

**MINUTES OF INVERELL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 13 DECEMBER 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:** Brett McInnes (General Manager), Paul Pay (Director Corporate and Economic Services), Justin Pay (Manager Civil Engineering) and Anthony Alliston (Manager Development Services).

**1 APOLOGIES**

Nil

**2 CONFIRMATION OF MINUTES**

**RESOLUTION 2023/202**

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

*That the Minutes of the Ordinary Meeting of Council held on 22 November, 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 Dight declared a non-pecuniary interest of an insignificant nature in Item #10.8 – ‘Draft Energy Policy Framework Guidelines’. The nature of the interest being Cr Dight is part of another organisation that has an interest in influencing the guidelines and providing a submission response).

Cr Lavender declared a non-pecuniary interest of an insignificant nature in Item #11.4 ‘New England Eat Drink Live 2023’. The nature of the interest being Cr Lavender is a member of the Eat Drink Live Committee.

Cr Lavender declared a non-pecuniary interest of an insignificant nature in item #11.14 ‘Summary of Development Applications, Construction Certificates and Complying Development Certificates during November 2023 S18.10.2/16’. The nature of the interest is Cr Lavender is contracted to provide some services to Inverell and District Family Services (IDFS).

**4 PUBLIC FORUM**

Nil

**5 MAYORAL MINUTE**

Nil

Item #10.6 was brought forward for consideration.

## 10.6 SUSPENSION OF STANDING ORDERS

### RESOLUTION 2023/203

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

*That Standing Orders be suspended to allow Mr Phil Schwenke, Chair of the Audit Risk and Improvement Committee to present his Annual Report on the activities of the Committee.*

**CARRIED**

## RESUMPTION OF STANDING ORDERS

### RESOLUTION 2023/204

Moved: Cr Kate Dight

Seconded: Cr Jo Williams

*That standing orders be resumed.*

**CARRIED**

## 10.7 ANNUAL REPORT FROM THE CHAIR OF AUDIT, RISK AND IMPROVEMENT COMMITTEE S4.11.21

### RESOLUTION 2023/205

Moved: Cr Kate Dight

Seconded: Cr Di Baker

1. *That Mr Phil Schwenke, Chair of the Audit Risk and Improvement Committee be thanked for his Annual Report on the activities of the Committee; and*
2. *The report, as tabled, be received and noted.*

**CARRIED**

## 6 ADVOCACY REPORTS

### 6.1 BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) MEETING MINUTES - 11 AUGUST 2023 AND 10 NOVEMBER 2023 S14.10.1

### RESOLUTION 2023/206

Moved: Cr Kate Dight

Seconded: Cr Wendy Wilks

*That the minutes of the Border Regional Organisation of Councils meetings held on 11 August, 2023 and 10 November 2023 be received and noted.*

**CARRIED**

**6.2 LGNSW ANNUAL CONFERENCE 2023 S14.3.13**

**RESOLUTION 2023/207**

Moved: Cr Di Baker  
 Seconded: Cr Kate Dight

*That the report on the 2023 LGNSW Annual Conference held at Rosehill Gardens on 12 – 14 November 2023 be received and noted.*

**CARRIED**

**6.3 COMMUNITY HEALTH FORUM - NOVEMBER 2023 S24.20.5**

**RESOLUTION 2023/208**

Moved: Cr Wendy Wilks  
 Seconded: Cr Jo Williams

*That the report be received and noted.*

**CARRIED**

**7 NOTICES OF BUSINESS**

Nil

**8 QUESTIONS WITH NOTICE**

Nil

**9 COMMITTEE REPORTS**

**9.1 AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES - 14 NOVEMBER 2023 S4.11.21**

**RESOLUTION 2023/209**

Moved: Cr Kate Dight  
 Seconded: Cr Stewart Berryman

*That the minutes from the Audit Risk and Improvement Committee meeting held on Tuesday, 14 November, 2023 be received and noted.*

**CARRIED**

**10 DESTINATION REPORTS****10.1 WALKERS BRIDGE REPLACEMENT S28.7.18/78****RESOLUTION 2023/210**

Moved: Cr Stewart Berryman

Seconded: Cr Jacko Ross

*That the alternative bridge replacement solution of a large box culvert structure on Red Hill Road be approved.*

**CARRIED**

**10.2 REQUEST FOR DONATION - BLAZE AID INC S12.22.1/16****RESOLUTION 2023/211**

Moved: Cr Paul King OAM

Seconded: Cr Jo Williams

*That Council contribute \$5,000 to BlazeAid Inc from the Donations vote to assist with the cost of a basecamp that has been set up following the recent bushfires at Ashford.*

