

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 27 NOVEMBER 2024 AT 2:00 PM**

PRESENT: Councillor Kate Dight (Chairperson), Councillor Fiona Brown, Councillor Paul Harmon, Councillor Ian Hooker, Councillor Greg Kachel, Councillor Paul King OAM, Councillor John Ross, Councillor Wendy Wilks and Councillor Joanne Williams.

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

1 APOLOGIES

Nil.

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING MINUTES - 30 OCTOBER 2024

RESOLUTION: 2024/207

Moved: Councillor Wilks

Seconded: Councillor Hooker

That the Minutes of the Ordinary Meeting of Council held on 30 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

Cr Dight declared a Non-Pecuniary Interest of a significant nature in Item 11.8 '*Renewable Energy - Community Benefit Sharing Framework Policy*'. The nature of the interest is that Cr Dight is the Director of a Company which is in a commercial arrangement with a renewable developer.

Cr Dight declared a Pecuniary Interest of a significant nature in Item 11.12 '*IPART Review Proposed NSW Bulk Water Charges 2025/2030*'. The nature of the interest is that Cr Dight is the spouse of an individual who is a water customer upon which the decision will have an impact.

Cr Williams declared a Non-Pecuniary Interest of a significant nature in Item 11.2 '*Sapphire Wind Farm Community Benefit Fund Committee Members*'. The nature of the interest is that Cr Williams' business partnership has a Neighbourhood Agreement with Squadron Energy.

Cr Williams declared a Non-Pecuniary Interest of a significant nature in Item 11.8 '*Renewable Energy - Community Benefit Sharing Framework Policy*'. The nature of the interest is that Cr Williams' business partnership has a Neighbourhood Agreement with Squadron Energy.

4 PUBLIC FORUM

At this juncture, the time being 2.05pm Josh Cathie (Inverell High School), Chair of Council's Youth Advisory Council, supported by Liam Snaith and James Paton (Macintyre High School), presented

the Youth Advisory Council Annual Report for the year.

RESOLUTION: 2024/208

Moved: Councillor Ross
 Seconded: Councillor Wilks

That Item 13.3 'Presentation of Council's 2023/2024 Audited Financial Reports' be brought forward for consideration.

Carried

RESOLUTION: 2024/209

Moved: Councillor Williams
 Seconded: Councillor Ross

That Standing Orders be suspended to allow Mr Jacob Sauer, Principal, Forsyths, representing the NSW Audit Office, to deliver and speak to Council's Audited Financial Reports.

Carried

RESOLUTION: 2024/210

Moved: Councillor Wilks
 Seconded: Councillor Brown

That Standing Orders be resumed and Council consider the balance of the agenda.

Carried

13.3 PRESENTATION OF COUNCIL'S 2023/2024 AUDITED FINANCIAL REPORTS

RESOLUTION: 2024/211

Moved: Councillor Williams
 Seconded: Councillor Wilks

That:

- i. the information be received and noted; and*
- ii. the Audit Report for the 2023/2024 Financial Year be adopted.*

Carried

5 MAYORAL MINUTE

6 ELECTIONS

7 ADVOCACY REPORTS

7.1 BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) MINUTES OF AGM AND ORDINARY MEETING- 11 OCTOBER 2024

RESOLUTION: 2024/212

Moved: Councillor Williams
 Seconded: Councillor Wilks

That the minutes of the Border Regional Organisation of Councils AGM and Ordinary Meeting held on 11 October 2024 be received and noted.

Carried

8 NOTICES OF BUSINESS**9 QUESTIONS WITH NOTICE****10 COMMITTEE REPORTS****10.1 ABORIGINAL CONSULTATIVE COMMITTEE MEETING MINUTES - 11 NOVEMBER 2024****RESOLUTION: 2024/213**

Moved: Councillor King

Seconded: Councillor Hooker

That the minutes of the Aboriginal Consultative Committee meeting held on 11 November 2024 be received and noted.

