

**MINUTES OF INVERELL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 27 SEPTEMBER 2023 AT 3.00PM**

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

**IN ATTENDANCE:** Brett McInnes (Acting General Manager) and Paul Pay (Director Corporate and Economic Services).

**1 APOLOGIES**

**RESOLUTION 2023/138**

Moved: Cr Di Baker  
Seconded: Cr Jo Williams

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

**CARRIED**

**2 CONFIRMATION OF MINUTES**

**RESOLUTION 2023/139**

Moved: Cr Kate Dight  
Seconded: Cr Nicky Lavender

*That the Minutes of the Ordinary Meeting of Council held on 23 August, 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 Kate Dight declared a Non-Pecuniary (insignificant) Interest in relation to Item #9.2.1 "Notice of Motion - Murray Darling Association Membership S11.15.17". The nature of the interest is Cr Dight is a primary producer with water holdings within the Murray Darling Basin.

Cr Wendy Wilks declared a Non-Pecuniary (insignificant) Interest in relation to Item #11.2 "Summary of Development Applications, Construction Certificates and Complying Development Certificates during August 2023 S18.10.2/16". The nature of the interest is Cr Wilks is related to one of the applicants.

**4 PUBLIC FORUM**

Nil

## 5 MAYORAL MINUTE

### 5.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - NOTICE OF MOTION S14.3.13

#### RESOLUTION 2023/140

Moved: Cr Paul Harmon

Seconded: Cr Jo Williams

That Inverell Shire Council submit the following motion to the 2023 Annual Local Government NSW Conference:

*'That the Association seek a commitment from the Federal Government that when it is determining measures to reduce greenhouse emissions for the agricultural sector, that it specifically excludes an order to cull the national livestock herd'.*

**CARRIED**

## 6 ELECTIONS

### 6.1 ELECTION OF MAYOR S13.7.2

A nomination for the position of Mayor was received from Cr Paul Harmon. The Acting General Manager advised that being only one (1) nomination, Cr Harmon was duly declared elected as Mayor for the ensuing one (1) year period.

#### RESOLUTION 2023/141

Moved: Cr Kate Dight

Seconded: Cr Jacko Ross

*That the nomination forms and ballot papers used in the election be destroyed following the declaration of the result.*

**CARRIED**

### 6.2 ELECTION OF DEPUTY MAYOR S13.7.2

#### RESOLUTION 2023/142

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

*That:*

- i) There shall be a Deputy Mayoral position on Council;*
- ii) The term of office for the position be one (1) year; and*
- iii) The nomination forms and ballot papers used in the election be destroyed following the declaration of the result.*

**CARRIED**

A nomination for the position of Deputy Mayor was received from Cr Kate Dight. The Acting General Manager advised that being only one (1) nomination, Cr Kate Dight was duly declared elected as Deputy Mayor for the ensuing one (1) year period.

## 7 ADVOCACY REPORTS

### 7.1 COMMUNITY HEALTH FORUM - SEPTEMBER 2023 S24.20.5

#### RESOLUTION 2023/143

Moved: Cr Wendy Wilks

Seconded: Cr Jo Williams

*That the report be received and noted.*

**CARRIED**

## 8 QUESTIONS WITH NOTICE

Nil

## 9 COMMITTEE REPORTS

### 9.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 13 SEPTEMBER 2023

#### RESOLUTION 2023/144

Moved: Cr Wendy Wilks

Seconded: Cr Di Baker

- i. *That the Minutes of the Civil and Environmental Services Committee Meeting held on Wednesday, 13 September, 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 Extension to the Existing HML Road Train Access on Yetman Road - Inverell Regional Livestock Exchange to Stewart's Grain Trading, Oakwood

#### RECOMMENDATION:

*That:*

1. *The existing HML Road Train route on Yetman Road be extended by 12km to Stewart's Grain Trading, Oakwood, commencing at the Inverell Regional Livestock Exchange;*
2. *The route be conditional to match the conditions on the existing route; and*
3. *The application to NHVR to gazette the route for Type 1 A-Double Road Trains and notification to Transport for NSW to update the Restricted Access Vehicle Maps be actioned accordingly.*

