

UNCONFIRMED



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MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 22 APRIL 2020

MINUTES OF THE **Ordinary Council** OF TENTERFIELD SHIRE held via Zoom Meeting, on Wednesday 22 April 2020 commencing at 9.37 am.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Don Forbes
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Bronwyn Petrie
Councillor Michael Petrie
Councillor Bob Rogan
Councillor Gary Verri

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Chief Corporate Officer (Kylie Smith)
Director Infrastructure (Fiona Keneally)
Manager Finance & Technology (Paul Della)

Clause 254(b) of the Local Government (General) Regulation 2005 requires that the names of the mover and seconder of the motion or amendment are recorded and shown in the Minutes of the meeting.

WEBCASTING OF MEETING

I advise all present that this Zoom meeting is being recorded for placement on Council's website for the purposes of broadening knowledge and participation in Council issues, and demonstrating Council's commitment to openness and accountability.

All speakers must ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms or mentioning any private information.

No other persons are permitted to record the meeting, unless specifically authorised by Council to do so.

OPENING AND WELCOME

Chairperson, Mayor Peter Petty welcomed all Councillors to this, the first Zoom meeting of Council as required under the current COVID-19 restrictions and amendment to the Local Government Act.

In particular, he welcomed Cr Brian Murray and extended the best wishes of all Councillors to him following his recent surgery.

CIVIC PRAYER

We give thanks for the contribution by our pioneers, early settlers and those who fought in the various wars for the fabric of the Tenterfield Community we have today.

May the words of our mouths and the meditation of our hearts be acceptable in thy sight, O Lord.

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land that we are meeting on today. I would also like to pay respect to the Elders past, present and emerging of the Jukembal, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

Nil.

DISCLOSURE & DECLARATIONS OF INTEREST

Nil.

(ITEM MIN3/20) CONFIRMATION OF PREVIOUS MINUTES

41/20

Resolved that the Minutes of the Ordinary Council Meeting held 26 February 2020, as typed and circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Michael Petrie/Greg Sauer)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil.

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil.

MAYORAL MINUTE

(ITEM MM1/20) COVID-19 FINANCIAL ASSISTANCE

SUMMARY

President of Local Government NSW, Cr Linda Scott, advises that LGNSW has stepped up representations on government financial assistance and economic stimulus measures. LGNSW is advocating for State and Federal Government financial assistance and economic stimulus to secure the delivery of the essential local government services needed to keep our communities running, to protect people's health, and their livelihoods.

Cr Scott has requested the support of Councils to amplify the sectors advocacy work.

42/20

Resolved that I, Councillor Peter Petty hereby move the following Mayoral Minute at the Ordinary Council Meeting held on Wednesday, 22 April 2020.

That Tenterfield Shire Council support the advocacy work of Local Government NSW by writing to our State and Federal Members to request:

- Increased Financial Assistance Grants to 1 per cent;
- Immediate financial assistance to support Council employees, especially in early education and care;
- Stimulus funding for projects that will boost local economies, including by increasing existing programs such as Roads to Recovery; and
- Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.

(Peter Petty/Bob Rogan)

Motion Carried

Noted: Mayor will push for increased Financial Assistance Grants of 4%.

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

43/20 Resolved that Item COM11/20 – Local Drought Stimulus Package, Confidential Conditional Funding, be considered in the Confidential Section of this Meeting and this item be brought forward in the Agenda for consideration at this time.

(Bob Rogan/Greg Sauer)

Motion Carried

Manager Economic Development & Community Engagement, Harry Bolton, entered the meeting, the time being 9.45 am.

CONFIDENTIAL BUSINESS - SUSPENSION OF STANDING ORDERS

44/20 Resolved that:

- a) the meeting be closed to the public and members of the press because of the need for confidentiality, privilege or security, as specified below and provided for under Section 10A(2) of the Local Government Act, 1993; and
- b) the Agenda and associated correspondence, unless specified are not to be released to the Public as they relate to a matter of either personal hardship, personal matters, trade secrets or matters which cannot be lawfully disclosed.

