

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 30 OCTOBER 2024 AT 11:00 AM**

PRESENT: Chair Councillor Kate Dight, Councillor Fiona Brown, Councillor Paul Harmon, Councillor Greg Kachel, Councillor Paul King OAM, Councillor John Ross, Councillor Wendy Wilks, Councillor Jo Williams

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

1 APOLOGIES

RESOLUTION 2024/166

Moved: Councillor Williams
Seconded: Councillor Wilks

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

Carried

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING MINUTES - 9 OCTOBER 2024

RESOLUTION 2024/167

Moved: Councillor Harmon
Seconded: Councillor Ross

That the Minutes of the Ordinary Meeting of Council held on 9 October 2024, 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

Nil

4 PUBLIC FORUM

At this juncture, the time being 11.03am Tony Sonter addressed Council regarding the Devine Collection of historical photographs/negatives that were recently auctioned at the Inverell Club. Mr Sonter expressed his disappointment that Council did not seek to acquire the collection.

5 MAYORAL MINUTE

Nil

6 ELECTIONS

Nil

7 ADVOCACY REPORTS

Nil

8 NOTICES OF BUSINESS

Nil

9 QUESTIONS WITH NOTICE

Nil

10 COMMITTEE REPORTS

10.1 INVERELL & DISTRICT LIQUOR CONSULTATIVE COMMITTEE MINUTES - 15 OCTOBER 2024

RESOLUTION 2024/168

Moved: Councillor King

Seconded: Councillor Harmon

That the Minutes of the Inverell & District Liquor Consultative Committee held on Tuesday, 15 October 2024, be received and noted.

Carried

11 DESTINATION REPORTS

11.1 REQUEST FOR CONSIDERATION - ASSISTANCE AND WAIVER OF FEES - 2024 CHRISTMAS FAIR (FORMERLY VENETIAN CARNIVAL) - ROTARY CLUB OF INVERELL EAST

RESOLUTION 2024/169

Moved: Councillor King

Seconded: Councillor Wilks

That Council:

- a. Accede to the request received from the Rotary Club of Inverell East to close Captain Cook Drive between the Byron Street Roundabout and the entrance of Pasterfield car park between the hours of 4pm - 10pm on Saturday 23 November 2024;*
- b. Set up and allow the use of Council's mobile trailer stage at Campbell Park;*
- c. Donate \$300 towards the provision of lollies to be handed out by Santa at the event;*
- d. The costs associated with items a) to c) above be funded from Council's donations vote; and*
- e. Express Council's appreciation to the Rotary Club of Inverell East for holding this community event.*

Carried

11.2 NORTHERN INLAND ACADEMY OF SPORT (NIAS)

RESOLUTION 2024/170

Moved: Councillor Harmon

Seconded: Councillor King

That Council renew its partnership with NIAS for a two (2) year period at a cost of \$2000 plus GST per annum.

Carried

11.3 RIVERS STREET CARPARKING RESTRICTIONS**RESOLUTION 2024/171**

Moved: Councillor Harmon

Seconded: Councillor Williams

That Council:

- i. Implement time restricted parking in the indent carparking spaces in Rivers Street, between Otho Street and Campbell Street. The restrictions be maximum allowed parking time of two (2) hours, during the hours of 8am to 6pm Monday to Friday and 8.30am to 12 noon on Saturdays;*
- ii. Provide two (2) accessible car parking spaces at the locations shown in the attached plan; and*
- iii. Notify the Local Traffic Committee, businesses, property owners and residents in the area of the proposed change.*

Carried**11.4 LOCAL GOVERNMENT NSW CONFERENCE 2024 - DELEGATES****RESOLUTION 2024/172**

Moved: Councillor Williams

Seconded: Councillor King

That Cr Wilks and Cr Ross be the two (2) additional delegates to attend the 2024 Local Government NSW Conference to be held at the Tamworth Regional Entertainment and Conference Centre on 17 - 19 November 2024.

Carried**11.5 2021-2024 STATE OF THE SHIRE REPORT****RESOLUTION 2024/173**

Moved: Councillor Harmon

Seconded: Councillor Williams

That:

- 1. Council receives and endorses the End of Term Report 2021 – 2024; and*
- 2. Council notes that the End of Term Report 2021 – 2024 will be appended to Council's 2023/2024 Annual Report and submitted to the Minister for Local Government.*

Carried**11.6 DELEGATIONS OF AUTHORITY - MAYOR AND GENERAL MANAGER****RESOLUTION 2024/174**

Moved: Councillor Wilks

Seconded: Councillor Brown

That Council delegate the functions described in the Instruments of Delegation, attached to this report, to the Mayor and General Manager.

