport' as she volunteers as a NIAS netball manager.

Cr Paul Harmon declared a Pecuniary Interest in Item #10.10 'Summary of Development Applications, Construction Certificates and Complying Development Certificates during November 2021' as his wife is one of the applicants.

4 PUBLIC FORUM

At this juncture, the time being 3.02pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

Mr Robert Bensley, Public Health System

Mr Bensley expressed his disappointment at the deterioration of our health system.. Mr Bensley cited issues such as no doctors on duty in emergency in Inverell, suspension of maternity services in Inverell, no doctors at the Glen Innes emergency department, no maternity services at Parkes and a total lack of planning and meaningful communication from Hunter New England Health. Mr Bensley expressed concern that the health system in rural areas has totally collapsed.

Mr Bensley noted that the efforts of local health service practitioners stating they are amazing and deserved our grateful thanks.

5 ADVOCACY REPORTS

5.1 BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - NOVEMBER 2021 S14.10.1

RESOLUTION 2022/16

Moved: Cr Kate Dight

Seconded: Cr Di Baker

That:

1. *The information in relation to the Cross-Border Infrastructure Fund be noted; and*
2. *ARTC be approached to investigate transport opportunities for HTML rail and road networks east of Moree with the view to undertake a feasibility study for this transport route.*

CARRIED

6 NOTICES OF BUSINESS

Nil

7 QUESTIONS WITH NOTICE

Nil

8 COMMITTEE REPORTS

8.1 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 9 FEBRUARY 2022

RESOLUTION 2022/17

Moved: Cr Nicky Lavender

Seconded: Cr Jo Williams

- i. *That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 9 February, 2022, be received and noted; and*
- ii. *The following recommendations of the Economic and Community Sustainability Committee be adopted by Council.*

CARRIED

8.1.1 Election of Chairperson

In the absence of Cr Paul King, the Mayor elected to defer the Election of Chairperson to the March 2022 meeting.

8.1.2 Expiring Licence Agreements - Mr David Walker

RECOMMENDATION:

That:

- i) Council renew the agreement with Mr David Walker for Part Council Road Reserve adjacent to Lot 2 DP 216606, Elsmore Road, Elsmore and Part Lot 7301 DP 1139606, Nash's Lane, Long Plain for a five (5) year period with the option of a further five (5) year period;*
- ii) the licence fee be \$75.00 per annum (GST Inclusive) for each site; and*
- iii) the Licence Agreements be subject to any other terms and conditions as negotiated by Council's General Manager.*

8.1.3 Inverell Women's Shed

RECOMMENDATION:

That:

- a) Council has no suitable land available within the CBD for the erection of the Women's Shed;*
- b) the Inverell Women's Shed Committee be requested to provide information on the outcome of their meeting with the Inverell Showground Trust; and*
- c) the Inverell Women's Shed Committee be requested to provide additional information to Council on their current membership base and long-term sustainability.*

8.1.4 Approach from Bundarra Residents

RECOMMENDATION:

That:

- a) Council does not dispute the rationale of the Bundarra Community's approach to the proposed boundary adjustment;*
- b) the Bundarra Community be requested to define in more detail the area proposed to be transferred to Inverell Shire Council upon completion of the boundary adjustment and the level of support from the residents in the proposed transfer area; and*
- c) the Bundarra Community ascertain the view of the Local Member, Mr Adam Marshall MP, and Uralla Shire Council on the proposed boundary adjustment.*

8.1.5 Entrance Signs - Ashford Local Aboriginal Land Council (ALALC)

RECOMMENDATION:

That:

- a) *Signage stating 'The traditional lands of the Kwiambal People;' be installed on MR 137, at the entrances to Ashford; and*
- b) *The signs be funded from the Ashford Village Improvement vote.*

8.1.6 Information Reports**RECOMMENDATION:**

That the information reports be received and noted.

8.1.7 Quarterly Budget and Operational Plan 2021/2022**RECOMMENDATION:**

That:

- i) *Council's Quarterly Operational Plan and Budget Review for 31st December, 2021 be adopted; and*
- ii) *The proposed variations to budget votes for the 2021/2022 Financial Year be adopted providing an estimated Cash Surplus at 31st December, 2021 from operations of \$6,161.*

8.1.8 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 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 9 FEBRUARY 2022**RESOLUTION 2022/18**

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

- i. *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 9 February, 2022, be received and noted; and*
- ii. *The following recommendations of the Civil and Environmental Services Committee be adopted by Council.*

CARRIED

8.2.1 Election of Chairperson

The General Manager advised Councillors of the entitlement under the Code for the Mayor to Chair Committee Meetings. Cr Harmon advised the General Manager that he declined to exercise the right to Chair the Meeting, inviting the General Manager to call for nominations for the position of Chairperson.

