

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 28 FEBRUARY 2024 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 and Cr Wendy Wilks.

IN ATTENDANCE: Brett McInnes (General Manager), Paul Pay (Director Corporate and Community Services), Justin Pay (Acting Director Civil Services), Anthony Alliston (Acting Director Environmental Services) and Sharon Stafford (Governance and Executive Services).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2024/1

Moved: Cr Di Baker
Seconded: Cr Jo Williams

That the Minutes of the Ordinary Meeting of Council held on 13 December, 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 Wilks declared a non-pecuniary interest of an insignificant nature in relation to Item #9.2.4 'Request for Donation - Waive of Town Hall Hire Fees and Cost of DJ - Inverell Chamber of Commerce S12.22.1/17'. The nature of the interest being Cr Wilks is related to the Inverell Chamber of Commerce representative who presented to the Committee during the Public Forum at the Civil and Environmental Services Committee meeting held on 14 February, 2024.

Cr Wilks declared a non-pecuniary interest of a significant nature in relation to Item #5.1 'Call for an External Independent Inquiry into the Management Practices of the Inverell Hospital and Associated Tablelands Sector of the Hunter New England Local Health District S24.20.5'. The nature of the interest being Cr Wilks is a Board Member of Hunter New England Health, the Governing body relevant to the Inquiry.

4 PUBLIC FORUM

At this juncture, the time being 3.05pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

Bob Bensley

Mr Bensley spoke about the CBD and praised Council staff on its appearance.

Mr Bensley expressed his disappointment regarding the overgrown nature of the property located at 139-141 Otho Street, especially given its proximity to the CBD and many historical buildings in town. Mr Bensley requested Council take action in respect of the property.

5 MAYORAL MINUTE

At 3.14pm Cr Wilks left the meeting, having previously declared a non-pecuniary interest of a significant nature in Item #5.1 'Call for an External Independent Inquiry into the Management Practices of the Inverell Hospital and Associated Tablelands Sector of the Hunter New England Local Health District S24.20.5'.

5.1 CALL FOR AN EXTERNAL INDEPENDENT INQUIRY INTO THE MANAGEMENT PRACTICES OF THE INVERELL HOSPITAL AND ASSOCIATED TABLELANDS SECTOR OF THE HUNTER NEW ENGLAND LOCAL HEALTH DISTRICT S24.20.5

RESOLUTION 2024/2

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

1. *That Council join Member for Northern Tablelands, the Hon Adam Marshall MP in support of an external independent inquiry into the management practices of the Inverell Hospital and associated Tablelands Sector of the Hunter New England Local Health District.*
2. *That Council seek, via the Hon Adam Marshall MP, an urgent follow up meeting with the NSW Health Minister, the Hon Ryan Park MP to discuss the declining level of service at the Inverell Hospital and the call for an external inquiry into the associated management practices.*

CARRIED

At 3.22pm, Cr Wilks returned to the meeting.

5.2 RESIGNATION OF COUNCILLOR NICOLE LAVENDER S13.6.1

RESOLUTION 2024/3

Moved: Cr Paul Harmon

Seconded: Cr Di Baker

That:

1. *Council note the resignation of Councillor Nicole Lavender effective 22 February 2024.*
2. *Council request the General Manager write to the Minister for Local Government, the Hon Ron Hoenig MP, seeking application to dispense with a by-election to replace the casual vacancy left following the recent resignation of Councillor Nicole Lavender in accordance with Section 294(2) of the NSW Local Government Act 1993.*
3. *As the sole nominee for the non-voting Councillor representative to Council's Audit, Risk and Improvement Committee, Cr Dight was duly elected to this role.*

CARRIED

6 ADVOCACY REPORTS

6.1 BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) MEETING MINUTES - 9 FEBRUARY 2024 S14.10.1

RESOLUTION 2024/4
 Moved: Cr Kate Dight
 Seconded: Cr Paul King OAM
That:

- a) *the minutes be received and noted; and*
- b) *Council seek to table the 'Analysis of Service Provision' report prepared by Moree Plains Shire Council at the March Committee Meetings with a view to have Inverell Shire Council determine what action they wish to take at a local level.*

CARRIED

7 NOTICES OF BUSINESS

Nil

8 QUESTIONS WITH NOTICE

Nil

9 COMMITTEE REPORTS

Cr Wilks declared a non-pecuniary interest of an insignificant nature in relation to Item #9.2.4 'Request for Donation - Waive of Town Hall Hire Fees and Cost of DJ - Inverell Chamber of Commerce S12.22.1/17'. The nature of the interest is Cr Wilks is related to the Inverell Chamber of Commerce representative who presented to the Committee during the Public Forum at the Civil and Environmental Services Committee meeting.