(Bob Rogan/Greg Sauer)

Motion Carried

The recording device was turned off and the meeting moved into Closed Committee, the time being 9.46 am.

(ITEM COM11/20) LOCAL DROUGHT STIMULUS PACKAGE, CONFIDENTIAL CONDITIONAL FUNDING

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) of the Local Government Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

SUMMARY

The purpose of this report is to provide Council with a progress report of proposed grant funds under the following programs.

For the purpose of this report grant programs and funds include:

- National Bushfire Recovery Agency LGA Grant Package
- Bushfire Community Resilience & Economic Recovery Grant – Phase 1
- Regional Tourism Bushfire Recovery Grant (Stream 1 & 2)
- Drought Communities Program – Extension

This report also provides information to support funding negotiations with the NSW State Government to access the Local Drought Stimulus Package, with an

embargo placed on the communication of projects until the NSW Government has made a public announcement.

45/20

Resolved that Council:

- (1) Receive and note the Report, including the items not eligible for the Regional Tourism Bushfire Recovery Grant application; and
- (2) Endorse the proposed items be negotiated with the State Government under the Local Drought Stimulus Package, Confidential Conditional Funding.

(Bob Rogan/Greg Sauer)

Motion Carried

RESUMPTION OF STANDING ORDERS

46/20

Resolved that Standing Orders be resumed.

(Bronwyn Petrie/Greg Sauer)

Motion Carried

The meeting moved out of Closed Committee and the recording device turned on, the time being 9.54 am.

In accordance with Section 253 of Local Government Regulations (General) 2005, the Mayor read the resolution as resolved by Council while in Closed Committee.

Manager Economic Development & Community Engagement, Harry Bolton, left the meeting, the time being 9.55 am.

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM10/20) CANCELLATION OF ANZAC DAY EVENTS – SATURDAY, 25 APRIL 2020

SUMMARY

The purpose of this report is to provide information for Council regarding the decision to cancel Anzac Day events across Australia, Saturday, 25 April 2020.

AMENDMENT

That an addition item (3) be added – That books be posted to the Schools and additional wreaths be laid on Anzac Day as follows:

- Drake – Councillor Bronwyn Petrie
- Torrington – Councillor Tom Peters
- Jennings – Mayor Peter Petty
- Liston – Councillor Gary Verri
- Legume – Mayor Peter Petty
- Urbenville – Mayor Peter Petty
- Mingoola – Councillor Tom Peters

Amendment Carried

47/20

Resolved that Council:

- (1) Notes the cancellation of 2020 Anzac Day Events across Australia arising from the coronavirus COVID-19 pandemic; and
- (2) Requests the Mayor to lay a wreath at the Tenterfield War Memorial to honour the fallen on Anzac Day, Saturday, 25 April 2020.
- (3) Posts the books to the Schools and lays additional wreaths on Anzac Day as follows:
 - Drake – Councillor Bronwyn Petrie
 - Torrington – Councillor Tom Peters
 - Jennings – Mayor Peter Petty
 - Liston – Councillor Gary Verri
 - Legume – Mayor Peter Petty
 - Urbenville – Mayor Peter Petty
 - Mingoola – Councillor Tom Peters

(Peter Petty/Gary Verri)

Motion Carried

OUR ECONOMY

(ITEM ECO5/20) BUY LOCAL ADVICE AND POLICY CHANGE

SUMMARY

The purpose of this report is to provide an update on matters associated with Council's **Buy Local Policy** after the receipt of legal advice and to provide Council with an indication of the next steps to be taken on this matter.

48/20

Resolved that Council note this update on matters associated with Council's Buy Local Policy and the next steps for the development of a new "Optimising Opportunities for Local Suppliers" Policy.

(Michael Petrie/Bronwyn Petrie)

Motion Carried

Manager Planning & Development Services, Tamai Davidson, entered the meeting, the time being 10.20 am.

