



**QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE**

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 24 JULY 2019**

MINUTES OF THE **Ordinary Council** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday 24 July 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 Michael Petrie  
Councillor Bob Rogan  
Councillor Gary Verri

### **ALSO IN ATTENDANCE**

Chief Executive (Terry Dodds)  
Executive Assistant & Media (Noelene Hyde)  
Actg Chief Corporate Officer (Paul Della)  
Actg Director Engineering/Infrastructure (Fiona Keneally)

*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 meeting is being live streamed and 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**

### **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**

Councillor Bronwyn Petrie absent – no apology or leave of absence request received.

### **DISCLOSURE & DECLARATIONS OF INTEREST**

That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

<b>Name</b>	<b>Type</b>	<b>Item</b>	<b>Action</b>
Cr Gary Verri	Less than Significant Non Pecuniary – Uses the Service	ENV11/19 – Mt Lindesay Road Waste Collection Service 2019	Will remain in the Chamber and vote

## **(ITEM MIN6/19) CONFIRMATION OF PREVIOUS MINUTES**

**131/19**

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

- Ordinary Council Meeting – 26 June 2019

as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

(Greg Sauer/Brian Murray)

**Motion Carried**

## **TABLING OF DOCUMENTS**

Nil.

## **URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS**

Nil.

## **COMMUNITY CONSULTATION (PUBLIC ACCESS)**

### **Item ENV11/19 – Mt Lindesay Road Waste Collection Service 2019**

- Mr Jeff McKillop – speaking against the mandatory introduction of the Mt Lindesay Road Waste Collection Service.

### **Item RC15/19 – Reports of Committees & Delegates – Tourism Advisory Committee (Tenterfield Meeting) – 3 July 2019**

- Mr Peter Robinson – speaking in support of tourism strategies throughout the Shire.

## **MAYORAL MINUTES**

## **(ITEM MM6/19) FUNDING OF HELICOPTER LANDING PADS**

### **SUMMARY**

I, Councillor Peter Petty hereby move the following Mayoral Minute at the Ordinary Council Meeting held on Wednesday, 24 July 2019.

**132/19**

**Resolved** that Council:

- (1) Seek Government funding for helicopter landing pads not only in Tenterfield but also in our outlying villages to support safety for the new and heavier helicopters that are being used; and
- (2) Meet with the Westpac Helicopter Organisation to find out where these pads would need to be placed.

(Peter Petty/Bob Rogan)

**Motion Carried**

## **(ITEM MM7/19) SURVEY FOR WASTE BIN SERVICE - BRYANS GAP ROAD**

### **SUMMARY**

I, Councillor Peter Petty hereby move the following Mayoral Minute at the Ordinary Meeting held on Wednesday, 24 July 2019.

**133/19** **Resolved** that Council:

- (1) Undertakes a letter drop survey the entire length of Bryans Gap Road from the Bruxner Highway to Mt Lindesay Road to determine if a waste bin pick-up service is supported; and
- (2) That Council receive a report on outcomes and future proposed action.

(Peter Petty/Gary Verri)

### **Motion Carried**

## **RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION**

Nil.

## **OPEN COUNCIL REPORTS**

### ***OUR COMMUNITY***

*Manager Property & Buildings, Ms Heidi Ford, entered the meeting, the time being 10.00 am.*

## **(ITEM COM6/19) MINGOOLA WASTE TRANSFER STATION**

### **SUMMARY**

The purpose of this report is to seek Council approval for an area of approximately 10 hectares at the southern most end of Lot 7018 in DP 1075723 for the purpose of constructing Mingoola Waste Transfer Station.

**134/19** **Resolved** that Council:

- (1) Resolve to seek a Licence from the Minister for approximately 10 hectares at the southern most end of Lot 7018 in DP1075723 at Mingoola for the purpose of constructing a Waste Transfer Station; and
- (2) Authorise the Chief Executive to sign the Licence; and
- (3) Resolve to conduct investigations and processes to compulsorily acquire the Licenced area by way of subdivision.

