

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 26 OCTOBER 2022 AT 3.12PM**

PRESENT: Cr Paul Harmon (Mayor) - Chair, 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 Paul Pay (Director Corporate and Economic Services).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2022/130

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

That the Minutes of the Ordinary Meeting of Council held on 28 September, 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 Jacko Ross declared a pecuniary interest in Item #11.2 "Summary of Development Applications, Construction Certificates and Complying Development Certificates during September 2022 S18.10.2/15." The nature of the interest is that Cr Ross is the Chairperson of the Inverell RSM Board.

Mr Paul Pay declared a pecuniary interest in Item #11.2 "Summary of Development Applications, Construction Certificates and Complying Development Certificates during September 2022 S18.10.2/15." The nature of the interest is that Mr Pay is a Director of the Inverell RSM Board.

4 PUBLIC FORUM

At this juncture, the time being 3.15pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

Miss Amelia Kilner – Director – Building the Tingha Community Spirit

Miss Kilner spoke about Graham Park at Tingha and raised the following issues; lack of shade above the playground equipment, no water available and unsuitable fencing. Miss Kilner enquired if there are any improvements planned for the park.

Cr Harmon noted there has been some improvements made to the park recently which included the installation of BBQ shelters and disability accessible pathways.

Cr Harmon advised that options available for further improvements to the park would need to be investigated by staff with a report to be presented to the Civil and Environmental Services Committee at a later date.

5 MAYORAL MINUTE

Nil

6 ADVOCACY REPORTS

Nil

7 NOTICES OF BUSINESS

Nil

8 QUESTIONS WITH NOTICE

Nil

9 COMMITTEE REPORTS

9.1 INVERELL LIQUOR CONSULTATIVE COMMITTEE MINUTES - 30 AUGUST 2022

RESOLUTION 2022/131

Moved: Cr Jo Williams

Seconded: Cr Paul King OAM

- i. That the Minutes of the Inverell Liquor Consultative Committee held on Tuesday, 30 August, 2022, be received and noted; and*
- ii. The following recommendations of the Inverell Liquor Consultative Committee be adopted by Council.*

CARRIED

9.1.1 MULTI VENUE BARRING POLICY

RECOMMENDATION:

That:

- a) A Multi Venue Barring Policy be adopted for pubs and clubs in the Inverell & District Liquor Accord area,*
- b) Barring be reviewed by a panel comprising of four (4) Liquor Accord representatives plus the licensee issuing the barring notice,*
- c) Further feedback be sought from bottleshops and licensed restaurants regarding their possible inclusion in the initiative, and*
- d) The Accord seek to have the Multi Venue Barring Policy in place by 1 December 2022.*

9.2 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 12 OCTOBER 2022**RESOLUTION 2022/132**

Moved: Cr Wendy Wilks

Seconded: Cr Stewart Berryman

- i. *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 12 October, 2022, be received and noted; and*
- ii. *The following recommendations of the Civil and Environmental Services Committee be adopted by Council.*

CARRIED

9.2.1 Annual Heritage Advisory Service Update**RECOMMENDATION:**

That the 2021/2022 annual reporting and funding acquittals to the NSW Office and Environment and Heritage be noted.

9.2.2 Inverell Polocrosse Club - Options to assist**RECOMMENDATION:**

That:

- i. *Council supply and spread sand (30mm) for one polocrosse field;*
- ii. *Council cart water (approximately 120,000L) over the three days of the 2023 Swan Cup; and*
- iii. *Council assist the Inverell Polocrosse Club to develop a master plan for their facility.*

9.2.3 Repair Program Funding Allocation 2022/2023**RECOMMENDATION:**

That the 2022/2023 REPAIR Program funding be allocated as follows:

- i. *MR137 "Wandera South" Road rehabilitation project (Stage 1) additional works - \$350,000; and*
- ii. *MR137 "Wandera South" Stage 2 - \$739,986.*

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

That the information be received and noted.

9.2.5 Information Reports**RECOMMENDATION**

That the information reports be received and noted.

9.3 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 12 OCTOBER 2022**RESOLUTION 2022/133**

Moved: Cr Kate Dight

Seconded: Cr Jo Williams

- i. *That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 12 October, 2022, be received and noted; and*
- ii. *The following recommendations of the Economic and Community Sustainability Committee be adopted by Council.*

CARRIED**9.3.1 Bundarra Residents Association - Update****RECOMMENDATION:***That the report be received and noted.***9.3.2 Rate Peg for 2022/23****RECOMMENDATION:***That the report be received and noted.***9.3.3 Reconnecting Regional NSW Community Events Program****RECOMMENDATION:***That the report be received and noted.***9.3.4 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.*

10 DESTINATION REPORTS**10.1 DUTIES OF DISCLOSURE - PECUNIARY AND OTHER MATTERS S13.6.5/14****RESOLUTION 2022/134**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

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

CARRIED

10.2 REVIEW OF RATE PEG METHODOLOGY S25.11.3

RESOLUTION 2022/135

Moved: Cr Kate Dight

Seconded: Cr Di Baker

That Inverell Shire Council advise the USU that:

- i. Council supports the retention of the IPART set rate capping process;*
- ii. That the current methodology utilised by IPART be received and the recommended amendments in the Dollery Report be included in the review, with the omission of Item #4 (shown on page 72 of the Dollery Report); and*
- iii. Councils that meet the Fit for the Future benchmarks can apply the 3% rate increase that was advertised without having to apply for a SRV.*

CARRIED

10.3 EXTENSION TO LODGE 2021-2022 FINANCIAL STATEMENTS S12.2.1/15

RESOLUTION 2022/136

Moved: Cr Paul King OAM

Seconded: Cr Nicky Lavender

That the report be received and noted.

