

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

**PRESENT:** Cr Paul Harmon (Mayor), Cr Jo Williams, Cr Di Baker, Cr Stewart Berryman, 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 Paul Pay (Director Corporate and Economic Services).

## **1 APOLOGIES**

### **RESOLUTION 2022/39**

Moved: Cr Di Baker

Seconded: Cr Jo Williams

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

**CARRIED**

## **2 CONFIRMATION OF MINUTES**

### **RESOLUTION 2022/40**

Moved: Cr Paul King OAM

Seconded: Cr Di Baker

*That the Minutes of the Ordinary Meeting of Council held on 23 February, 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 Di Baker declared a Non-Pecuniary Interest in relation to Item #8.5 'Aquatic Centre Planning Sunset Committee Minutes', as 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.

## **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 referred to a recent Inverell Times article quoting the Mayor announcing that New England North West Mayors recently unanimously voted to investigate how to break up Hunter New England Health Services as it is too large to effectively service local community members. Mr Bensley expressed his disappointment at the Mayor's comments and opposed that decision as Mr Bensley believes Council does not know what Inverell residents want. Mr Bensley believes that the former New England Health Service was no better than the current Hunter New England Health Service.

Mr Bensley advised he has listed what he believed to be deficiencies in the current Hunter New England Health Services system. Mr Bensley has made a submission to the recently completed Senate Inquiry into GP Services in Outer Metro, Regional and rural Australia. Mr Bensley suggested in his submission that the Local Hospital District Health System in NSW had deteriorated to the stage where it is now not workable. Mr Bensley also referred to the final report dated 27 November, 2018 of the Special Commission Inquiry on Acute Care in Hospitals which provided a long list of recommendations on local hospitals which had been accepted and have not yet been enacted.

Mr Bensley called on Council to fully support local Member Adam Marshall's recent motion to State Parliament.

**5 ADVOCACY REPORTS**

Nil

**6 NOTICES OF BUSINESS**

Nil

**7 QUESTIONS WITH NOTICE**

Nil

**8 COMMITTEE REPORTS****8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 9 MARCH 2022****RESOLUTION 2022/41**

Moved: Cr Stewart Berryman

Seconded: Cr Wendy Wilks

- i. That the Minutes of the Civil and Environmental Services Committee meeting held on Wednesday, 9 March, 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 Gravel Resheet Program 2021-2022****RECOMMENDATION:**

*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.*

### 8.1.2 Gilgai School Bus Bay Upgrade

**RECOMMENDATION:**

*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.*

### 8.1.3 Re-Allocate 2021/2022 REPAIR Program Funding

**RECOMMENDATION:**

*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.*

### 8.1.4 Regional Road Transfer and Road Classification - Update

**RECOMMENDATION:**

*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.*

### 8.1.5 Information Reports

**RECOMMENDATION:**

*That the information reports be received and noted.*

**8.1.6 Governance - Performance Reporting on Road Maintenance Council Contracts****RECOMMENDATION:**

*That the information be received and noted.*

**8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 9 MARCH 2022****RESOLUTION 2022/42**

Moved: Cr Paul King OAM

Seconded: Cr Nicky Lavender

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

**CARRIED**

**8.2.1 Request for Financial Assistance - Inverell Cultural Group****RECOMMENDATION:**

*That:*

- 1. Council make a \$2,000 contribution to the staging costs of the "100 Years of Dance" event to be conducted in the Inverell Town Hall; and*
- 2. The Cultural Group be reminded of the purpose of the support funding for cultural events.*

**8.2.2 Audit, Risk & Improvement Committee Membership and Remuneration****RECOMMENDATION:**

*That:*

- 1. Council appoint Mr Phil Schwenke as Chair of the Audit Risk and Improvement Committee for an additional two years until December 2024;*
- 2. Council reimburse Mr Phil Schwenke for \$999.90 in lost GST payments for services rendered; and*
- 3. Council set member honorarium from January 2022 as follows:*
  - a) Chair - \$1,500 (plus GST if applicable), plus reimburse travel expenses at cost; and*
  - b) Independent Member - \$750 (plus GST if applicable), plus reimburse travel expenses at cost.*