(Greg Sauer/Bob Rogan)

### **Motion Carried**

Manager Property & Buildings, Ms Heidi Ford, left the meeting, the time being 10.03 am.

## **OUR ECONOMY**

### **(ITEM ECO12/19) PETER ALLEN FESTIVAL 2019 - ROAD CLOSURE**

#### **SUMMARY**

The purpose of this report is to discuss fees and charges for the closure of Rouse Street and sections of High Street on Saturday 7th September, during the 2019 Peter Allen Festival.

**135/19** **Resolved** that Council support the 2019 Peter Allen Festival by providing supplementary sponsorship to the value of \$2,952.99 and invoicing the Festival road closure costs of \$5,661.51 to satisfy the full fee of \$8,614.50 as per Fees and Charges 2019/2020.

(Brian Murray/Bob Rogan)

#### **Motion Carried**

### **(ITEM ECO13/19) FUNDING FOR BRIDGE OVER THE CLARENCE RIVER ON HOOTONS ROAD (ASSET ID 13345, BRIDGE NO. 61112)**

#### **SUMMARY**

The purpose of this report is to seek Council approval to part fund the replacement of the Bridge over the Clarence River on Hootons Road (Asset ID 13345, Bridge Number 61112).

**136/19** **Resolved** that Council:

- (1) Approve a payment of up to \$550,000 to Kyogle Council for the purpose of replacing the bridge over the Clarence River on Hootons Road (Asset ID 13345, Bridge Number 61112) subject to the design being satisfactory to the Tenterfield Shire Council's Director of Engineering/Infrastructure and on the condition that any cost overruns are borne by Kyogle Council.
- (2) That a request be made to Kyogle Council for Tenterfield Shire Council's Engineering Department to have a representative/s involved in the project.
- (3) That Council's contribution to this project be funded by:
  - a) A fixed or variable interest rate loan; or
  - b) Grant funding; or
  - c) Use of unrestricted cash; or
  - d) a combination of the above

at the determination of the Chief Executive on advice from the Manager Finance & Technology when the payment falls due to Kyogle Council (in recognition of the fact that some payments may not fall due

immediately).

- (4) That Council be kept up to date on the progress of this matter via Monthly Capital Expenditure Report.

(Donald Forbes/Michael Petrie)

**Motion Carried**

**SUSPENSION OF STANDING ORDERS**

- 137/19** **Resolved** that Standing Orders be suspended.

(Greg Sauer/Michael Petrie)

**Motion Carried**

*The Meeting adjourned to allow for a Citizenship Ceremony to be conducted which was followed by morning tea, the time being 10.21 am*

*The Meeting reconvened with the same members present, the time being 10.50 am.*

**RESUMPTION OF STANDING ORDERS**

- 138/19** **Resolved** that Standing Orders be resumed.

(Brian Murray/Gary Verri)

**Motion Carried**

*Cr John Macnish left the meeting, the time being 11.05 am.*

**OUR ENVIRONMENT**

**(ITEM ENV10/19) REVIEW OF NSW ENERGY FROM WASTE POLICY STATEMENT**

**SUMMARY**

The purpose of this report is to provide Council with information relating to a review of the NSW Energy from Waste Policy Statement conducted by Chief Executive Terry Dodds and Angus Witherby, Director of Planning & Community Development, Moree Plains Shire Council.

- 139/19** **Resolved** that Council receive and note the report.

(Greg Sauer/Michael Petrie)

**Motion Carried**

*Cr John Macnish returned to the meeting, the time being 11.08 am.*

*Technical Projects Engineer Water & Waste Management, Ms Melissa Blum, entered the meeting, the time being 11.09 am.*

## **(ITEM ENV11/19) MT LINDESAY ROAD WASTE COLLECTION SERVICE 2019 UPDATE**

### **SUMMARY**

The purpose of this report is to provide Council with further information to aid making a decision on whether to continue the Mt Lindesay Road Waste collection service or otherwise.