CARRIED

10.4 REFERRAL OF CONFIDENTIAL REPORT S13.5.2/15

RESOLUTION 2022/137

Moved: Cr Di Baker

Seconded: Cr Kate Dight

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

Item: #13.1 General Manager Annual Performance Review for period ending 30 June 2022

Authority: Section 10A (2)(a) "Personnel matters concerning particular individuals (other than Councillors.) Local Government Act 1993.

CARRIED

10.5 ROAD CLOSURE - DARYL BRAITHWAITE AND SAMANTHA JADE CONCERT S8.12.3/15**RESOLUTION 2022/138**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

That Council authorise the road closure of Captain Cook Drive between the hours of 4pm and 10pm on Saturday 5th November 2022.

CARRIED**10.6 SUPPLEMENTARY REPORT - GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2021/2022 S12.11.5****RESOLUTION 2022/139**

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

That the Supplementary Report "General and Special Purpose Financial Reports 2021/2022 S12.11.5" be received as a matter of urgency.

CARRIED**10.7 GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2021/2022 S12.11.5****RESOLUTION 2022/140**

Moved: Cr Stewart Berryman

Seconded: Cr Nicky Lavender

That, subject to no further material audit changes or audit issues discovered as a result of the audit process, the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to re-sign the statements as required by s413(2) of the Local Government Act 1993.

CARRIED**11 INFORMATION REPORTS****11.1 ARMIDALE AIRPORT - INTRODUCTION OF A SECURITY SCREENING FEE S30.16.4****RESOLUTION 2022/141**

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

That the information report be received and noted.

CARRIED

At 3:45pm, Cr Jacko Ross left the meeting, having previously a pecuniary interest in Item #11.2 "Summary of Development Applications, Construction Certificates and Complying Development Certificates during September 2022 S18.10.2/15". The nature of the interest is that Cr Ross is the Chairperson of the Inverell RSM Board.

At 3.45pm, Mr Paul Pay left the meeting, having previously a pecuniary interest in Item #11.2 "Summary of Development Applications, Construction Certificates and Complying Development Certificates during September 2022 S18.10.2/15". The nature of the interest is that Mr Pay is a Director of the Inverell RSM Board.

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

RESOLUTION 2022/142

Moved: Cr Nicky Lavender

Seconded: Cr Wendy Wilks

That the information report be received and noted.

CARRIED

At 3.47pm, Cr Jacko Ross and Mr Paul Pay returned to the meeting.

11.3 ORDINANCE ACTIVITIES REPORT FOR SEPTEMBER 2022 S18.10.1

RESOLUTION 2022/143

Moved: Cr Kate Dight

Seconded: Cr Di Baker

That the information report be received and noted.

CARRIED

11.4 STRATEGIC TASKS - 'SIGN OFF' - SEPTEMBER 2022 S4.13.2

RESOLUTION 2022/144

Moved: Cr Kate Dight

Seconded: Cr Di Baker

That the following information report be received and noted.

CARRIED

12 GOVERNANCE REPORTS

Nil

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

At 3.50pm, 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.

Mr Paul Henry, Mr Brett McInnes and Mr Paul Pay left the meeting.

RESOLUTION 2022/145

Moved: Cr Wendy Wilks

Seconded: Cr Paul King OAM

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

CARRIED

RESOLUTION 2022/146

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

That Council proceeds out of Closed Council into Open Council.

CARRIED

Mr Paul Henry, Mr Brett McInnes and Mr Paul Pay returned the meeting.

Upon resuming Open Council at 3.55pm, 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:

13.1 GENERAL MANAGER ANNUAL PERFORMANCE REVIEW FOR PERIOD ENDING 30 JUNE 2022 S22.19.1

That Council:

1. *Note the report of the General Manager Performance Appraisal Committee.*
2. *Note the finding of the Committee on the General Manager's Annual Performance Review for the period ending 30 June 2022, in particular the Committee's summary assessment:*

'The Committee has noted a Better than Satisfactory standard. This view was formed having regard to the criteria contained in the Performance Agreement and the collective opinions of Councillors. The General Manager is extremely professional in all his undertakings. His ability to work with Council and individual Councillors is to be applauded. He displays a passion for excellence in Council's achievements and takes obvious pride in the organisation and our communities. The Committee congratulates the General Manager and looks forward to continuing the relationship'.
3. *Note that the Committee has agreed on a Performance Agreement for 2022/23.*

ADOPTION OF RECOMMENDATIONS

RESOLUTION 2022/147

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 3.56pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 November 2022.

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CHAIRPERSON