**9.1.2 Information Reports****RECOMMENDATION**

*That the information reports be received and noted.*

**9.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 13 SEPTEMBER 2023****RESOLUTION 2023/145**

Moved: Cr Wendy Wilks

Seconded: Cr Jacko Ross

- i. That the Minutes of the Economic and Community Sustainability Committee Meeting held on Wednesday, 13 September, 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 Notice of Motion - Murray Darling Association Membership****RECOMMENDATION:**

*That:*

- i. Inverell Shire Council apply to be a member of the Murray Darling Association; and*
- ii. Membership be funded from Council's expiring Joint Organisation membership funds.*

**9.2.2 Request to Licence - Automatic Weather Station Site - Raglan Street, Inverell - Bureau of Meteorology****RECOMMENDATION:**

*That:*

- i) Council enter into a Licence Agreement with the Commonwealth of Australia as represented by the Bureau of Meteorology for a section of land located in Lot 4 in Deposited Plan 1152029, Raglan Street, Inverell;*
- ii) The Licence Agreement be for a period of 10 years;*
- iii) The Licence Fee be \$1.00 excluding GST per annum; and*
- iv) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

**9.2.3 Request to Lease - Mandoe Radio Site - Lot 22 DP 721168 Mount Hallam Road, Atholwood - Amplitel Pty Limited****RECOMMENDATION:**

*That:*

- 1. Subject to 100 Square Metres of suitable land being available on site, noting that a design visit has not yet been conducted; and*
- 2. A guarantee from the Amplitel Pty Limited that existing infrastructure on the site will be not be impacted;*
- 3. Council enter into a Lease Agreement with Amplitel Pty Limited for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a five (5) year period with an option of 3 further terms of five (5) years;*
- 4. The Lease fee be \$7,500 per annum (GST exclusive) with a 3% increase per annum; and*
- 5. The Lease Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

**9.2.4 Management of the Linking Together Centre****RECOMMENDATION:**

*That:*

- a) The Expression of Interest, submitted by Armajun Aboriginal Health Service, to manage and operate the 'Linking Together Centre' be accepted;*
- b) The management of the centre be guided by a Memorandum of Understanding (MOU) in the terms outlined in this report; and*
- c) The MOU be for a (3) year period.*

**9.2.5 Rural Recovery Support Service****RECOMMENDATION:**

*That the information report be received and noted.*

**9.2.6 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.*

**9.2.7 Information Reports****RECOMMENDATION**

*That the information reports be received and noted.*

**9.3 INVERELL & DISTRICT LIQUOR CONSULTATIVE COMMITTEE MINUTES - 12 SEPTEMBER 2023****RESOLUTION 2023/146**

Moved: Cr Di Baker

Seconded: Cr Jo Williams

*That the Minutes of the Inverell & District Liquor Consultative Committee held on Tuesday, 12 September, 2023, be received and noted.*

**CARRIED**

**10 DESTINATION REPORTS****10.1 ASHFORD SWIMMING POOL - UPCOMING SEASON AND SCHOOL ACCESS S5.11.6****RESOLUTION 2023/147**

Moved: Cr Nicky Lavender

Seconded: Cr Kate Dight

*That Council:*

1. *Receive and note the information regarding the upcoming swimming season and Ashford Pool;*
2. *That Council waive the entry fee for all schools within the Inverell Shire accessing the Ashford Pool during the 2023/24 swim season for formal school activities; and*
3. *School access be in accordance with normal booking and availability arrangements with fee waiver subject to review throughout the season.*

**CARRIED**

**10.2 TRANSFER OF INTERNALLY RESTRICTED ASSETS AND BUDGET REVOTES FROM 2022/2023 S12.5.1/15****RESOLUTION 2023/148**

Moved: Cr Kate Dight

Seconded: Cr Stewart Berryman

*That:*

- i) *The report be received and noted;*
- ii) *The list of revotes in the attachment be revoted to the 2023/2024 budget; and*

- iii) *The transfers to Council's Externally / Internally Restricted Assets for the 2022/2023 Financial Year totalling \$9,083,801 and Council's transfers from Externally / Internally Restricted Assets for the 2022/2023 Financial Year totalling \$8,544,013 be endorsed.*

**CARRIED**

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

#### **RESOLUTION 2023/149**

Moved: Cr Kate Dight

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:** 13.1 Housing Proposal - Homes North Community Housing Co Ltd (Homes North).