### **RECOMMENDATION**

That Council:

- (1) Continues the Mt Lindesay Waste Collection service - the service will be mandatory for those along the Mt Lindesay between the Boonoo Boonoo landfill and Urbenville (as well as the townships of Liston and Legume). If others off the road wish to use the service, they may do so if they take their wheelie bins to the Mt Lindesay Road, or;
- (2) Discontinue the service of the Mt Lindesay Waste Collection service - the service will not be available for those along the Mt Lindesay Road between the Boonoo Boonoo landfill and Urbenville. The service will be discontinued for Liston and Legume, or;
- (3) Continue with an opt-in waste collection service between the Boonoo Boonoo landfill and Urbenville (as well as the townships of Liston and Legume) on a permanent basis (business as usual).

(Brian Murray/Michael Petrie)

### **AMENDMENT**

That Council offer a twelve (12) month free waste collection service on the Mt Lindesay Road.

(Brian Murray/Not Seconded)

### **Motion Lapses**

### **AMENDMENT**

- (3) Continue with an opt-in waste collection service between the Boonoo Boonoo landfill and Urbenville (as well as the townships of Liston and Legume) (business as usual) and conduct a further review in two (2) years' time.

(Gary Verri/John Macnish)

### **Amendment Carried**

**140/19** **Resolved** that Council continue with an opt-in waste collection service on the Mt Lindesay Road between the Boonoo Boonoo landfill and Urbenville (as well as the townships of Liston and Legume) (business as usual) and conduct a further review in two (2) years' time.

(Brian Murray/Michael Petrie)

### **Motion Carried**

## **(ITEM ENV12/19) BOONOO BOONOO LANDFILL HYDROLOGY STUDY**

### **SUMMARY**

The purpose of this report is to provide Council with information about the hydrology of Cell 5 of Boonoo Boonoo Landfill.

**141/19** **Resolved** that Council receive and note the report.

(Gary Verri/Bob Rogan)

### **Motion Carried**

*Cr Donald Forbes left the meeting, the time being 11.44 am.*

## **(ITEM ENV13/19) BOONOO BOONOO LANDFILL - REVIEW OF ENVIRONMENTAL FACTORS (REF)**

### **SUMMARY**

The purpose of this report is to provide Council with information about the Review of Environmental Factors (REF) report relating to Boonoo Boonoo Landfill site.

**142/19** **Resolved** that Council receive and note the report.

(Greg Sauer/Michael Petrie)

### **Motion Carried**

*Technical Projects Engineer Water & Waste Management, Ms Melissa Blum, left the meeting, the time being 11.45 am.*

*Cr Donald Forbes returned to the meeting, the time being 11.48 am.*

## **OUR GOVERNANCE**

## **(ITEM GOV39/19) MONTHLY OPERATIONAL REPORT - JUNE 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.

**143/19** **Resolved** that Council receives and notes the status of the Monthly Operational Report for June 2019.

(Greg Sauer/Michael Petrie)

### **Motion Carried**



**(ITEM GOV40/19) DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD  
- 28 JULY 2019 TO 11 AUGUST 2019**

**SUMMARY**

The purpose of this report is for Council to approve temporary appointment and delegation arrangements for the leave period of the Chief Executive, Terry Dodds, being from Sunday 28 July 2019 to Sunday 11 August 2019 inclusive.

**144/19** **Resolved** that Council:

- (1) Approve the temporary appointment of Tenterfield Shire Council's Manager Planning & Development Services, Tamai Davidson, to the position of Acting Chief Executive for the period Sunday 28 July 2019 to Saturday 3 August 2019 inclusive;
- (2) Approve the temporary appointment of Tenterfield Shire Council's Chief Corporate Officer, Kylie Smith, to the position of Acting Chief Executive for the period Sunday 4 August 2019 to Sunday 11 August 2019 inclusive;
- (3) Subject to Section 377 of the NSW Local Government Act 1993, confer the delegations of Council to the Chief Executive on Council's Acting Chief Executive Tamai Davidson for the period Sunday 28 July 2019 to Saturday 3 August 2019 inclusive, and
- (4) Subject to Section 377 of the NSW Local Government Act 1993, confer the delegations of Council to the Chief Executive on Council's Acting Chief Executive Kylie Smith for the period Sunday 4 August 2019 to Sunday 11 August 2019 inclusive.