9.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 14 FEBRUARY 2024

RESOLUTION 2024/5
 Moved: Cr Stewart Berryman
 Seconded: Cr Di Baker

- i. *That the Minutes of the Civil and Environmental Services Committee Meeting held on Wednesday, 14 February, 2024, be received and noted; and*
- ii. *The following recommendations of the Civil and Environmental Services Committee be adopted by Council.*

CARRIED

9.1.1 Regional Emergency Road Repair Fund - Funding Allocation Strategy

RECOMMENDATION:

That:

1. *the information be received and noted*
2. *the proposed funding allocation model be endorsed for the Regional Emergency Road Repair Fund.*

Heavy Patching	25%
Maintenance Grading	20%
Gravel Patching	15%
Drainage Maintenance	15%
Crack Sealing/Bitumen Patching	15%
Unallocated	5%
Shoulder Maintenance	5%

9.1.2 Gravel Resheet Program 2023-2024

RECOMMENDATION:

That:

1. *the 2023-2024 Gravel Resheeting Program as presented be adopted*
2. *the adopted program be placed on Council’s website for the information of the community.*

9.1.3 Information Reports

RECOMMENDATION

That the information reports be received and noted.

9.1.4 Governance - Performance Reporting on Road Maintenance Council Contracts

RECOMMENDATION:

That the information be received and noted.

9.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 14 FEBRUARY 2024

RESOLUTION 2024/6

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

- i. That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 14 February, 2024, be received and noted; and*
- ii. The following recommendations of the Economic and Community Sustainability Committee be adopted by Council.*

CARRIED

9.2.1 Expired Licence Agreement - Mr Robin Ponton**RECOMMENDATION:**

That:

- i) Council renew the agreement with Mr Ponton for Part Lots 4, 5 & 6, DP1101540 Lake Inverell Reserve, Rifle Range Road*
- ii) the licence agreement be for a further three (3) year term with a three (3) option under the same terms and conditions*
- iii) the licence agreement fee be \$842.86 including GST with a 3% increase per annum*
- iv) the licence agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

9.2.2 Expired Licence Agreement - PA and RL Ticehurst**RECOMMENDATION:**

That:

- i) Council renew the agreement with PA and RL Ticehurst for Part Public Road on Southern Boundary of Part Lot 99 DP 750079*
- ii) the licence agreement be for a five (5) year period with a five (5) year option*
- iii) the licence fee be \$231.41 per annum (GST Inclusive) with a 3% increase per annum*
- iv) the licence agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

9.2.3 Request for Donation - Waive of Hire Fee for Lake Inverell Off-Road Recreation Circuit - Inverell Mother's Day Classic 2024 Committee**RECOMMENDATION:**

That the \$100 hire fee for the exclusive use of the Lake Inverell Off-Road Recreation Circuit be waived for the 2024 Inverell Mother's Day Classic.

9.2.4 Request for Donation - Waive of Town Hall Hire Fees and Cost of DJ - Inverell Chamber of Commerce**RECOMMENDATION:**

That the \$770 hire fee for the Inverell Town Hall be waived for the Inverell Chamber of Commerce event being held on Saturday 9 March, 2024.

9.2.5 Bank Closures in Regional Australia**RECOMMENDATION:**

That Council make a submission to the Inquiry as outlined in the report.

9.2.6 Quarterly Budget and Operational Plan 2023/2024**RECOMMENDATION:**

That:

- i) Council's Quarterly Operational Plan and Budget Review for 31 December, 2023 be adopted*
- ii) The proposed variations to budget votes for the 2023/2024 Financial Year be adopted providing an estimated Cash Surplus at 31 December, 2023 from operations of \$7,834.*

9.2.7 Audit Arrangements for the Year-Ending 30 June 2024 and Beyond**RECOMMENDATION:**

That a letter be written to the NSW Audit Office expressing Council's disappointment with respect to the significant increase in audit fees.

9.2.8 Governance - Monthly Investment Report**RECOMMENDATION:**

That:

- i) the report indicating Council's Fund Management position be received and noted*
- ii) the Certification of the Responsible Accounting Officer be noted.*

9.2.9 Audit, Risk and Improvement Committee - Terms of Reference**RECOMMENDATION:**

The adoption of the proposed Audit, Risk and Improvement Committee Terms of Reference.

9.2.10 2024 Rale Rasic Joey's Mini World Cup Sponsorship Proposal**RECOMMENDATION:**

That:

- 1. the report be received and noted*
- 2. Council provide sponsorship of the 2024 Joeys Mini World Cup by accepting Option 2 (a full-page advertisement in the Tournament Booklet at a cost of \$500.00) and Option 5 (waiving of hire fees for sporting fields, including line marking and lighting charges at an estimated combined cost of \$10,269).*

9.2.11 Information Reports**RECOMMENDATION**

That the information reports be received and noted.

