



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL WEDNESDAY 27 MARCH 2019

MINUTES OF THE **Ordinary Council** OF TENTERFIELD SHIRE held at the Wallangarra/Jennings School of Arts on Wednesday, 27 March 2019 commencing at 9.30 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)
Admin & Web Assistant (Sarah Jarrett)
Acting Chief Corporate Officer (Tamai Davidson)
Chief Operating Officer (Andre Kompler)

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.

A handwritten signature in black ink, appearing to be 'R. Sauer', is written over the bottom right portion of the page.

OPENING AND WELCOME

In opening the meeting, Mayor Peter Petty thanked the members of the Wallangarra/Jennings Progress Association for hosting the Ordinary Council Meeting.

The Mayor advised the meeting that Janelle Saffin MP was visiting Tenterfield today and he invited her to come along to this Ordinary Council Meeting.

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 both past and present of the Jukemba, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

Nil.

DISCLOSURE & DECLARATIONS OF INTEREST

35/19 **Resolved** that Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

Name	Type	Item
Cr Bob Rogan	Less than Significant Non Pecuniary – President of Archery Club	GOV 10/19 – Monthly Operational Report – February 2019

(Bronwyn Petrie/Tom Peters)

Motion Carried

(ITEM MIN2/19) CONFIRMATION OF PREVIOUS MINUTES

36/19 **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting held on Wednesday, 27 February 2019

as typed and circulated, be confirmed and signed as a true record of the proceedings of those meetings.

(Michael Petrie/Greg Sauer)

Motion Carried



TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil.

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil.

MAYORAL MINUTE

Nil.

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

- 37/19** **Resolved** that Confidential Attachments 11 and 12 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.

(Bronwyn Petrie/Tom Peters)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM4/19) ANZAC DAY ARRANGEMENTS - THURSDAY, 25 APRIL 2019

SUMMARY

The purpose of this report is to provide information for Council's consideration regarding arrangements for Anzac Day, Thursday 25 April 2019.

- 38/19** **Resolved** that:

- (1) In accordance with Council Minute 208/04, Council's representative at Anzac Day Ceremonies throughout the Shire will lay a wreath or present a book as per the requirements of the local organisers; and
- (2) Councillors be allocated to attend the services around the Shire as follows:
 - (a) The Mayor, Cr Peter Petty at the Tenterfield Dawn Service and Morning Service;
 - (b) Councillor Peters at the Dawn Service in Torrington;
 - (c) Councillor Verri at the Legume Service;
 - (d) Councillor Verri at the Urbenville Service;
 - (e) Councillor Murray at the Jennings Service;

- (f) Councillor B Petrie & Councillor Macnish at the Drake Service;
- (g) Councillor Rogan at the Liston Service; and
- (h) Councillor Petty at the Mingoola Service.

(Brian Murray/Gary Verri)

Motion Carried

OUR ECONOMY

(ITEM ECO4/19) 2019 BUSINESS & TOURISM EXCELLENCE AWARDS

SUMMARY

The purpose of this report is to provide an overview of the 2019 Business & Tourism Excellence Awards.

39/19

Resolved that Council:

- (1) Approve the 2019 Tenterfield Business & Tourism Excellence Awards being moved from August 2019 to November 2019; and
- (2) Review this situation in July 2019 to determine the best way forward; and
- (3) Review process to promote and widen participant level.

(Greg Sauer/Michael Petrie)

Motion Carried

OUR ENVIRONMENT

(ITEM ENV3/19) REQUEST FOR SUPPORT - RESEARCH PROJECT ON UPPER DARLING RIVER AND LOCAL IMPACTS ON MOLE RIVER

SUMMARY

The purpose of this report is to obtain Council endorsement for a request of the Mole & Sovereign Water Users Association Inc for a research programme to be conducted on the Mole River by The Ian Potter Foundation and/or The Myer Foundation.

40/19

Resolved that Council, following adoption of Notice of Motion – Unsustainability of Woody Vegetation – Resolution 23/19 at the February 2019 Ordinary Meeting, endorse the request of Mr Bob South, Chairman of the Mole & Sovereign Water Users Association Inc and give support to the request for a research programme to be conducted on the Mole River by The Ian Potter Foundation and/or The Myer Foundation.