**CARRIED**

**10.3 AQUATIC CENTRES COMPLETION OF MANAGEMENT AND OPERATION TENDER DOCUMENTATION S4.19.16/03****RESOLUTION 2023/212**

Moved: Cr Stewart Berryman

Seconded: Cr Nicky Lavender

*That:*

- 1. Council note the briefing provided regarding the tender documentation;*
- 2. In accordance with Clause 166 of the Local Government (General) Regulation 2021 the method of tender for the management and Operation of the Inverell Aquatic Centre and Ashford Swimming Pool be by open tender;*
- 3. A further report be prepared for Council's consideration regarding Tenders received for the Management and Operation of the Inverell Aquatic Centre and the Ashford Swimming Pool.*

**CARRIED**

**10.4 SENIOR STAFF ORGANISATIONAL STRUCTURE S22.10.1****RESOLUTION 2023/213**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

- 1. In accordance with Section 333 of the Local Government Act 1993 Council re-determine the organisation structure to provide for a three-division model and spread of functions consistent with Attachment 1 to this report.*

2. *The newly created Director Civil Services and Director Environmental Services positions be designated senior staff positions in accordance with Section 332 of the Local Government Act 1993.*
3. *Recruitment for the Director Civil Services and Director Environmental Services positions commence as soon as practicable and be undertaken generally in accordance with the Guidelines issued by the Office of Local Government on the Recruitment of Senior Council Executives.*

**CARRIED**

**10.5 REVIEW OF THE INVERELL LIBRARY COLLECTION DEVELOPMENT POLICY  
S4.14.4/06**

**RESOLUTION 2023/214**

Moved: Cr Kate Dight  
Seconded: Cr Jo Williams

*That Council endorse the amended Collection Development Policy as presented.*

**CARRIED**

Item #10.6 was dealt with previously in the meeting.

**10.7 NEW FLOOD RISK MANAGEMENT MANUAL S18.6.34**

**RESOLUTION 2023/215**

Moved: Cr Wendy Wilks  
Seconded: Cr Kate Dight

*That a further report be presented to Council detailing a course of action to meet the requirements contained within (and as a result of gazettal of) the Flood Risk Management Manual 2023.*

**CARRIED**

**10.8 EXHIBITION - DRAFT ENERGY POLICY FRAMEWORK S18.6.52/10**

**RESOLUTION 2023/216**

Moved: Cr Di Baker  
Seconded: Cr Nicky Lavender

*That Council endorse the intent of a submission to NSW Department of Planning and Environment as outlined in the report.*

**CARRIED**

**10.9 NSW CROWN LAND MANAGEMENT EXCELLENCE AWARD - TINGHA RECREATION  
RESERVE S5.19.1**

**RESOLUTION 2023/217**

Moved: Cr Wendy Wilks

Seconded: Cr Nicky Lavender

*That a letter of congratulations be forwarded to the Tingha Recreation Reserve Land Managers acknowledging the Award.*

**CARRIED**

#### 10.10 NO SMOKING SIGNS - INVERELL CBD S24.12.5

##### **RESOLUTION 2023/218**

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

*That a further 10 A4 signs be purchased and placed in those areas in the CBD where there is more than a 100m distance between signs.*

**CARRIED**

#### 10.11 RATE PEG FOR 2024/2025 S25.11.3

##### **RESOLUTION 2023/219**

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

*That Council note the IPART determined rate peg of 4.5% for Inverell Shire Council for 2024/25.*

**CARRIED**

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

##### **RESOLUTION 2023/220**

Moved: Cr Paul King OAM

Seconded: Cr Wendy Wilks

*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:** 13.1 2023 Rale Rasic Joeys Mini World Cup - Post Event Report

**Authority:** Section 10A (2) (d(iii)) information that would, if disclosed, reveal a trade secret.

**CARRIED**

### 11 INFORMATION REPORTS

##### **RESOLUTION 2023/221**

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

*That the following information reports be received and noted.*

**CARRIED**

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**11.1 STRATEGIC TASKS - 'SIGN OFF' - NOVEMBER 2023 S4.13.2**

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**11.2 NEW SOUTH WALES PUBLIC LIBRARY ASSOCIATION ANNUAL CONFERENCE AND ANNUAL GENERAL MEETING S3.6.17/05**

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**11.3 RELOCATION OF CBD EMERGENCY BROADCAST SYSTEM S30.17.7**

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Cr Lavender declared a non-pecuniary interest of an insignificant nature in item #11.4. The nature of the interest being Cr Lavender is a member of the Eat Drink Live Committee.