OUR ENVIRONMENT

(ITEM ENV6/20) DRAFT DEVELOPMENT SERVICING PLANS SEWER & WATER & S7.11 & S7.12 DEVELOPMENT CONTRIBUTIONS PLANS

SUMMARY

The purpose of this report is to present to Council;

- Draft Development Servicing Plan (DSP) – Water
- Draft Development Servicing Plan (DSP) – Sewer

- S7.11 Developer Contributions Plan
- S7.12 Developer Contributions Plan

and recommend that the documents be placed on public exhibition. The DSPs covers water and sewer supply developer charges in regard to the Tenterfield, Urbenville and Jennings development areas serviced by Council. The S7.11 and 7.12 Plans allow Council to impose a condition of development consent requiring contributions for certain development. The Plans can be found at Attachments 1 & 2 (Attachment Booklet 1) and Attachments 3 & 4 (Attachment Booklet 2).

49/20

Resolved that Council:

- (1) Place the draft Development Servicing Plans for Water and Sewer on community consultation for a period of thirty (30) working days; and
- (2) Place the draft S7.11 and S7.12 Developer Contribution Plans on public exhibition for a period of thirty (30) working days; and
- (3) Note that final workshops with the community, relating to the plans will be held during this exhibition period to allow for any further feedback prior to adoption.

(Greg Sauer/Gary Verri)

Motion Carried Unanimously

(ITEM ENV7/20) DEVELOPMENT APPLICATION 2020.030 MEMORIAL HALL EXTENSIONS – 96 MOLESWORTH STREET, TENTERFIELD

SUMMARY

The Development Application proposes the construction of an extension to the existing Memorial Hall building, comprising new male and female amenities and refurbishment of the existing building. The application is presented to Council for approval subject to conditions.

50/20

Resolved that Council issue Development Consent 2020.030 for Extensions and Refurbishment of Tenterfield Memorial Hall subject to the draft consent contained in the attachments.

(Greg Sauer/Bronwyn Petrie)

Motion Carried Unanimously

(ITEM ENV8/20) LOCAL STRATEGIC PLANNING STATEMENT

SUMMARY

The purpose of this report is to present to Council the Draft Tenterfield Local Strategic Planning Statement (LSPS) for endorsement and proceed to community consultation in accordance with the *Environmental Planning & Assessment Act, 1979*.

51/20

Resolved that Council:

- (1) Place the Tenterfield Draft Local Strategic Planning Statement on public exhibition for a period of twenty eight (28) days; and

- (2) Adopt the Local Strategic Planning Statement at the conclusion of the exhibition period, if no submissions are received; or
- (3) Consider any submissions received and amend the plan as necessary prior to adoption.

(Gary Verri/John Macnish)

Motion Carried

Cr Gary Verri registered a vote against the motion.

Manager Planning & Development Services, Tamai Davidson, left the meeting, the time being 10.33 am.

(ITEM ENV9/20) PURCHASE OF NEW WALKER MOWER

SUMMARY

The purpose of the report is to request approval for purchase of a Walker Catcher Mower to replace Council's current Toro 42" zero turn mower (unit 341) which will increase productivity, provide greater capacity and diversity with optional attachments. This transition represents an increase in asset value.

52/20

Resolved that Council purchase a Walker Diesel Catcher Mower and blower attachment at a cost of \$50,000 and notes a future adjustment in the Quarterly Budget Review.

(Tom Peters/Bob Rogan)

Motion Carried

OUR GOVERNANCE

(ITEM GOV15/20) ENDORSEMENT – MOTIONS FOR CONSIDERATION BY AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) BOARD

SUMMARY

The purpose of this report is for Council to endorse the motions submitted for consideration by the ALGA Board following cancellation of the 2020 National General Assembly.

RECOMMENDATION

That Council endorse the following motions for consideration by the Australian Local Government Association (ALGA) Board following cancellation of the 2020 National General Assembly of Local Government.

- (a) That ALGA support cultural burning on Crown Lands, National Parks and Forestry Corporation held lands in every State of Australia, and the training and employment of indigenous people to carry out this important task.
- (b) That ALGA advocate for the State and Federal Governments to increase funding for pasture research to assist in drought proofing Australia.
- (c) That ALGA support Regional Development Australia Committees (RDAs) in lobbying the NSW State Government and others to develop a funded business case for measures to increase migration from metropolitan and overseas locations to regional communities, where latent infrastructure

capacities, employment opportunities, quality of life and reduced costs of living remain undervalued in target markets.

