

**MINUTES OF INVERELL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 22 MARCH 2023 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 Paul Pay (Director Corporate and Economic Services).

**1 APOLOGIES**

Nil

**2 CONFIRMATION OF MINUTES**

**RESOLUTION 2023/25**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

*That the Minutes of the Ordinary Meeting of Council held on 22 February, 2023, 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 #11.6 "Summary of Development Applications, Construction Certificates and Complying Development Certificates during February 2023 S18.10.2/16." The nature of the interest is that Cr Ross is the Chairperson of the Inverell RSM Board and the Inverell RSM has a Construction Certificate under consideration.

Mr Paul Pay declared a Pecuniary Interest in Item #11.6 "Summary of Development Applications, Construction Certificates and Complying Development Certificates during February 2023 S18.10.2/16." The nature of the interest is that Mr Pay is a Director of the Inverell RSM Board and the Inverell RSM has a Construction Certificate under consideration.

**4 PUBLIC FORUM**

Nil

**5 MAYORAL MINUTE**

Nil

**6 ADVOCACY REPORTS**

Nil

**7 NOTICES OF BUSINESS**

Nil

**8 QUESTIONS WITH NOTICE**

Nil

**9 COMMITTEE REPORTS****9.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 8 MARCH 2023****RESOLUTION 2023/26**

Moved: Cr Stewart Berryman

Seconded: Cr Wendy Wilks

- i. *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 8 March, 2023, be received and noted; and*
- ii. *The following recommendations of the Civil and Environmental Services Committee be adopted by Council.*

**CARRIED****9.1.1 Bitumen Resurfacing Program 2023/2024****RECOMMENDATION:***That:*

- *the 2023-2024 Bitumen Resurfacing Program be adopted as presented; and*
- *the adopted Bitumen Resurfacing Program be placed on Council's website for the information of the community.*

**9.1.2 Governance - Performance Reporting on Road Maintenance Council Contracts****RECOMMENDATION:***That the information be received and noted.***9.1.3 Information Reports****RECOMMENDATION***That the information reports be received and noted.*

**9.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 8 MARCH 2023****RESOLUTION 2023/27**

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

- i. *That the Minutes of the Economic and Community Sustainability Committee meeting held on Wednesday, 8 March, 2023, be received and noted; and*
- ii. *The following recommendations of the Economic and Community Sustainability Committee be adopted by Council, excluding Item #9.2.4 "Membership of Aboriginal Consultative Committee" which was referred to Closed Council under Clause 10A(2)(a) "Personnel matters concerning particular individuals (other than councillors.)" of the Local Government Act 1993 for further discussion.*

**CARRIED**

**9.2.1 Expiring Licence Agreement - Mr Ian Vivers****RECOMMENDATION:**

*That:*

- i) *Council renew the Licence Agreement with Ian Vivers for Lot 287 DP 750076 Eastern Feeder Road, Inverell, for a two (2) year period with a further two (2) year option;*
- ii) *the Licence fee be \$225.11 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.*

**9.2.2 Expiring Licence Agreement - Mr George Hunt, Yetman General Store - Supply and Sale of Fuel****RECOMMENDATION:**

*That:*

- i) *Council renew the licence agreement with Mr George Hunt for the supply and sale of fuel at the Yetman General Store located at 40 Warialda Street, Yetman (Lot 1, DP335538);*
- ii) *The Licence Agreement be for a (5) year term with a further five (5) year option under the same terms and conditions;*
- iii) *The Licence fee be a 'peppercorn' rental; and*
- iv) *The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

**9.2.3 2023 General Land Revaluation (2022 Base Date)****RECOMMENDATION:**

*That the report be received and noted.*

**9.2.5 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.*

**9.3 JOINT COMMITTEE MEETING MINUTES - 8 MARCH 2023****RECOMMENDATION:**

- i. That the Minutes of the Joint Committee Meeting held on Wednesday, 8 March, 2023, be received and noted; and*
- ii. The following recommendations of the Joint Committee Meeting be adopted by Council.*

