

**MINUTES OF INVERELL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 23 AUGUST 2023 AT 3.00PM**

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

**IN ATTENDANCE:** Paul Henry (General Manager), Brett McInnes (Director Civil and  
Environmental Services) and Sharon Stafford (Executive Assistant).

**1 APOLOGIES**

**RESOLUTION 2023/120**

Moved: Cr Stewart Berryman

Seconded: Cr Jo Williams

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

**CARRIED**

**2 CONFIRMATION OF MINUTES**

**RESOLUTION 2023/121**

Moved: Cr Wendy Wilks

Seconded: Cr Paul King OAM

*That the Minutes of the Ordinary Meeting of Council held on 26 July, 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 Lavender previously declared a Non-Pecuniary Interest in Item #4.1 'Request for Council's Assistance - Eat Drink Live New England 2023'. The nature of the interest is Cr Lavender is a member of the Eat Drink Live Committee.

**4 PUBLIC FORUM**

Nil

## 5 MAYORAL MINUTE

### 5.1 PROPOSAL TO NAME NEW BRIDGE ACROSS ROB ROY CREEK ON YETMAN ROAD BARRY JOHNSTON BRIDGE S28.7.18/78

#### RESOLUTION 2023/122

Moved: Cr Paul Harmon

Seconded: Cr Stewart Berryman

*That Council name the recently constructed bridge across Rob Roy Creek on Yetman Road "Barry Johnston Bridge".*

**CARRIED**

## 6 ADVOCACY REPORTS

### 6.1 COUNTRY MAYORS ASSOCIATION MEETING MINUTES - 26 MAY 2023 S14.11.1/16

#### RESOLUTION 2023/123

Moved: Cr Kate Dight

Seconded: Cr Wendy Wilks

*That the minutes of the Country Mayors Association Meeting held on 4 August, 2023 be received and noted.*

**CARRIED**

### 6.2 COMMUNITY HEALTH FORUM - AUGUST 2023 S24.20.5

#### RESOLUTION 2023/124

Moved: Cr Wendy Wilks

Seconded: Cr Nicky Lavender

*That the report be received and noted.*

**CARRIED**

## 7 NOTICES OF BUSINESS

Nil

## 8 QUESTIONS WITH NOTICE

Nil

## 9 COMMITTEE REPORTS

### 9.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 9 AUGUST 2023

#### RESOLUTION 2023/125

Moved: Cr Stewart Berryman

Seconded: Cr Wendy Wilks

- i. *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 9 August, 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 Yetman Cemetery - Question Without Notice

##### RECOMMENDATION:

*That an appropriate water source be installed at the Yetman Cemetery.*

#### 9.1.2 Request - Gilgai Public Hall and Recreation Reserves Manager (Gilgai Trust)

##### RECOMMENDATION:

*That:*

- a) *Council hold urgent discussions with the Trust regarding their intentions for the future of the Tennis Courts;*
- b) *The availability of Council staff to conduct a clean-up of the Tennis Courts be determined once the Trust advises Council of their intentions regarding the future use of this area; and*
- c) *Council's donation to the September event will be the clean-up of the tennis courts.*

#### 9.1.3 Bonshaw Public School - Student Requests

##### RECOMMENDATION:

*That:*

- a) *Council develop a 'Park Equipment Replacement Priority Program', based on the assets management system data, and*
- b) *Identify if funding is available to commence the 'Park Equipment Replacement Priority Program', when the September Quarterly Financial Review is prepared.*

#### 9.1.4 Inverell Polocrosse Club - Costings for Assistance to 2023 Swan Cup

##### RECOMMENDATION:

*That:*

- a) *Council support the 2024 Swan Cup by supplying water over the three-day event; and*

- b) Council assist the Inverell Polocrosse Club with a grant application for additional fields.

#### 9.1.5 Update on Sundown Solar Farm (SSD-8911)

##### RECOMMENDATION:

*That:*

- a) the submission in response to the Sundown Solar Farm be endorsed; and
- b) that a further report be prepared for the Committee once Council staff receive further information in regard to the status of the “access scheme declaration” for the New England Renewable Energy Zone.