Carried**11 DESTINATION REPORTS****11.1 EXPIRED LICENCE AGREEMENT - JOHN NEWBY****RESOLUTION: 2024/214**

Moved: Councillor Wilks

Seconded: Councillor Kachel

That:

- i. Council enter into a Licence Agreement with Mr John Newby for Part Portion of land located at Inverell Aerodrome, Gilgai;*
- ii. The Licence Agreement be for a five (5) year period;*
- iii. The Licence fee be \$586.75 per annum (GST Inclusive) with a 3% increase per annum; and*
- iv. The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

Carried

At this juncture, the time being 2.42pm, Cr Williams, having previously declared a Non-Pecuniary Interest in Item 11.2, left the Chambers.

11.2 SAPPHIRE WIND FARM COMMUNITY BENEFIT FUND COMMITTEE MEMBERS**RESOLUTION: 2024/215**

Moved: Councillor Harmon

Seconded: Councillor King

The Council refer the matter to Closed (Public Excluded) meeting of the Council and that the press and member 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

Cr Williams returned to the meeting at 2.45pm.

11.3 MEMBERSHIP OF EQUESTRIAN COUNCIL MANAGEMENT COMMITTEE**RESOLUTION: 2024/216**

Moved: Councillor Ross

Seconded: Councillor King

That Council:

1. *Appoint the following members to the Equestrian Council Management Committee for a period ending 31 October 2028:*

- i. Dianna Baker*
- ii. Carol Turner*
- iii. Russell Hamel*
- iv. Kate Tighe*
- v. Gary Vagg*
- vi. Daniel Tickle*

2. *Appoint Paul Pay, Director Corporate and Community Services as Council's representative on the Equestrian Council Management Committee.*

Carried**11.4 ANNUAL REPORT FROM THE CHAIR OF AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC)****RESOLUTION: 2024/217**

Moved: Councillor Williams

Seconded: Councillor Wilks

*The Audit and Risk and Improvement Committee Annual Report, as tabled, be received and noted.***Carried****11.5 FRAUD CONTROL POLICY AND FRAUD CONTROL PLAN****RESOLUTION: 2024/218**

Moved: Councillor Wilks

Seconded: Councillor Ross

That Council adopt the:

- 1. Fraud and Corruption Control Policy; and*
- 2. Fraud and Corruption Control Plan.*

Carried

11.6 MURRAY DARLING ASSOCIATION MEMBERSHIP**RESOLUTION: 2024/219**

Moved: Councillor Williams

Seconded: Councillor Brown

That Council appoint Cr Wilks and Cr Dight as Council's representatives to attend the quarterly meetings of the Murray Darling Association.

Carried**11.7 REQUEST FOR SPONSORSHIP AND WAIVER OF FEES - ABORIGINAL ELDERS OLYMPICS 2025 - INVERELL BEAR EATERS ELDER GROUP****RESOLUTION: 2024/220**

Moved: Councillor King

Seconded: Councillor Harmon

That Council provide the following support for the Elders Olympics being held in Inverell in 2025:

- i) Council waive the hire fees for the Town Hall and the Complex;*
- ii) Council fund the cost of the skip bin and porta loo hire; and*
- iii) The support for i) and ii) above, totalling \$2,426, be funded from Council's donations vote.*

Carried

At this juncture, the time being 2.56pm, Cr Dight and Cr Williams, having previously declared Non Pecuniary Interests in respect of Item 11.8, left the Chambers.

Cr King was elected by the Councillors present to Chair the meeting for Item 11.8.

11.8 RENEWABLE ENERGY - COMMUNITY BENEFIT SHARING FRAMEWORK POLICY**RESOLUTION: 2024/221**

Moved: Councillor Harmon

Seconded: Councillor Wilks

That Council adopt the Draft Renewable Energy Community Benefit Sharing Framework Policy.

Carried

Cr Dight and Cr Williams returned to the Chambers at 3.16pm.

Cr Dight resumed the Chair.