9.3	INVERELL & DISTRICT LIQUOR CONSULTATIVE COMMITTEE MINUTES - 14 NOVEMBER 2023
RESOLUTION 2024/7	
Moved: Cr Paul King OAM Seconded: Cr Di Baker	
<i>That the Minutes of the Inverell & District Liquor Consultative Committee held on Tuesday, 14 November, 2023, be received and noted.</i>	
CARRIED	

9.4	INVERELL & DISTRICT LIQUOR CONSULTATIVE COMMITTEE MINUTES - 23 JANUARY 2024
RESOLUTION 2024/8	
Moved: Cr Paul King OAM Seconded: Cr Kate Dight	
<i>That the Minutes of the Inverell & District Liquor Consultative Committee held on Tuesday, 23 January, 2024, be received and noted.</i>	
CARRIED	

10 DESTINATION REPORTS

10.1 COUNCIL MEETING TIME S13.5.4

RESOLUTION 2024/9	
Moved: Cr Paul King OAM Seconded: Cr Kate Dight	
<i>That the General Manager inform the newly formed Council of the options available for meeting dates and times and the Council determine such at the first meeting of the newly elected Council.</i>	
CARRIED	

10.2 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) CONFERENCE S4.3.1

RESOLUTION 2024/10	
Moved: Cr Di Baker Seconded: Cr Kate Dight	
<i>That Council vary the policy on this occasion to allow for an additional delegate to attend the 2024 ALGWA Conference.</i>	
CARRIED	

10.3 REFERRAL OF CONFIDENTIAL MATTERS S13.5.2/17**RESOLUTION 2024/11**

Moved: Cr Paul King OAM
Seconded: Cr Kate Dight

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: *Affordable/Social 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****RESOLUTION 2024/12**

Moved: Cr Jo Williams
Seconded: Cr Di Baker

That the following information report be received and noted.

CARRIED**11.1 2023 BUSH BURSARY PROGRAM S24.20.5****RESOLUTION 2024/13**

Moved: Cr Kate Dight
Seconded: Cr Wendy Wilks

That the following information report be received and noted.

CARRIED**11.2 NIAS 2024 SPORTS SELECTIONS S26.4.15****RESOLUTION 2024/14**

Moved: Cr Kate Dight
Seconded: Cr Stewart Berryman

That the following information report be received and noted.

CARRIED

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

RESOLUTION 2024/15

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

That the following information report be received and noted.

CARRIED

11.4 PCG MEETING - INVERELL AQUATIC CENTRE REPLACEMENT S5.9.27

RESOLUTION 2024/16

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That the following information reports be received and noted.

CARRIED

11.5 ORDINANCE ACTIVITIES REPORT FOR DECEMBER 2023 S18.10.1

11.6 ORDINANCE ACTIVITIES REPORT FOR JANUARY 2024 S18.10.1

RESOLUTION 2024/17

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

That the following information reports be received and noted.

CARRIED

11.7 STRATEGIC TASKS - 'SIGN OFF' - DECEMBER 2023 S4.13.2

11.8 STRATEGIC TASKS - 'SIGN OFF' - JANUARY 2024 S4.13.2

RESOLUTION 2024/18

Moved: Cr Stewart Berryman

Seconded: Cr Jo Williams

That the following information reports be received and noted.

CARRIED

11.9 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING DECEMBER 2023 S18.10.2/16

11.10 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING JANUARY 2024 S18.10.2/17

12 GOVERNANCE REPORTS

Nil

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

At 4.06pm, 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.

At this juncture, the time being 4.07pm, Council adjourned and reconvened at 4.10pm.

RESOLUTION 2024/19

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 2024/20

Moved: Cr Di Baker
 Seconded: Cr Stewart Berryman

That Council proceeds out of Closed Council into Open Council.

CARRIED

Upon resuming Open Council at 4.10pm, 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 AFFORDABLE/SOCIAL HOUSING PROPOSAL - HOMES NORTH COMMUNITY HOUSING CO LTD (HOMES NORTH) S3.16.8

RECOMMENDATION:

That Council reconfirm its resolution of the 27 September, 2023 in regards to the Affordable/Social Housing project to be undertaken with Homes North with the exception of point 4, which is to be amended with the following:

4. *That the title of the area of land required to be transferred to Homes North occur upon confirmation of a successful HAFF application for the project.*

ADOPTION OF RECOMMENDATIONS

RESOLUTION 2024/21

Moved: Cr Di Baker
Seconded: Cr Stewart Berryman

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 4.41pm.