The General Manager called for nominations for the position of Chairperson:

One (1) nomination for the position of Chairperson was received being Cr Berryman. There being only one (1) nomination, Cr Berryman was declared duly elected as Chairperson for the ensuing one (1) year period and assumed the Chair.

At this juncture the time being 9.08am, Cr Berryman assumed the Chair.

8.2.2 New England North West Regional Plan Review

RECOMMENDATION:

That the subsequent submission be endorsed.

8.2.3 Planning Proposal - Amendment to Inverell Local Environmental Plan 2012 - Corner Gwydir Highway and Jardine Road, Inverell

RECOMMENDATION:

That:

- a) *the amendment to the Inverell Local Environmental Plan 2012 be endorsed; and*
- b) *request that the NSW Department of Planning, Industry and Environment finalise the amendment.*

S375A Record of Voting	Councillors For:	Councillors Against:
Harmon	√	
Baker	√	
Berryman	√	
Ross	√	
Wilks	√	
King	√	
Lavender	√	
Dight	√	
Williams	√	

8.2.4 Structure Plans for New Residential Areas

RECOMMENDATION:

That the Draft Structure Plans for New Residential Areas be endorsed.

8.2.5 Update - Roundabout Construction - Gwydir Highway, Bundarra Road and Chester Street

The Manager of Civil Engineering provided a briefing on the design of the Roundabout, current activities being undertaken on the site and timeline for the project.

8.2.6 Information Reports

RECOMMENDATION:

That the information reports be received and noted.

8.2.7 Governance - Performance Reporting on Road Maintenance Council Contracts

RECOMMENDATION:

That the information be received and noted.

9 DESTINATION REPORTS

9.1 DROUGHT RESILIENCE PLANNING S3.16.16

RESOLUTION 2022/19

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

That the information be received and noted.

CARRIED

9.2 NORTHERN INLAND ACADEMY OF SPORT S26.4.15

RESOLUTION 2022/20

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That Council renew its partnership with the Northern Inland Academy of Sport (NIAS) for the 2022 year at a cost of \$2,000.

CARRIED**9.3 PART TINGHA RECREATION RESERVE S5.19.1****RESOLUTION 2022/21**

Moved: Cr Paul King OAM

Seconded: Cr Stewart Berryman

That Council support the initial categorisation of part Tingha Recreation Reserve (R70706) being:

- i. Sportsground – Cricket oval, football field, golf course; and*
- ii. Park – Skate park and surrounding vacant land.*

CARRIED**9.4 COUNCILLOR EXPENSES & FACILITIES POLICY S13.6.4****RESOLUTION 2022/22**

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

That:

- i) Council adopt the Policy on Councillor Expenses and Facilities in accordance with the provisions of the Local Government Act, 1993; and*
- ii) such policy be made available for inspection by members of the public.*

CARRIED**9.5 COUNCIL REPRESENTATIVE - WHITE ROCK WIND FARM COMMUNITY FUND (WRWF FUND) S14.18.4****RESOLUTION 2022/23**

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

*Nominations were received from Cr Paul King, Cr Jo Williams and Cr Jacko Ross for the position of Councillor representative on the White Rock Farm Community Fund Committee. A vote was conducted by the opening voting method. Cr King received a majority of votes.**Cr Ross asked that his nomination be withdrawn from consideration as a community representative to the White Rock Wind Farm Community Fund as he wishes to seek reappointment to the Sapphire Wind Farm Community Fund Committee.***RECOMMENDATION:**

- i) That Cr Paul King be appointed as Councillor representative on the White Rock Farm Community Fund Committee.*
- ii) That Council recommend Cr Jo Williams as community member of the White Rock Farm Community Fund Committee.*

CARRIED

10 INFORMATION REPORTS

RESOLUTION 2022/24

Moved: Cr Kate Dight

Seconded: Cr Stewart Berryman

That the following information reports be received and noted.