**8.2.3 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.*

**8.3 JOINT COMMITTEE MEETING MINUTES - 9 MARCH 2022****RESOLUTION 2022/43**

Moved: Cr Stewart Berryman

Seconded: Cr Nicky Lavender

- i. That the Minutes of the Joint Committee Meeting held on Wednesday, 9 March, 2022, be received and noted; and*
- ii. The following recommendations of the Joint Committee be adopted by Council.*

**CARRIED****8.3.1 ACQUISITION OF PROPERTY – 8 EVANS STREET**

*That Council does not participate in the auction being held on 9 March 2022 to sell 8 Evans Street, Inverell.*

**8.4 AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES - 8 MARCH 2022  
S4.11.21****RESOLUTION 2022/44**

Moved: Cr Nicky Lavender

Seconded: Cr Jo Williams

*That the minutes from the Audit Risk and Improvement Committee meeting held on Tuesday, 8 March, 2022 be received and noted.*

**CARRIED****SUPPLEMENTARY REPORTS****RESOLUTION 2022/45**

Moved: Cr Paul King OAM

Seconded: Cr Stewart Berryman

*That the supplementary reports for the Aquatic Centre Planning Sunset Committee and Consideration of the Local Traffic Committee Recommendations be received.*

**CARRIED**

At 3.18pm, Cr Di Baker left the meeting having previously declared a Non-Pecuniary Interest in relation to Item #8.5 'Aquatic Centre Planning Sunset Committee Minutes'.

## **8.5 AQUATIC CENTRE PLANNING SUNSET COMMITTEE MINUTES - 23 MARCH 2022**

### **RESOLUTION 2022/46**

Moved: Cr Jacko Ross  
Seconded: Cr Wendy Wilks

- i. That the Minutes of the Aquatic Centre Planning Sunset Committee held on Wednesday, 23 March, 2022, be received and noted; and*
- ii. The following recommendations of the Aquatic Centre Planning Sunset Committee be adopted by Council.*

**CARRIED**

### **8.5.1 Inverell Aquatic Centre Replacement Functional and Technical Design Brief**

#### **RECOMMENDATION:**

*That the Inverell Aquatic Centre Replacement Functional and Technical Design Brief as presented be endorsed.*

### **8.5.2 Inverell Aquatic Centre Redevelopment Project Procurement**

#### **RECOMMENDATION:**

*That a Design and Construct project procurement model be endorsed and the process subsequently commenced.*

At 3.20pm, Cr Di Baker returned to the meeting.

## **9 DESTINATION REPORTS**

### **9.1 BONSHAW MEMORIAL HALL - ANNUAL GENERAL MEETING (AGM) REPORT S5.13.3**

#### **RESOLUTION 2022/47**

Moved: Cr Di Baker  
Seconded: Cr Stewart Berryman

- i. The information be received and noted; and*
- ii. The following persons be authorised as office bearers and committee members of the Bonshaw Memorial Hall Committee:*
  - President: Michelle Ramsay*
  - Secretary: Veronica Park*
  - Treasurer: Paula Sanderson*
  - Committee: Kevin Leach, Bernadette Walker and Luke Mayne*

*CWA Representatives: Julia Harpham, Dawn Brown*

**CARRIED**

## **9.2 REQUEST TO LICENCE - NRMA - ELECTRIC VEHICLE CHARGING STATION S30.9.8**

### **RESOLUTION 2022/48**

Moved: Cr Di Baker

Seconded: Cr Jo Williams

*That:*

- i) Council enter into a Licence Agreement with National Roads and Motorist's Association Limited (NRMA) for Lot 2 DP758536, 51 Evans Street, Inverell for a five (5) year period with a further five (5) year option;*
- ii) the Licence fee be \$1.00 per annum (GST Exclusive), if demanded; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

**CARRIED**

## **9.3 CROWN LAND - DRAFT PLAN OF MANAGEMENT - PUBLIC HALLS S5.19.4/01**

### **RESOLUTION 2022/49**

Moved: Cr Di Baker

Seconded: Cr Nicky Lavender

*That Council:*

- 1. Approve the attached draft Plan of Management for Public Halls; and*
- 2. Refer the draft Plan of Management for Public Halls to the NSW Department of Industry for review and advice.*