(Greg Sauer/Gary Verri)

AMENDMENT

That the following amendments be made:

- Item (b) – delete Corporation;
- Item (c) – delete NSW and add plural to Government

(Bronwyn Petrie/Gary Verri)

Amendment Carried

53/20

Resolved that Council endorse the following motions for consideration by the Australian Local Government Association (ALGA) Board following cancellation of the 2020 National General Assembly of Local Government.

(b) That ALGA support cultural burning on Crown Lands, National Parks and Forestry held lands in every State of Australia, and the training and employment of indigenous people to carry out this important task.

(b) That ALGA advocate for the State and Federal Governments to increase funding for pasture research to assist in drought proofing Australia.

(c) That ALGA support Regional Development Australia Committees (RDAs) in lobbying the State Governments and others to develop a funded business case for measures to increase migration from metropolitan and overseas locations to regional communities, where latent infrastructure capacities, employment opportunities, quality of life and reduced costs of living remain undervalued in target markets.

(Greg Sauer/Gary Verri)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford, entered the meeting, the time being 10.47 am.

(ITEM GOV16/20) OPERATIONAL PLAN 2019/2020 – 6 MONTH DELIVERY PROGRAM REPORT TO 31 DECEMBER 2019

SUMMARY

The purpose of this report is to provide a 6 month summary to Council of delivery of actions in the Operational Plan 2019/2020 to 31 December 2019.

54/20

Resolved that Council notes the delivery of actions in the Tenterfield Shire Council Delivery Program 2017-2021 and Operational Plan 2019/2020.

(John Macnish/Bronwyn Petrie)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford, left the meeting, the time being 10.50 am.

(ITEM GOV17/20) JOINT ORGANISATION MEMBERSHIP FOR THE 2020/21 FINANCIAL YEAR

SUMMARY

The purpose of this report is to update Council on the New England Joint Organisation of Council's (NEJO) membership fees for 2020/21 and for Council to determine whether to pay them and continue to be a member of this Organisation moving forward.

55/20

Resolved that Council:

- (1) Considers its membership of the NEJO for 2020/21 given that NEJO have voted unanimously for Tenterfield Shire Council's membership fee to be \$13,180 for 2020/21;
- (2) Accepts the membership fee for 2020/21 as advised by the NEJO and that \$13,180 be incorporated into the 2020/21 Annual Budget; and
- (3) That membership of the NEJO be reviewed annually based on an analysis of the benefits membership brings versus any additional membership costs in the future.

(Gary Verri/Michael Petrie)

Motion Carried

Councillors Gary Verri, Bob Rogan and Tom Peters recorded a vote against the motion.

(ITEM GOV18/20) FINANCE & ACCOUNTS – PERIOD ENDED 29 FEBRUARY 2020

SUMMARY

The purpose of this report is for the Responsible Accounting Officer to provide, in accordance with Clause 212 of the Local Government (General) Regulation 2005 a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

56/20

Resolved that Council receive and note the Finance and Accounts Report for the period ended 29 February 2020.

(Bob Rogan/Gary Verri)

Motion Carried

PROCEDURAL MOTION

57/20

Resolved that three (3) financial reports Item GOV19/20 – Finance & Accounts – Period Ended 31 March 2020, Item GOV20/20 – Capital Expenditure Report as at 29 February 2020, and Item GOV21/20 – Capital Expenditure Report as at 31 March 2020 be adopted together.

(Gary Verri/Tom Peters)

Motion Carried

(ITEM GOV19/20) FINANCE & ACCOUNTS – PERIOD ENDED 31 MARCH 2020

SUMMARY

The purpose of this report is for the Responsible Accounting Officer to provide, in accordance with Clause 212 of the Local Government (General) Regulation 2005 a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

57/20 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 March 2020.