11.9 INVERELL AIRPORT LICENCE AGREEMENT - TEXTRON SYSTEMS AUSTRALIA PTY LTD**RESOLUTION: 2024/222**

Moved: Councillor Wilks

Seconded: Councillor Kachel

That Council:

1. *Make an area adjacent to the Cross Strip available for Licence to Textron Systems Australia Pty Ltd, for a Flight Operations Site subject to the lodgement and approval of a Development Application and the applicant meeting all costs associated with the development;*
2. *The development to include an all weather access road and new security gates at the access point;*
3. *Any construction work undertaken 'air side' must be approved by Council and comply with Part 139 (Aerodromes) Manual of Standards 2019 (as amended) (MOS 139) made under Regulation 139.005 of the Civil Aviation Safety Regulations 1998 with the applicant meeting all costs associated with the construction works;*
4. *Term of the licence be five (5) years;*
5. *The annual licence fee be set at \$1580.00 per annum (including GST) and the Licence fee be subject to annual 3% increases; and*
6. *The licence agreement be subject to any terms and conditions as negotiated by Council's General Manager.*

Carried**11.10 INVERELL SHIRE COUNCIL ANNUAL REPORT 2023 - 2024****RESOLUTION: 2024/223**

Moved: Councillor Harmon

Seconded: Councillor Ross

*That Council endorse the Inverell Shire Council Annual Report 2023 – 2024.***Carried****11.11 AUTOMATED ACCESS ASSESSMENT PROGRAM - DATA SHARING MEMORANDUM OF UNDERSTANDING****RESOLUTION: 2024/224**

Moved: Councillor Wilks

Seconded: Councillor Brown

That Council:

- i. Participate in the Automated Access Assessment Program, and*
- ii. Enter into the Data Sharing Memorandum of Understanding with Transport for NSW.*

Carried

At this juncture, the time being 3.23pm, Cr Dight left the Chambers having previously declared a Pecuniary Interest in respect of Item 11.12.

Cr Williams, Deputy Mayor assumed the Chair.

11.12 IPART REVIEW PROPOSED NSW BULK WATER CHARGES 2025/2030**RESOLUTION: 2024/225**

Moved: Councillor Ross

Seconded: Councillor Wilks

That:

- i. Council make a submission to IPART objecting to the proposed exceptionally high maximum water pricing increases by NSW Government agencies over the next five (5) years, and the impact of the increases for the Gwydir Valley and Border Rivers; and*
- ii. Council seek the support and representation of the Local Member, Brendan Moylan MP in having the proposed annual price increases generally limited to the Consumer Price Index.*

Carried

At 3.31pm Cr Dight returned to the Chambers and resumed the Chair.

12 INFORMATION REPORTS**12.1 ORDINANCE ACTIVITIES REPORT FOR OCTOBER 2024****RESOLUTION: 2024/226**

Moved: Councillor King

Seconded: Councillor Hooker

*That the report be received and noted.***Carried****12.2 EMERGENCY SERVICES LEVY UPDATE: LAND CLASSIFICATION FOR EMERGENCY SERVICES LEVY AND RATE CATEGORY CHANGES****RESOLUTION: 2024/227**

Moved: Councillor Hooker

Seconded: Councillor Kachel

*That the report be received and noted.***Carried****12.3 RURAL AND REGIONAL CRIME INQUIRY COMMITTEE****RESOLUTION: 2024/228**

Moved: Councillor Williams

Seconded: Councillor Ross

*That the report be received and noted.***Carried**

12.4 WORKS UPDATE**RESOLUTION: 2024/229**

Moved: Councillor Williams
Seconded: Councillor Wilks

That the report be received and noted.

Carried**12.5 RATE PEG FOR 2025/2026****RESOLUTION: 2024/230**

Moved: Councillor Wilks
Seconded: Councillor Brown

That Council note the IPART determined rate peg of 4.0% for Inverell Shire Council for 2025/26.

Carried**12.6 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES FOR THE PERIOD OF OCTOBER 2024****RESOLUTION: 2024/231**

Moved: Councillor Williams
Seconded: Councillor Hooker

That the report be received and noted.

Carried**12.7 INVERELL SHIRE YOUTH ADVISORY COUNCIL ANNUAL REPORT****RESOLUTION: 2024/232**

Moved: Councillor Wilks
Seconded: Councillor Hooker

That the report be received and noted.

Carried**12.8 PCG MEETING - INVERELL AQUATIC CENTRE REPLACEMENT****RESOLUTION: 2024/233**

Moved: Councillor Wilks
Seconded: Councillor Kachel

That the report be received and noted.

Carried

12.9 ASHFORD WATER SUPPLY FLUORIDATION COMMUNITY NOTIFICATION

RESOLUTION: 2024/234

Moved: Councillor Williams

Seconded: Councillor Kachel

That the report be received and noted.