(Bronwyn Petrie/Greg Sauer)

Motion Carried



(ITEM ENV5/19) TENTERFIELD WATER SECURITY AND CHANGE OF WATER RESTRICTIONS

SUMMARY

The purpose of this report is to bring about less demand on Tenterfield's water supply and outline what staff are doing in progressing additional back up plans, notwithstanding the existence of a Drought Management Plan.

41/19 **Resolved** that Council:

- (1) Introduce a new interim water classification of 4.5 to its Drought Management Plan which aims to pre-emptively reduce demand on the potable water supply through;
 - a. Tenterfield bulk water dispenser being available only for domestic supply in the Tenterfield Local Government Area.
 - b. Banning of Tenterfield bulk potable water cartage from Council's dispenser except for potable water carriers registered with Council who have tanks greater than 6 kilolitres. Council enter into purchase agreements to only dispense water to tanks connected to residences.
 - c. Fixed hoses banned (per existing Level 4).
 - d. Micro sprays/ garden watering systems- ½ hour/ day (5:30 to 6pm)
 - e. Hand held hoses- one per residence - ½ hour/ day (5:30 to 6pm)
 - f. Filling and topping up of pools and spas- banned (per existing Level 4)
 - g. Public gardens – potable water banned, but Council can use non potable treated STP water and appropriately signed water carts to help retain public green space trees and garden beds, but not ovals or public playing areas.
 - h. Sports grounds and show ground watering with potable water-banned
 - i. Market gardens- limited to sprinklers 1 hour/ day (5- 6pm)
 - j. Nurseries- limited to hand held hoses for 1 hour/ day (5-6pm) or as per item 1(d) Microsprays- ½ hour/ day (5 to 5:30pm)
 - k. All washing of motor vehicles, fountains and auto flush systems banned per existing Level 4 restrictions.
 - l. Ready mixed concrete- potable water use banned, but allowance will be made for possible access to non potable STP treated water for concrete production.
 - m. Stock troughs- automatic filling only until Apex Park bore is available after which autofilling of troughs is banned.
 - n. All water cartage from Council water sources is subject to Council approval
 - o. Other uses- subject to Council approval.
- (2) Note the 37% status of the Tenterfield Dam and the measures being taken by Council to lengthen the duration of Tenterfield's available water and mitigate prolonged drought impacts on town supply.

(Michael Petrie/Bob Rogan)

Motion Carried



OUR GOVERNANCE

(ITEM GOV9/19) ENDORSEMENT OF MOTION FOR SUBMISSION TO 2019 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

SUMMARY

The purpose of this report is to bring forward a motion for submission to the 2019 National General Assembly of Local Government for endorsement by Council.

- 42/19** **Resolved** that Council endorse the submission of the following motion for debate to the 2019 National General Assembly of Local Government.

"That the Australian Local Government Association advocate on behalf of Local Government that the drought affecting most of the country be escalated to Natural Disaster status, thus facilitating Disaster Recovery finance arrangements to be enacted."

(Gary Verri/Greg Sauer)

Motion Carried

(ITEM GOV10/19) MONTHLY OPERATIONAL REPORT - FEBRUARY 2019

SUMMARY

The purpose of this report is to provide a standing monthly report to the Ordinary Meeting of Council that demonstrates staff accountabilities and actions taken against Council's 2018/2019 Operational Plan.

- 43/19** **Resolved** that Council receives and notes the status of the Monthly Operational Report for February 2019.

(Greg Sauer/Brian Murray)

Motion Carried

Councillor Michael Petrie, left the meeting the time being 10.30 am.

Councillor Michael Petrie, returned to the meeting the time being 10.35 am.

SUSPENSION OF STANDING ORDERS

- 44/19** **Resolved** that Standing Orders be suspended.

(Brian Murray/Michael Petrie)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.44 am.

The Meeting reconvened with the same members present and with the addition of Erika Bursford, Manager Customer Service, Governance & Records and Paul Della, Manager Finance & Technology, the time being 11.01 am.