Carried

11.7 DUTIES OF DISCLOSURE - PECUNIARY AND OTHER MATTERS**RESOLUTION 2024/175**

Moved: Councillor Williams

Seconded: Councillor Ross

That the tabling of the 'Disclosure of Pecuniary Interests and Other Matters' returns by the General Manager be noted.

Carried**11.8 PRESENTATION - INVERELL AQUATIC CENTRE AND ASHFORD SWIMMING POOL MANAGEMENT****RESOLUTION 2024/176**

Moved: Councillor Ross

Seconded: Councillor Wilks

That:

- i. the report be received and noted; and*
- ii. Ms Katherine Forman and Mr Alex Simmons of Belgravia Leisure present an overview of Belgravia Leisure Pty Ltd on the management and operation of the Inverell Aquatic Centre and Ashford Swimming Pool following the conclusion of the Council Meeting.*

Carried**11.9 MEETING DATES AND TIMES****RESOLUTION 2024/177**

Moved: Councillor Williams

Seconded: Councillor Wilks

That:

- 1. The Council Meeting scheduled for the 27 November 2024 commence at 2pm; and*
- 2. Council trial having no major Committee meetings for a period of 6 months commencing 1 November 2024.*

Carried**11.10 GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE****RESOLUTION 2024/178**

Moved: Councillor Harmon

Seconded: Councillor Ross

That Cr Wilks participate with the Mayor, Deputy Mayor and Councillor to be nominated by the General Manager for the General Manager's performance review panel.

Carried

11.11 APPOINTMENT OF COUNCIL COMMITTEES

RESOLUTION 2024/179

Moved: Councillor Wilks

Seconded: Councillor Brown

That Cr Williams be the delegate for the Audit Risk and Improvement Committee.

Carried

12 INFORMATION REPORTS

12.1 STRATEGIC TASKS - 'SIGN OFF' - SEPTEMBER AND OCTOBER 2024

RESOLUTION 2024/180

Moved: Councillor Harmon

Seconded: Councillor Williams

That the information be received and noted.

Carried

12.2 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES FOR THE PERIOD 24 AUGUST 2024 TO 30 SEPTEMBER 2024

RESOLUTION 2024/181

Moved: Councillor Williams

Seconded: Councillor Harmon

That the report be received and noted.

Carried

12.3 ORDINANCE ACTIVITIES REPORT FOR 24 AUGUST 2024 TO 30 SEPTEMBER 2024

RESOLUTION 2024/182

Moved: Councillor Wilks

Seconded: Councillor Williams

That the report be received and noted.

Carried

12.4 INSTALLATION OF CEMETERY SIGNS

RESOLUTION 2024/183

Moved: Councillor Williams

Seconded: Councillor Kachel

That the report be received and noted.

Carried

RESOLUTION 2024/184

Moved: Councillor Harmon
Seconded: Councillor Wilks

That:

- i. *Council write to Cemeteries and Crematoria NSW expressing concern regarding the mandatory requirements have been forced upon Council; and*
- ii. *Council request that Cemeteries and Crematoria NSW fund the cost of the additional signage that has been mandated.*

Carried

SUSPENSION OF STANDING ORDERS**RESOLUTION 2024/185**

Moved: Councillor Harmon
Seconded: Councillor Wilks

At this juncture, the time being 12.05pm Council resolved to suspend standing orders to enable Mr Moylan to address Council on matters of regional significance.

Carried

RESUMPTION OF STANDING ORDERS**RESOLUTION 2024/186**

Moved: Councillor Brown
Seconded: Councillor Kachel

At this juncture, the time being 12.40pm standing orders resumed and Council considered the balance of the agenda.

Carried

12.5 OPERATION OF KIOSK AT COPETON NORTHERN FORESHORES**RESOLUTION 2024/187**

Moved: Councillor King
Seconded: Councillor Wilks

That the report be received and noted.

Carried

12.6 WORKS UPDATE**RESOLUTION 2024/188**

Moved: Councillor Harmon
Seconded: Councillor Brown

That the report be received and noted.

Carried

12.7 NSW GOVERNMENT INTEGRATED TRANSPORT PLAN

RESOLUTION 2024/189

Moved: Councillor Wilks

Seconded: Councillor Brown

That the report be received and noted.

Carried

12.8 POTABLE TOWN WATER SUPPLIES MONITORING FOR PFAS

RESOLUTION 2024/190

Moved: Councillor Kachel

Seconded: Councillor Brown

That the report be received and noted.

Carried

12.9 PROPOSED REFORMS TO NSW BUILDING LAWS

RESOLUTION 2024/191

Moved: Councillor Harmon

Seconded: Councillor Wilks

That the report be received and noted.

Carried

12.10 SPRING SPLASH WATERSLIDE EVENT

RESOLUTION 2024/192

Moved: Councillor Harmon

Seconded: Councillor Wilks

That the report be received and noted.