**CARRIED**

## **9.4 EMPLOYMENT ZONES REFORM S18.6.49**

### **RESOLUTION 2022/50**

Moved: Cr Stewart Berryman

Seconded: Cr Wendy Wilks

*That Council:*

- i. Endorse the "translation of the employment zones land use tables" for the purpose of the public exhibition as part of the Department of Planning and Environment's employment zones reform; and*
- ii. The Director Civil and Environmental Services be authorised to undertake the procedural steps associated with the progress of the employment zones reform, including any changes and minor amendments consistent with the intent of the reforms; and*
- iii. A further report be submitted in relation to the employment zones reform following public*

*exhibition.*

**CARRIED**

## **SUPPLEMENTARY REPORT**

### **9.5 CONSIDERATION OF THE LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS S30.8.1**

#### **RESOLUTION 2022/51**

Moved: Cr Jo Williams

Seconded: Cr Jacko Ross

*That the following Local Traffic Committee recommendation be adopted:*

#### **1. GILGAI SCHOOL BUS BAY UPGRADE**

*The attached design for the upgrade of parking, parent drop off and school bus bay area at Gilgai Public School be endorsed.*

**CARRIED**

### **9.6 REFERRAL OF CONFIDENTIAL REPORTS S13.5.2/15**

#### **RESOLUTION 2022/52**

Moved: Cr Paul King OAM

Seconded: Cr Di Baker

*That Council move into Closed (Public excluded) meeting of the Council and that the press and members of the public be asked to leave the chambers whilst Council considers the following items:*

**Item: #12.1 Recruitment of Medical Practitioner**

**Authority:** Section 10A (2) (a) personnel matters concerning particular individuals (other than councillors). Local Government Act 1993

**Item: #12.2 Border Rivers Regional Water Strategy**

**Authority:** Section 10A (2) (d) (i) Commercial information of a confidential nature that would, if disclosed: prejudice the commercial position of the person who supplied it

**CARRIED**

## **10 INFORMATION REPORTS**

#### **RESOLUTION 2022/53**

Moved: Cr Paul King OAM

Seconded: Cr Nicky Lavender

*That the report be received and noted.*

**CARRIED**

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**10.1 SEPTIC TANK APPROVALS FOR FEBRUARY 2022 S29.19.1**

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**RESOLUTION 2022/54**

Moved: Cr Jacko Ross

Seconded: Cr Wendy Wilks

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

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**10.2 ORDINANCE ACTIVITIES REPORT FOR FEBRUARY 2022 S18.10.1**

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**RESOLUTION 2022/55**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

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

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**10.3 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING FEBRUARY 2022 S18.10.2/15**

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**RESOLUTION 2022/56**

Moved: Cr Di Baker

Seconded: Cr Nicky Lavender

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

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**10.4 STRATEGIC TASKS - 'SIGN OFF' - FEBRUARY 2022 S4.13.2**

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**11 GOVERNANCE REPORTS**

Nil

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

At 3.30pm, 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 2022/57**

Moved: Cr Jacko Ross

Seconded: Cr Jo Williams

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

**CARRIED**

**RESOLUTION 2022/58**

Moved: Cr Paul King OAM

Seconded: Cr Nicky Lavender

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

**CARRIED**

Upon resuming Open Council at 4.45pm, 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 RECRUITMENT OF MEDICAL PRACTITIONER S24.20.5****RECOMMENDATION:**

*That:*

- 1. Council agree to assist the current applicant in their attempt to relocate a medical practitioner (Doctor) to Inverell by way of providing a 2<sup>nd</sup> hand motor vehicle (medical practitioner to be responsible for maintenance and running costs) and rental assistance for a six-month period as a one off trial to a maximum of \$11,700.*
- 2. Council work with St Elmo practice to actively seek reimbursement of Council's contributions via Federal and State Government Grant Programs.*

**12.2 BORDER RIVERS REGIONAL WATER STRATEGY S11.15.1****RECOMMENDATION:**

*That:*

- 1. The information be noted;*
- 2. That Council review the strategy to determine the potential impacts on residents of our Shire. In determining these impacts, Council invite resident stakeholders to express a view on the strategy; and*
- 3. Council make a Submission to the Minister of Planning Industry and Environment outlining issues raised by residents in respect of the Regional Water Strategy.*

## **ADOPTION OF RECOMMENDATIONS**

### **RESOLUTION 2022/59**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

*That the recommendations of Closed Council be adopted.*

**CARRIED**

**The Meeting closed at 4.46pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 April 2022.**

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**CHAIRPERSON**