Carried

12.10 PROTECTION OF LOCAL WATER UTILITIES FROM PRIVATISATION

RESOLUTION: 2024/235

Moved: Councillor Wilks

Seconded: Councillor Brown

That the report be received and noted.

Carried

13 GOVERNANCE REPORTS

13.1 GOVERNANCE - MONTHLY INVESTMENT REPORT

RESOLUTION: 2024/236

Moved: Councillor Williams

Seconded: Councillor Wilks

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

13.2 PERFORMANCE REPORTING ON ROAD MAINTENANCE COUNCIL CONTRACTS

RESOLUTION: 2024/237

Moved: Councillor Hooker

Seconded: Councillor Williams

That the information be received and noted.

Carried

13.4 COMMUNITY ENGAGEMENT STRATEGY INCLUDING COMMUNITY PARTICIPATION PLAN

RESOLUTION: 2024/238

Moved: Councillor Wilks

Seconded: Councillor Hooker

That Council:

- i. Adopt the draft 2024-2028 Community Engagement Strategy including Community Participation Plan; and*
- ii. The 2024-2028 Community Engagement Strategy including Community Participation Plan be placed on Council's website.*

Carried

13.5 QUARTERLY BUDGET AND OPERATIONAL PLAN 2024/2025

RESOLUTION: 2024/239

Moved: Councillor Wilks

Seconded: Councillor King

That:

- 1. The Quarterly Operational Plan and Budget Review for 30 September 2024 be adopted;*
- 2. The proposed variations to budget votes for the 2024/2025 Financial Year be adopted providing an estimated Cash Surplus at 30 September 2024 from operations of \$4,715.*
- 3. The transfers to and from Internally Restricted Assets of \$645K for the Chester Street Rehabilitation works be endorsed; and*
- 4. The transfers to and from Internally Restricted Assets of \$6.248M for the Inverell Aquatic Centre Redevelopment be endorsed.*

Carried

14 REFERRAL OF CONFIDENTIAL MATTERS

14.1 REFERRAL OF CONFIDENTIAL MATTERS

RESOLUTION: 2024/240

Moved: Councillor Harmon

Seconded: Councillor Wilks

That:

i) Council refers the following 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 the following item:

Item: *Request for a Reduction in a Water Usage Account*

Authority: *Section 10A (2) (a) Local Government Act 1993, Personnel matters concerning particular individuals (other than councillors).*

ii) And that Council proceeds into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

Carried

At 3.54pm, 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.

At this juncture, the time being 3:55pm, Cr Williams left the Chambers having previously declared a Pecuniary Interest in respect of Item 11.2.

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

RESOLUTION: 2024/241

Moved: Councillor Kachel

Seconded: Councillor Hooker

That Council proceeds out of Closed Council into Open Council.

Carried

Cr Williams returned to the Chambers at 4.24pm.

Upon resuming Open Council at 4.24pm, 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:

15.1 REQUEST FOR A REDUCTION IN A WATER USAGE ACCOUNT

RESOLUTION: 2024/242

Moved: Councillor King

Seconded: Councillor Kachel

That:

- i. the report be received; and*
- ii. Council issue an amended account for the property known as 13-15 Byron Street, Inverell for the total of \$96.30, which is based on the average consumption prior to the leak and write off \$1,549.36.*

Carried

At this juncture, the time being 4.25pm, Cr Williams left the Chambers having previously declared a Non Pecuniary Interest in respect of Item 11.2.

11.2 SAPPHIRE WIND FARM COMMUNITY BENEFIT FUND COMMITTEE MEMBERS

RESOLUTION: 2024/243

Moved: Councillor Wilks

Seconded: Councillor King

That Ben Swan and Brad Hilton be appointed as community representatives on the Sapphire Wind Farm Community Benefit Fund Committee.

Carried

Cr Harmon and Cr Ross requested that their votes against the motion be recorded.

Cr Williams returned to the Chamber at 4.26pm.

16 CLOSE OF MEETING

There being no further business the meeting closed at 4.27pm.

The minutes of this meeting to be confirmed by Council at the meeting to be held on 18 December 2024.