(Gary Verri/Tom Peters)

Motion Carried

(ITEM GOV20/20) CAPITAL EXPENDITURE REPORT AS AT 29 FEBRUARY 2020

SUMMARY

The purpose of this report is to show the progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

57/20 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 29 February 2020.

(Gary Verri/Tom Peters)

Motion Carried

(ITEM GOV21/20) CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 2020

SUMMARY

The purpose of this report is to show the progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

57/20 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 March 2020.

(Gary Verri/Tom Peters)

Motion Carried

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC9/20) REPORTS OF COMMITTEES & DELEGATES – AUDIT & RISK COMMITTEE MEETING – 4 MARCH 2020

SUMMARY

A meeting of the Audit & Risk Committee was held via teleconference on Wednesday, 4 March 2020.

58/20 Resolved that the report of the Audit & Risk Committee Meeting of 4 March 2020 be received and noted.

(Donald Forbes/Bob Rogan)

Motion Carried

(ITEM RC10/20) REPORTS OF COMMITTEES & DELEGATES – TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE – 5 MARCH 2020

SUMMARY

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 5 March 2020.

59/20 Resolved that the report and recommendations from the Tenterfield Shire Local Traffic Committee meeting of 5 March 2020 be received and noted.

(Gary Verri/Bob Rogan)

Motion Carried

(ITEM RC11/20) REPORTS OF COMMITTEES & DELEGATES – COUNTRY MAYORS' ASSOCIATION OF NSW – 6 MARCH 2020

SUMMARY

A General Meeting of the Country Mayors' Association of NSW was held on Friday, 6 March 2020 at Parliament House, Sydney.

60/20 Resolved that the report of the Country Mayors' Association of NSW meeting of 6 March 2020 be received and noted.

(Peter Petty/John Macnish)

Motion Carried

(ITEM RC12/20) REPORTS OF COMMITTEES & DELEGATES – MURRAY DARLING ASSOCIATION STRATEGIC PLANNING WORKSHOP – 12 & 13 MARCH 2020

SUMMARY

The Murray Darling Association held a Strategic Planning Workshop at Moama on Thursday, 12 and Friday, 13 March 2020. The Workshop was attended by Councillor Don Forbes with an apology submitted by Deputy Mayor Greg Sauer.

RECOMMENDATION

That the report of the Murray Darling Association Strategic Planning Workshop held 12 & 13 March 2020 be received and noted.

(Don Forbes/Greg Sauer)

AMENDMENT

New Item 2 – That from Council's three (3) delegates on the Murray Darling Association Inc, Council only endorse one (1) to be on the Committee.

(Greg Sauer/Tom Peters)

Amendment Carried

61/20

Resolved that:

- (1) The report of the Murray Darling Association Strategic Planning Workshop held 12 & 13 March 2020 be received and noted.
- (2) From Council's three (3) delegates on the Murray Darling Association Inc, Council only endorse one (1) to be on the Committee; and
- (3) Tenterfield Shire Council endorses the nomination of Cr Greg Sauer as a member of the Murray Darling Association Inc Executive.

(Greg Sauer/Tom Peters)

Motion Carried

(ITEM RC13/20) REPORTS OF COMMITTEES & DELEGATES – MURRAY DARLING ASSOCIATION – 20 FEBRUARY 2020

SUMMARY

A meeting of the Murray Darling Association was held on Thursday, 20 February 2020. Deputy Mayor Greg Sauer attended via teleconference.

62/20

Resolved that the report and recommendations from the Murray Darling Association meeting of 20 February 2020 be received and noted.

(Greg Sauer/Gary Verri)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES3/20) COUNCIL RESOLUTION REGISTER – APRIL 2020

SUMMARY

The purpose of this report is to provide a standing monthly report to the Ordinary Meeting of Council that outlines all resolutions of Council previously adopted and yet to be finalised.

63/20

Resolved that Council notes the status of the Council Resolution Register to April 2020.

(John Macnish/Gary Verri)

Motion Carried

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 11.45 am.

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Councillor Peter Petty
Mayor/Chairperson