**9.3.1 Further Information Regarding Request to Host 2023 Joeys Mini World Cup****RECOMMENDATION:***That:*

- i) Council sponsor the 2023 Joeys Mini World Cup in 2023, with an option to sponsor the event in 2024 and 2025;*
- ii) Council provide up to \$50,000 sponsorship for Promotion, Website fees, Referees costs, Printing and advertising, Cup booklet, Trophies, Event insurance, Presentation night expenses, first aid and Administration subject to the event organiser providing sufficient evidence for payment;*
- iii) Council fund up to \$25,000 in support costs;*
- iv) Council be recognised and appropriately acknowledged as the major sponsor of the event;*
- v) the Event Organiser unconditionally indemnify (release) Council from all claims, suits, demands, actions or proceedings (whether at law, in equity or arising under any statute) arising out of, or in connection with, the conduct of the Event or associated activities;*
- vi) the contribution be subject to any other terms and conditions as determined appropriate by the General Manager; and*
- vii) Council offset the sponsorship provided in point 1 above by seeking grants or other third-party sponsorships.*

**10 DESTINATION REPORTS****10.1 CONFLICT OF INTEREST POLICY - COUNCIL-RELATED DEVELOPMENT APPLICATIONS S4.14.5/01****RESOLUTION 2023/28**

Moved: Cr Di Baker  
Seconded: Cr Jacko Ross

*That Council endorse the Draft Conflict of Interest Policy and the revised Inverell Shire Community Participation Plan.*

**CARRIED****10.2 CODE OF MEETING PRACTICE S4.12.1****RESOLUTION 2023/29**

Moved: Cr Stewart Berryman  
Seconded: Cr Kate Dight

*That Council:*

- i) Adopt the Draft Code,*
- ii) Place the Draft Code on public exhibition of a period of not less than 28 days, and*
- iii) Invite public submissions on the Draft Code for a period not less than 42 days commencing from the date which the Draft Code was placed on public exhibition.*

**CARRIED****10.3 PROPOSED ORGANISATIONAL STRUCTURE S22.10.1****RESOLUTION 2023/30**

Moved: Cr Stewart Berryman  
Seconded: Cr Nicky Lavender

*In accordance with S.332 of the Local Government Act 1993, Council endorse the Senior Staff Structure detailed in the report.*

**CARRIED****10.4 ADOPTION OF CODES OF CONDUCT S4.14.1/01****RESOLUTION 2023/31**

Moved: Cr Wendy Wilks  
Seconded: Cr Jo Williams

*That the following Codes of Conduct be adopted:*

- (a) Code of Conduct for Councillors;*
- (b) Code of Conduct for Council Staff; and*

(c) *Code of Conduct for Committee Members, Delegates of Council and Council Advisors.*

**CARRIED**

**10.5 REQUEST FOR SPONSORSHIP - NULLAMANNA HALL 85TH BIRTHDAY CELEBRATION S12.22.1/16**

**RESOLUTION 2023/32**

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

*That:*

- i. Council does not accede to the funding request for the Nullamanna Hall's 85<sup>th</sup> birthday celebrations; and*
- ii. Council write a letter of support to the Department of Veteran Affairs in regards to the Saluting Their Services Commemorative Grant Program.*

**CARRIED**

**10.6 REQUEST TO WAIVE ALCOHOL PROHIBITED AREA FOR VICTORIA PARK - GRAFTON TO INVERELL SPORTING EVENT S26.3.7/15**

**RESOLUTION 2023/33**

Moved: Cr Wendy Wilks

Seconded: Cr Nicky Lavender

*That:*

- i. The serving of alcohol be permitted in a clearly designated and defined area (to a standard set by the Office of Liquor & Gaming) in Victoria Park from 4pm – 10pm on Saturday 29 April 2023 for the Grafton to Inverell Sporting Event dinner; and*
- ii. A notice of the suspension of the Alcohol Prohibited Area for the event be published in the Inverell Times, on Council's Website and social media.*

**CARRIED**

**10.7 CROWN LAND - DRAFT PLAN OF MANAGEMENT - GRAMAN SPORTS GROUND S5.19.4/02**

**RESOLUTION 2023/34**

Moved: Cr Nicky Lavender

Seconded: Cr Di Baker

*That Council:*

- 1. Approve the draft Plan of Management for Graman Sports Ground; and*
- 2. Refer the draft Plan of Management for Graman Sports Ground to the NSW Department of Industry for review and advice.*