**11.4 NEW ENGLAND EAT DRINK LIVE 2023 S6.8.9**

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**RESOLUTION 2023/222**

Moved: Cr Stewart Berryman  
Seconded: Cr Jacko Ross

*That the information report be received and noted.*

**CARRIED****11.5 WORKS UPDATE S28.21.1/16**

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**RESOLUTION 2023/223**

Moved: Cr Paul King OAM  
Seconded: Cr Kate Dight

*That the information report be received and noted.*

**CARRIED****11.6 COMPANION ANIMAL IMPOUNDING FACILITY UPDATE S5.9.33**

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**RESOLUTION 2023/224**

Moved: Cr Kate Dight  
Seconded: Cr Jo Williams

*That the information report be received and noted.*

**CARRIED****11.7 INVERELL LIBRARY DIGITAL COLLECTIONS S3.6.1**

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**RESOLUTION 2023/225**

Moved: Cr Kate Dight  
 Seconded: Cr Nicky Lavender

*That the information report be received and noted.*

**CARRIED**

**11.8 YOUTH ADVISORY COUNCIL END OF YEAR REPORT S3.16.13**

**RESOLUTION 2023/226**

Moved: Cr Di Baker  
 Seconded: Cr Wendy Wilks

*That the information report be received and noted.*

**CARRIED**

**11.9 NEW SOUTH WALES HOUSING CRISIS S18.6.71**

**RESOLUTION 2023/227**

Moved: Cr Jo Williams  
 Seconded: Cr Kate Dight

*That the information report be received and noted.*

**CARRIED**

**11.10 REVIEW OF THE RATE PEG METHODOLOGY S25.11.3**

**RESOLUTION 2023/228**

Moved: Cr Stewart Berryman  
 Seconded: Cr Kate Dight

*That the information report be received and noted.*

**CARRIED**

**11.11 PCG MEETING - INVERELL AQUATIC CENTRE REPLACEMENT S5.9.27**

**RESOLUTION 2023/229**

Moved: Cr Di Baker  
 Seconded: Cr Wendy Wilks

*That the information report be received and noted.*

**CARRIED**



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**11.12 COST SHIFTING SURVEY FOR 2021/2022 S14.9.4**

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**RESOLUTION 2023/230**

Moved: Cr Wendy Wilks

Seconded: Cr Kate Dight

*That the information report be received and noted.*

**CARRIED**

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**11.13 INCREASE IN ROAD FUNDING S15.8.23/16**

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**RESOLUTION 2023/231**

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

*That the information report be received and noted.*

**CARRIED**

Cr Lavender declared a non-pecuniary interest of an insignificant nature in Item #11.14. The nature of the interest is Cr Lavender is contracted to provide some services to Inverell and District Family Services (IDFS).

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**11.14 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING NOVEMBER 2023 S18.10.2/16**

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**RESOLUTION 2023/232**

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

*That the information report be received and noted.*

**CARRIED**

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**11.15 ORDINANCE ACTIVITIES REPORT FOR NOVEMBER 2023 S18.10.1**

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**RESOLUTION 2023/233**

Moved: Cr Kate Dight

Seconded: Cr Wendy Wilks

*That the information report be received and noted.*

**CARRIED**

**11.16 EMERGENCY SERVICES LEVY S12.13.1****RESOLUTION 2023/234**

Moved: Cr Nicky Lavender

Seconded: Cr Kate Dight

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

**CARRIED**

**11.17 COMMUNITY RECOGNITION STATEMENT - INVERELL VINTAGE FARMALL TRACTOR PARADE S3.16.18****12 GOVERNANCE REPORTS****12.1 ARIC MEMBERSHIP S4.11.21****RESOLUTION 2023/235**

Moved: Cr Paul King OAM

Seconded: Cr Stewart Berryman

*That Council:*

- i. Commence recruitment for a new independent chair of the Audit Risk and Improvement Committee in accordance with the new Risk Management and Internal Audit for Local Government in NSW Guidelines (November 2023);*
- ii. Upon the appointment of a new chair, Mr Phil Schwenke be appointed as independent member until December 2024; and*
- iii. Appoint a non-voting councillor member from September 2024 following the Local Government Elections.*

**CARRIED**

**12.2 GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2****RESOLUTION 2023/236**

Moved: Cr Jo Williams

Seconded: Cr Di Baker

*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.*

**CARRIED**

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

At 4.16pm, 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 2023/237**

Moved: Cr Paul King OAM  
Seconded: Cr Stewart Berryman

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

**CARRIED****RESOLUTION 2023/238**

Moved: Cr Di Baker  
Seconded: Cr Kate Dight

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

**CARRIED**

Upon resuming Open Council at 4.28pm, 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 2023 RALE RASIC JOEYS MINI WORLD CUP - POST EVENT REPORT S26.3.21****RECOMMENDATION:**

*That:*

- 1. Council receive and note the report.*
- 2. Council staff hold further discussions with the Tournament Organisers to gauge promotion strategies and arrangements for the 2024 event; and*
- 3. Upon completion of discussions referenced in point 2, a report be prepared for the further consideration of Council in February 2024.*

**ADOPTION OF RECOMMENDATIONS****RESOLUTION 2023/239**

Moved: Cr Paul King OAM  
Seconded: Cr Stewart Berryman

*That the recommendations of Closed Council be adopted.*

**CARRIED**

**The Meeting closed at 4.29pm.**