#### 9.1.6 Governance - Performance Reporting on Road Maintenance Council Contracts

##### RECOMMENDATION:

*That the information be received and noted.*

#### 9.1.7 Information Reports

##### RECOMMENDATION

*That the information reports be received and noted.*

### 9.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 9 AUGUST 2023

#### RESOLUTION 2023/126

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

- i. That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 9 August, 2023, be received and noted; and
- ii. The following recommendations of the Economic and Community Sustainability Committee be adopted by Council

**CARRIED**

#### 9.2.1 Request for Council's Assistance - Eat Drink Live New England 2023

##### RECOMMENDATION:

*That:*

- i. Council donate the cost of the Town Hall Annex hire fees for the amount of \$230 from Council's donation budget;
- ii. Council staff setup and remove road closure signage for the event; and

- iii. Council provide in-kind support for the event by:
- a) Providing extra garbage bins;
  - b) Advertising the event through council's social media;
  - c) Erecting street banners; and
  - d) Providing and setting up Council's shade structures.

### 9.2.2 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.

### 9.2.3 Information Reports

#### RECOMMENDATION

That the information reports be received and noted.

## 10 DESTINATION REPORTS

### 10.1 AQUATIC CENTRES CONTRACT MANAGEMENT MODEL S26.13.1

#### RESOLUTION 2023/127

Moved: Cr Stewart Berryman

Seconded: Cr Jacko Ross

- 1) That Council endorse a Fee for Service model with utilities and maintenance excluded for the initial term of the new Aquatic Centres Contract.
- 2) The contract be for an initial term of 3 years with the provision for 2 x 2-year extension options with the ability in the contract to negotiate a lump sum amount for each of the 2-year extensions.
- 3) Council be further briefed upon completion of procurement documents and tender specifications prior to undertaking the tender process.

**CARRIED**

### 10.2 NEW 'WHISTLE BLOWER' PUBLIC INTEREST DISCLOSURES POLICY S4.16.2

#### RESOLUTION 2023/128

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

*That the 'Public Interest Disclosures Policy and Procedures Manual' be adopted.*

**CARRIED**

### 10.3 MEMBERSHIP OF EQUESTRIAN COUNCIL MANAGEMENT COMMITTEE S26.3.13

#### **RESOLUTION 2023/129**

Moved: Cr Kate Dight

Seconded: Cr Jacko Ross

*That Council:*

- i. appoint the following members to the Equestrian Council Management Committee for a period ending 31 October 2024:*
  - *Russell Hamel*
  - *Debbie McCowen*
  - *Kathleen Tighe*
  - *Suzi Mills*
  - *Pauline Thompson*
  - *Pat McMahon*
- ii. appoint Paul Pay, Director of Corporate and Economic Services as Council's representative.*

**CARRIED**

### 10.4 REFERRAL OF CONFIDENTIAL MATTERS S13.5.2/16

#### **RESOLUTION 2023/130**

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

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

**Item:** *Sale of Land - 104 Otho Street, Inverell*

**Reason:** *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).*

**CARRIED**

## 11 INFORMATION REPORTS

### RESOLUTION 2023/131

Moved: Cr Nicky Lavender

Seconded: Cr Stewart Berryman

*That the information report be received and noted.*

**CARRIED**

### 11.1 STRATEGIC TASKS - 'SIGN OFF' - JULY 2023 S4.13.2

### RESOLUTION 2023/132

Moved: Cr Wendy Wilks

Seconded: Cr Kate Dight

*That the information report be received and noted.*

**CARRIED**

### 11.2 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING JULY 2023 S18.10.2/16

### RESOLUTION 2023/133

Moved: Cr Wendy Wilks

Seconded: Cr Nicky Lavender

*That the information report be received and noted.*

**CARRIED**

### 11.3 ORDINANCE ACTIVITIES REPORT FOR JULY 2023 S18.10.1

### RESOLUTION 2023/134

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

*That the information report be received and noted.*

**CARRIED**

### 11.4 REPAIR PROGRAM UPDATE - BUNDARRA ROAD ADJACENT TO RACECOURSE S15.8.22

## 12 GOVERNANCE REPORTS

Nil

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

At 3.29, 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 2023/135**

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 2023/136**

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

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

**CARRIED**

Upon resuming Open Council at 3.44pm, 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 SALE OF LAND - 104 OTHO STREET, INVERELL S5.2.0/16

**RECOMMENDATION:**

*That the Mayor and General Manager be delegated authority to negotiate the terms of a sale within the parameters set out in this report.*

### ADOPTION OF RECOMMENDATIONS

**RESOLUTION 2023/137**

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

*That the recommendations of Closed Council be adopted.*

**CARRIED**

**The Meeting closed at 3.45pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 September 2023.**

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**CHAIRPERSON**