**CARRIED**

**10.8 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NSW  
BRANCH CONFERENCE - NOMINATION OF DELEGATES S4.3.1****RESOLUTION 2023/35**

Moved: Cr Jacko Ross

Seconded: Cr Nicky Lavender

*That Council authorise Cr Wendy Wilks and Cr Jo Williams to attend the 2023 ALGWA Conference.*

**CARRIED****10.9 REFERRAL OF CONFIDENTIAL REPORT S13.5.2/16****RESOLUTION 2023/36**

Moved: Cr Nicky Lavender

Seconded: Cr Stewart Berryman

*That Council refer the items to 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:** *Companion Animal Impounding Facility*

**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****11 INFORMATION REPORTS****11.1 STRATEGIC TASKS - 'SIGN OFF' - DECEMBER 2022 S4.13.2****RESOLUTION 2023/37**

Moved: Cr Wendy Wilks

Seconded: Cr Stewart Berryman

*That the information report be received and noted.*

**CARRIED****11.2 STRATEGIC TASKS - 'SIGN OFF' - JANUARY 2023 S4.13.2****RESOLUTION 2023/38**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

*That the information report be received and noted.*

**CARRIED**

**11.3 STRATEGIC TASKS - 'SIGN OFF' - FEBRUARY 2023 S4.13.2****RESOLUTION 2023/39**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

*That the information report be received and noted.***CARRIED****11.4 2023 JOEYS MINI WORLD CUP UPDATE S26.3.21/01****RESOLUTION 2023/40**

Moved: Cr Stewart Berryman

Seconded: Cr Nicky Lavender

*That the information report be received and noted.***CARRIED****11.5 ORDINANCE ACTIVITIES REPORT FOR FEBRUARY 2023 S18.10.1****RESOLUTION 2023/41**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

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

At 3:15pm, Cr Jacko Ross left the meeting having previously declared a Pecuniary Interest in Item #11.6 of the Information Report "Summary of Development Applications, Construction Certificates and Complying Developments Certificates during February 2023". The nature of the interest is that Cr Ross is the Chairperson of the Inverell RSM Board and the Inverell RSM has a Construction Certificate under consideration.

At 3:15pm, Paul Pay left the meeting having previously declared a Pecuniary Interest in Item #11.6 of the Information Report "Summary of Development Applications, Construction Certificates and Complying Developments Certificates during February 2023". The nature of the interest is that Mr Pay is a Director of the Inverell RSM Board and the Inverell RSM has a Construction Certificate under consideration.

**11.6 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING FEBRUARY 2023 S18.10.2/16****RESOLUTION 2023/42**

Moved: Cr Stewart Berryman

Seconded: Cr Wendy Wilks

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



At 3:16pm, Cr Jacko Ross returned to the meeting.

At 3:16pm, Mr Paul Pay returned to the meeting.

## 12 GOVERNANCE REPORTS

Nil

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

At 3.18pm, 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 2023/43

Moved: Cr Kate Dight

Seconded: Cr Wendy Wilks

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

**CARRIED**

### RESOLUTION 2023/44

Moved: Cr Kate Dight

Seconded: Cr Nicky Lavender

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

**CARRIED**

Upon resuming Open Council at 3.48pm, 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 COMPANION ANIMAL IMPOUNDING FACILITY CONSTRUCTION TENDER S5.9.33

#### RECOMMENDATION

*That:*

- a) *in accordance with Clause 178 (1) (a) of the Local Government (General) Regulation 2021 the Tender from Build Me Construction Group for the Companion Animal Impounding Facility Construction Project for the Tender price of \$1,258,397.27 (excluding GST) be accepted; and*
- b) *the General Manager be authorised to execute the contract as a Simple Works Contract.*

**CARRIED**

#### 9.2.4 Membership of Aboriginal Consultative Committee

##### RECOMMENDATION

*That Council appoint five (5) community representatives to the Inverell Shire Aboriginal Consultative Committee for a period of two (2) years and these appointments be made by the Mayor, Cr Paul King and General Manager.*

**CARRIED**

#### ADOPTION OF RECOMMENDATIONS

##### RESOLUTION 2023/45

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

*That the recommendations of Closed Council be adopted.*

**CARRIED**

**The Meeting closed at 3.49pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 April 2023.**

.....  
**CHAIRPERSON**