RESUMPTION OF STANDING ORDERS

45/19 **Resolved** that Standing Orders be resumed.

(Bob Rogan/Tom Peters)

Motion Carried

(ITEM GOV11/19) OPERATIONAL PLAN 2018/2019 - REPORT TO 31 DECEMBER 2018

SUMMARY

The purpose of this report is to provide a summary to Council of delivery of actions in the Operational Plan 2018/2019 to 31 December 2018.

46/19 **Resolved** that Council notes the delivery of actions in the Tenterfield Shire Council Delivery Program 2017-2021 and Operational Plan 2018/2019.

(Brian Murray/Michael Petrie)

Motion Carried

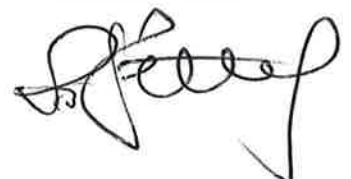
(ITEM GOV12/19) DRAFT TENTERFIELD SHIRE COUNCIL CODE OF CONDUCT AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT 2018

SUMMARY

The purpose of this report is to advise Council that the 2018 Model Code of Conduct for Local Councils in NSW and the 2018 Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW were prescribed in the NSW *Local Government Act 1993* and *Local Government (General) Regulation 2005* on 14 December 2018. Council is required to place the 2018 Model Code of Conduct for Local Councils in NSW and the 2018 Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, as the Draft Tenterfield Shire Council Code of Conduct and Procedures for the Administration of the Code of Conduct, on public exhibition for 28 days for community comments. Council is then required to adopt the Code of Conduct and Procedures for Administration of the Code of Conduct within 6 months of prescription into the Act.

47/19 **Resolved** that Council:

- (1) Place the 2018 Model Code of Conduct for Local Councils in NSW, as the Draft Tenterfield Shire Council Code of Conduct 2018, on public exhibition for 28 days for community comment;
- (2) Place the 2018 Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, as the Draft Tenterfield Shire Council Procedures for the Administration of the Code of Conduct 2018, on public exhibition for 28 days for community comment, and
- (3) At the end of the public exhibition and community comment period, have the Tenterfield Shire Council Code of Conduct 2018 and Tenterfield Shire Council Procedures for the Administration for the Code of Conduct 2018



and any community comments presented back to Council for consideration and adoption.

(Greg Sauer/Michael Petrie)

Motion Carried

(ITEM GOV13/19) DRAFT TENTERFIELD SHIRE COUNCIL CODE OF MEETING PRACTICE 2018

SUMMARY

The purpose of this report is to advise Council that the 2018 Model Code of Meeting Practice for Local Councils in NSW was prescribed in the *NSW Local Government Act 1993* and *Local Government (General) Regulation 2005* on 14 December 2018. Council is required to place the 2018 Model Code of Meeting Practice for Local Councils in NSW, as the Draft Tenterfield Shire Council's Code of Meeting Practice, on public exhibition for 28 days for community comments. Council is then required to adopt the Code of Meeting Practice within 6 months of prescription into the Act.

48/19 **Resolved** that Council:

- (1) Place the 2018 Model Code of Meeting Practice for Local Councils in NSW, as the Draft Tenterfield Shire Council Code of Meeting Practice 2018, on public exhibition for 28 days, and
- (2) At the end of the public exhibition and community comment period, have the Tenterfield Shire Council Code of Meeting Practice 2018 and any community comments presented back to Council for consideration.

(Brian Murray/Bob Rogan)

Motion Carried

(ITEM GOV14/19) AGENCY INFORMATION GUIDE

SUMMARY

The purpose of this report is to enable Council to consider and adopt the updated Tenterfield Shire Council Agency Information Guide, as required in accordance with the Government Information (Public Access) Act 2009 (GIPA).

49/19 **Resolved** that Council adopt the Tenterfield Shire Council Agency Information Guide 2019 in accordance with Section 21 of the Government Information (Public Access) Act 2009.

(Michael Petrie/Gary Verri)

Motion Carried

Erika Bursford, Manager Customer Service, Governance & Records, left the meeting, the time being 11.25 am.