Carried

12.11 IPART REVIEW - DAM LEVY

RESOLUTION 2024/193

Moved: Councillor Harmon

Seconded: Councillor Ross

That the report be received and noted.

Carried

12.12 PCG MEETING - INVERELL AQUATIC CENTRE REPLACEMENT

RESOLUTION 2024/194

Moved: Councillor Harmon
 Seconded: Councillor Wilks

That the report be received and noted.

Carried

12.13 BONSHAW RAW WATER SUPPLY DROUGHT SECURITY UPDATE

RESOLUTION 2024/195

Moved: Councillor Harmon
 Seconded: Councillor Wilks

That the report be received and noted.

Carried

12.14 COUNCILLOR CONDUCT AND MEETING PRACTICES DISCUSSION PAPER

RESOLUTION 2024/196

Moved: Councillor Kachel
 Seconded: Councillor Wilks

That the report be received and noted.

Carried

13 GOVERNANCE REPORTS

13.1 GOVERNANCE - MONTHLY INVESTMENT REPORT

RESOLUTION 2024/197

Moved: Councillor Wilks
 Seconded: Councillor Williams

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

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

14.1 DISPOSAL OF LAND - 104 OTHO STREET, INVERELL

RESOLUTION 2024/198

Moved: Councillor Harmon
 Seconded: Councillor Brown

*That Council refer the item 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 this item:
 Authority: Section 10A (2)(c) Local Government Act 1993 - as the report includes information that*

would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Carried

14.2 EXTENSION TO COMMENCIAL LEASE - TEMPORARY SERVICE STATION, 13 GLEN INNES ROAD, INVERELL

RESOLUTION 2024/199

Moved: Councillor Harmon

Seconded: Councillor Williams

That Council refer the item 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 this item:

Authority: Section 10A (2)(d(i)) Local Government Act 1993 - as the report includes Commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Carried

14.3 APPOINTMENT OF CHAIRPERSON TO AUDIT, RISK AND IMPROVEMENT COMMITTEE

RESOLUTION 2024/200

Moved: Councillor Harmon

Seconded: Councillor Williams

That Council refer the item 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 this item:

Authority: Section 10A (2)(a) Local Government Act 1993 - as the report includes Personnel matters concerning particular individuals (other than councillors).

Carried

At 2.06pm, the Chairperson offered the opportunity to members of the public as to whether any part of the meeting should not be considered in Closed Council. There was no response.

RESOLUTION 2024/201

Moved: Councillor Harmon

Seconded: Councillor King

That Council Proceeds into Closed Council to discuss the matters referred to it, for the reason stated in the motions of referral.

Carried

RESOLUTION 2024/202

Moved: Councillor Harmon

Seconded: Councillor Kachel

That Council proceeds out of Closed Council into Open Council.

Carried

14.1 DISPOSAL OF LAND - 104 OTHO STREET, INVERELL

Upon resuming Open Council at 1.25pm, 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:

RECOMMENDATION

That Council authorise the Mayor and General Manager to provide feedback to the proponent regarding their expression of interest and formally publicly call for expressions of interest for suitable development of the site.

14.2 EXTENSION TO COMMERCIAL LEASE - TEMPORARY SERVICE STATION, 13 GLEN INNES ROAD, INVERELL

RECOMMENDATION

That:

- i. Council enter into a commercial lease agreement with McKinlay Enterprises P/L, Mitala P/L and LJM Enterprises (NSW) P/L for the continued operation of a temporary Service Station at 13 Glen Innes Road, Inverell;*
- ii. The lease commence on the 1 January 2025 and be for a period of 12 months with a lessee option of a further 6 months extension;*
- iii. The lessee be provided with the option to terminate the lease early subject to providing thirty (30) days notice;*
- iv. The lease fee be consistent with the commercial valuation obtained by Council in 2023 plus CPI;*
- v. The General Manager be authorised to negotiate any additional terms of the commercial lease agreement; and*
- vi. The General Manager be authorised to execute the lease agreement.*

14.3 APPOINTMENT OF CHAIRPERSON TO AUDIT, RISK AND IMPROVEMENT COMMITTEE

RECOMMENDATION

That Council:

- 1. Appoint Mr Peter Sheville as independent chair to ARIC commencing 1 November 2024 for a period of four (4) years subject to successful criminal record and financial status checks;*
- 2. Authorise the Mayor to sign the appointment letter.*

ADOPTION OF RECOMMENDATIONS

RESOLUTION 2024/206

Moved: Councillor Harmon

Seconded: Councillor Williams

That the recommendations of Closed Council be adopted.

Carried

15 CLOSE OF MEETING

There being no further business the meeting closed at 1.30pm.

The Minutes of this meeting to be confirmed by Council at the meeting to be held on 27 November 2024.