**Authority:** Section 10A (2) (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**CARRIED**

## 11 INFORMATION REPORTS

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

#### **RESOLUTION 2023/150**

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

*That the information report be received and noted.*

**CARRIED**

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

#### **RESOLUTION 2023/151**

Moved: Cr Kate Dight

Seconded: Cr Jacko Ross

*That the information report be received and noted.*

**CARRIED**

### 11.3 NORTHERN INLAND POPULATION MIGRATION FOR 2016 - 2021 S8.3.1/16

#### **RESOLUTION 2023/152**

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

*That the information report be received and noted.*

**CARRIED**

#### **11.4 ORDINANCE ACTIVITIES REPORT FOR AUGUST 2023 S18.10.1**

##### **RESOLUTION 2023/153**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

*That the information report be received and noted.*

**CARRIED**

#### **11.5 FINAL PRE-TOURNAMENT UPDATE - 2023 RALE RASIC JOEYS MINI WORLD CUP S26.3.21**

##### **RESOLUTION 2023/154**

Moved: Cr Jacko Ross

Seconded: Cr Stewart Berryman

*That the information report be received and noted.*

**CARRIED**

#### **11.6 LITERARY DINNER WITH PETER WATT S3.6.17/05**

##### **RESOLUTION 2023/155**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

*That the information report be received and noted.*

**CARRIED**

### **12 GOVERNANCE REPORTS**

#### **12.1 GENERAL & SPECIAL PURPOSE FINANCIAL REPORTS 2022/2023 S12.11.5**

##### **RESOLUTION 2023/156**

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

*That:*

- i) the report be received and noted;*
- ii) Council's DRAFT 2022/2023 Financial Statements be "referred to audit" in accordance with s413(1) of the Local Government Act 1993.*
- iii) If during the audit process, the NSW Audit Office requires any material changes, or*



*discovers any audit issues that would render the Financial Statements false or misleading in any way, the draft financial statements are to be returned to Council for further consideration.*

- iv) *Council record as an opinion of Council, in accordance with s413 (2c) of the Local Government Act 1993, that the draft 2022/2023 annual financial report is in accordance with:*
- the Local Government Act 1993 (as amended) and the Regulations made there under,*
  - the Australian Accounting Standards and professional pronouncements,*
  - the Local Government Code of Accounting Practice and Financial Reporting, and*
  - presents fairly the Council's operating result and financial position for the year, and*
  - accords with Council's accounting and other records; and*
  - that the Council is not aware of any matter that would render this report false or misleading in any way.*
- v) *Subject to no material audit changes or audit issues discovered as a result of the audit process:*
- i) *the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the statements as required by s413(2) of the Local Government Act 1993;*
- ii) *Council authorise the General Manager to forward the Financial Statements to the Office of Local Government upon receipt of the Audit Reports from the NSW Audit Office;*
- iii) *Council authorise the General Manager to place the audited Financial Statements on public exhibition and provide notice in accordance with s418(3) of the Local Government Act 1993, that Council will consider the Reports of its Auditors for the year ended 30 June, 2023 at its Ordinary Meeting to be held on Wednesday, 22 November, 2023; and*
- iv) *Council present the signed audited Financial Statements to the public at the Ordinary Council meeting to be held on 22 November, 2023 in accordance with s 419 (1) Local Government Act 1993.*

**CARRIED**

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

At 3.49pm, 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 2023/157**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

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

**CARRIED**

**RESOLUTION 2023/158**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

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

Upon resuming Open Council at 4.22pm, 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 HOUSING PROPOSAL - HOMES NORTH COMMUNITY HOUSING CO LTD (HOMES NORTH) S3.16.8****RECOMMENDATION:**

1. *That it be noted that Homes North requires an area of 2,925.25m<sup>2</sup> to undertake the construction of a social housing project;*
2. *Council commit this area to Homes North for the proposed project;*
3. *That the Mayor and General Manager be authorised to discuss and agree details of the concept design and timetable with Homes North;*
4. *That the title of the area of land required be transferred to Homes North after the issuing of an Occupation Certificate for the housing units constructed under this proposal;*
5. *Appropriate safeguard be incorporated into any land transfer to prevent the future sale or transfer of ownership from Homes North without the express approval of Council; and*
6. *Any necessary documents be completed under the Common Seal of Council.*

**ADOPTION OF RECOMMENDATIONS****RESOLUTION 2023/159**

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

*That the recommendations of Closed Council be adopted.***CARRIED****The Meeting closed at 4.23pm.**