(ITEM GOV15/19) FINANCE & ACCOUNTS - FEBRUARY 2019

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.

50/19 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 28 February 2019.

(Bob Rogan/Donald Forbes)

Motion Carried

(ITEM GOV16/19) CAPITAL EXPENDITURE REPORT AS AT 28 FEBRUARY 2019

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.

51/19 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 28 February 2019.

(Gary Verri/Bronwyn Petrie)

Motion Carried

(ITEM GOV17/19) ROADS TO RECOVERY FUNDING 2019/20 - 2023/24

SUMMARY

The purpose of this report is to:

1. Inform Council of a reduction in Roads to Recovery Funding of \$2.6M for the five year period ending 30 June 2024 compared to the five year funding period ending 30 June 2019;
2. Advise of Council's success in obtaining some alternative sources of grant funding particularly over the past few months of the 2018/19 Financial Year and provide a summary of this funding; and
3. Encourage further dialogue with relevant parties to achieve additional ongoing funding particularly for Infrastructure replacement/renewal in the future.

52/19 **Resolved** that Council:

- (1) Note the lower level of Roads to Recovery funding for the next five (5) year funding period from 1 July 2019 to 30 June 2024, ie \$2.007M short on the current Long Term Financial Plan;
- (2) Raise the issue of future additional and ongoing infrastructure funding for Councils with the New England Joint Organisation (NEJO), Local Government NSW (LGNSW) and the Australian Local Government



Association (ALGA) with a view to obtaining greater certainty for Councils in this space and not have them dictated by ad hoc funding;

- (3) Individually, and together with NEJO, LGNSW, Cross Border Commissioner and ALGA, also raise this matter with relevant Federal and State Ministers/Members of Parliament to lobby for additional ongoing infrastructure funding for Councils;
- (4) Note level of service programs will have to take an adjustment if advocacy is to no avail.

(Greg Sauer/Brian Murray)

Motion Carried

(ITEM GOV18/19) UPGRADE TO COUNCIL'S WIRELESS INFRASTRUCTURE

SUMMARY

The purpose of this report is to request approval to urgently upgrade Council's Wireless Infrastructure Network at a cost of approximately \$200,000, to be funded from internally restricted cash reserves and to use exemptions under the Local Government Act to waive tender requirements on this occasion to enter into a contract with Northern Communications to undertake this work.

53/19 Resolved that Council:

- (1) Enters into a contract with Northern Communications for the quoted amount of \$166,000 (rounded) to urgently upgrade Council's Wireless Infrastructure Network; and
- (2) Provides a total overall budget of up to \$200,000 be allocated for the purpose of completing this upgrade to Council's Wireless Infrastructure Network (which also includes some additional electrical work that is required, and contingency funds); and
- (3) Invokes the provisions of sections 55(3) (i) and (k) of the Local Government Act 1993, which allows exemptions in certain circumstances to Councils from having to follow normal tender requirements. In this case the reasons Council seeks to claim an exemption from the requirement to tender to engage Northern Communications for this contract are twofold:
 - (a) It is being made as a result of extenuating circumstances and where a satisfactory quick result would not be achieved by inviting tenders; and
 - (b) It is being made due to an emergency – staff productivity is being impacted by having wireless technology that no longer meets Council's operational requirements.

(Greg Sauer/Brian Murray)

Motion Carried



REPORTS OF DELEGATES & COMMITTEES

(ITEM RC3/19) REPORTS OF COMMITTEES & DELEGATES - NATIONAL TIMBER COUNCILS ASSOCIATION ANNUAL GENERAL MEETING - 6 DECEMBER 2018

54/19 **Resolved**

- (1) That the report of the National Timber Councils Association Annual General Meeting be received and noted; and
- (2) That Council approve the attendance of Council delegates Cr Bronwyn Petrie and Cr Michael Petrie at the National Timber Councils Association meeting in Canberra on Monday, 17 June 2019.

(Bronwyn Petrie/John Macnish)

Motion Carried

SUSPENSION OF STANDING ORDERS

55/19 **Resolved** that Standing Orders be suspended.