CARRIED

10.1 2020 - 2021 YOUTH PROGRAM IN INVERELL LGA S15.8.104

RESOLUTION 2022/25

Moved: Cr Paul King OAM

Seconded: Cr Nicky Lavender

That the information report be received and noted.

CARRIED

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

RESOLUTION 2022/26

Moved: Cr Kate Dight

Seconded: Cr Di Baker

That the information report be received and noted.

CARRIED

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

RESOLUTION 2022/27

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

That the information report be received and noted.

CARRIED

10.4 ORDINANCE ACTIVITIES REPORT FOR NOVEMBER 2021 S18.10.1

10.5 ORDINANCE ACTIVITIES REPORT FOR DECEMBER 2021 S18.10.1

10.6 ORDINANCE ACTIVITIES REPORT FOR JANUARY 2022 S18.10.1

RESOLUTION 2022/28

Moved: Cr Nicky Lavender

Seconded: Cr Jo Williams

*That the following information reports be received and noted.***CARRIED**

10.7 SEPTIC TANK APPROVALS FOR NOVEMBER 2021 S29.19.1

10.8 SEPTIC TANK APPROVALS FOR DECEMBER 2021 S29.19.1

10.9 SEPTIC TANK APPROVALS FOR JANUARY 2022 S29.19.1

RESOLUTION 2022/29

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

*That the following information report be received and noted.***CARRIED**

At 3.33pm, Cr Paul Harmon left the meeting having previously declared a pecuniary interest in Item #10.10 'Summary of Development Applications, Construction Certificates and Complying Development Certificates during November 2021'.

Cr Dight assumed the Chair.

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

RESOLUTION 2022/30

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

*That the following information reports be received and noted.***CARRIED**

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

10.11 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING DECEMBER 2021 S18.10.2/15

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

11 GOVERNANCE REPORTS

11.1 DELEGATIONS OF AUTHORITY - MAYOR AND GENERAL MANAGER S22.2.1

RESOLUTION 2022/31

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That Council delegate the functions described in the Instruments of Delegation to the Mayor and General Manager.

CARRIED

11.2 POLICY - APPOINTMENT OF AN ACTING GENERAL MANAGER S4.14.1/01

RESOLUTION 2022/32

Moved: Cr Di Baker

Seconded: Cr Jacko Ross

1. *That when the General Manager is on leave, a member of the Executive Team will fill the role of Acting General Manager. The position will default to the following persons in the nominated order:*
 1. *Director Civil and Environmental Services*
 2. *Director Corporate and Economic Services*
2. *That the appointment of a member of the Executive Team will cease upon the return to work of the General Manager or a resolution of Council, and*
3. *That any person acting as General Manager, pursuant to this resolution, has all the functions and delegations given to the General Manager by the Council.*

CARRIED

SUPPLEMENTARY REPORTS**RESOLUTION 2022/33**

Moved: Cr Di Baker
Seconded: Cr Kate Dight

That the supplementary agenda items #9.6 and #12.1 'Recruitment of Medical Practitioner be received.

CARRIED**9.6 RECRUITMENT OF MEDICAL PRACTITIONER S24.20.5****RESOLUTION 2022/34**

Moved: Cr Nicky Lavender
Seconded: Cr Di Baker

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

- d(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

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

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

At 3.39pm, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council Meeting should not be considered in Closed Council. There was no response.

RESOLUTION 2022/35

Moved: Cr Nicky Lavender
Seconded: Cr Di Baker

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

CARRIED**RESOLUTION 2022/36**

Moved: Cr Stewart Berryman
Seconded: Cr Di Baker

That Council proceeds out of Closed Council into Open Council.

CARRIED

Upon resuming Open Council at 4.36pm, the Chairperson verbally reported that Council had met in Closed Council, with the Press and Public excluded, and had resolved to recommend to Council the following:

12.1 RECRUITMENT OF MEDICAL PRACTITIONER S24.20.5

RESOLUTION 2022/37

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That

- a) *Council agree in principle to assist the current applicant in their attempt to relocate a medical practitioner (Doctor) to Inverell by way of providing a 2nd hand vehicle (medical practitioner to be responsible for maintenance and running costs) and rental assistance for a six month period; and*
- b) *A final decision be deferred to a later meeting, after the Mayor meets with the Federal Minister of Rural Health.*

CARRIED

ADOPTION OF RECOMMENDATIONS

RESOLUTION 2022/38

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 4.37pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 February 2022.

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CHAIRPERSON