(Greg Sauer/John Macnish)

Motion Carried

The Meeting adjourned for lunch, the time being 11.55 am.

The Mayor invited Ms Janelle Saffin MP, to speak with the Councillors and to then join Councillors and Staff for lunch.

The Meeting reconvened with the same members present, the time being 12.53 pm.

The Mayor thanked the Wallangarra/Jennings Progress Association ladies for a lovely lunch and morning tea.

The Mayor also welcomed Mr Ross O'Shea, Chair for the Emergency Recovery Team to the meeting. Mr O'Shea has been working with the community after the fire disaster.

RESUMPTION OF STANDING ORDERS

56/19 **Resolved** that Standing Orders be resumed.

(Bronwyn Petrie/Bob Rogan)

Motion Carried



(ITEM RC4/19) REPORTS OF COMMITTEES & DELEGATES - DISABILITY, INCLUSION & ACCESS ADVISORY COMMITTEE - ACCESSIBILITY WALK IN TENTERFIELD CBD - 12 FEBRUARY & 11 MARCH 2019

57/19 **Resolved** that:

- (1) The report from the Disability, Inclusion & Access Advisory Committee be received and noted; and further
- (2) The Questions as listed in the report be investigated by Council staff and reported back to the Committee.

(Bob Rogan/Donald Forbes)

Motion Carried

(ITEM RC5/19) REPORTS OF COMMITTEES & DELEGATES - SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS JOINT MANAGEMENT COMMITTEE - 14 MARCH 2019

58/19 **Resolved** that:

- (1) The report from the Sir Henry Parkes Memorial School of Arts meeting of 14 March 2019 be received and noted; and
- (2) The draft Terms of Reference for the Sir Henry Parkes Memorial School of Arts be adopted as amended.

(Greg Sauer/Brian Murray)

Motion Carried

Chief Executive, Terry Dodds noted a minor change to be made in the Sir Henry Parkes Memorial School of Arts Joint Management Committee Meeting Draft Terms of Reference on page 5 of 6 (dot point p) at the end of the sentence add 'and or as amended'.

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES2/19) COUNCIL RESOLUTION REGISTER - MARCH 2019

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.

59/19 **Resolved** that Council notes the status of the Council Resolution Register to March 2019.

(Michael Petrie/Tom Peters)

Motion Carried



Deputy Mayor Greg Sauer requested that a section be added to the Resolution Register with a column for 'Questions taken on Notice' – Chief Executive, Terry Dodds said this is not a problem but would be more suited to be added to the Operational Report not the Resolution Register.

Councillor Don Forbes requested that a letter be sent to Tenterfield Rotary Club, thanking them for all of their efforts involved in the 2019 Bavarian Beerfest Festival.

CONFIDENTIAL BUSINESS

Nil.

PUBLIC FORUM – 1.30 pm

As per Council Policy regarding Council Meetings outside of Tenterfield town, the Mayor invited members of the public to raise issues with Councillors and Council staff.

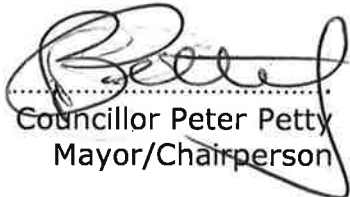
Brendan Cusack – Jennings

- Railway Line drain that is between the train line on the Jennings side – something needs to be done, so water can get away.
- Sunnyside Railway Bridge – It is falling down, something needs to be done about it. Mr Cusack has spoken with John Holland Group about this bridge in the past.
- Signage – Need to look at changing the words on the sign coming into Jennings. There is no mention of Jennings at all. Could we please get it changed to *Tenterfield Shire* or *Wallangarra/Jennings* as there is a lot of angst in the town of Jennings about the sign. *(Councillor Bronwyn Petrie foreshadowed a Notice of Motion to the next Council Meeting in this regard).*
- Wallangarra Transfer Station – Wondering where this is up to for residents of Jennings to access this Transfer Station.

The Mayor thanked the Public Gallery for their attendance at the meeting.

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 1.48 pm.


Councillor Peter Petty
Mayor/Chairperson