(Tom Peters/Gary Verri)

**Motion Carried**

**(ITEM GOV41/19) 2019 LOCAL GOVERNMENT NSW ANNUAL  
CONFERENCE - SUBMISSION OF MOTIONS**

**SUMMARY**

The purpose of this report is for Council to consider motions for submission to the 2019 Local Government NSW Annual Conference for inclusion in the Business Paper.

**145/19** **Resolved** that Council approve the following motions for submission to Local Government NSW for inclusion in the 2019 Annual Conference Business Paper.

- Motion 1 - That LGNSW seek support from the Australian Local Government Association (ALGA) to lobby the Federal Government for a further review of the Higher Education Loan Program (HELP), including, inter alia, the possible reduction or removal of the HELP liability for new graduates who secure employment in rural Council areas.
- Motion 2 - That LGNSW lobbies the NSW State Government to request that NSW National Parks & Wildlife Service, NSW Forestry Corporation and NSW Local Land Services, as a duty of care, undertake an increased level of park and forest fire management activities, including increased hazard reduction burns and increased numbers of dams and water

infrastructure points for firefighting purposes into the future.

(Greg Sauer/Bob Rogan)

**Motion Carried**

*Acting Manager Finance & Technology, Ms Penny Chisholm, entered the meeting, the time being 12.05 pm.*

**(ITEM GOV42/19) FINANCE & ACCOUNTS - PERIOD ENDED 30 JUNE 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.

**146/19** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 30 June 2019.

(Gary Verri/Tom Peters)

**Motion Carried**

**(ITEM GOV43/19) CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 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.

**147/19** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 30 June 2019.

(Greg Sauer/Michael Petrie)

**Motion Carried**

**(ITEM GOV44/19) REPORT ON LOAN BALANCES**

**SUMMARY**

The purpose of this report is to inform Council of its loan balances as at 30 June 2019.

**148/19** **Resolved** that Council notes the loan balance as at 30 June 2019 was \$10,055,186.18 (\$7,209,272.39 as at 31 March 2019).

(Brian Murray/Bob Rogan)

**Motion Carried**

*Acting Manager Finance & Technology, Ms Penny Chisholm, left the meeting, the time being 12.09 pm.*

## REPORTS OF DELEGATES & COMMITTEES

### (ITEM RC14/19) REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACE ADVISORY COMMITTEE - 20 JUNE 2019

#### SUMMARY

A meeting of the Parks, Gardens & Open Space Advisory Committee was held on Thursday, 20 June 2019.

**149/19** **Resolved** that the report and recommendations from the Parks, Gardens & Open Space Advisory Committee meeting of 20 June 2019 be received and noted.

(Brian Murray/Greg Sauer)

#### **Motion Carried**

### (ITEM RC15/19) REPORTS OF COMMITTEES & DELEGATES - TOURISM ADVISORY COMMITTEE (TENTERFIELD MEETING) - 3 JULY 2019

#### SUMMARY

A meeting of the Tourism Advisory Committee was held on Wednesday, 3 July 2019 in the Council Chamber, Tenterfield.

**150/19** **Resolved** that:

- (1) The report and recommendations from the Tourism Advisory Committee meeting of 3 July 2019 be received and noted; and
- (2) The Chief Executive be requested to have Council staff, in conjunction with the Tourism Advisory Committee, provide costings with regard to developing mountain biking services in the form of mapping, signage and marketing and that these costings be presented to the Tourism Advisory Committee; and
- (3) The Tourism Advisory Committee, together with Council staff, seek appropriate funding sources once an estimated cost has been established, to fund the development of mountain biking services in the form or mapping, signage and marketing.
- (4) Once costing and funding sources have been identified that they be presented to Council for approval, with the estimated cost and funding source to be included in the next available quarterly budget review together with details as to whether the work is to be outsourced to contractors or undertaken in-house by Council staff.

(Bob Rogan/Gary Verri)

#### **Motion Carried**

## NOTICES OF MOTION

Nil.

## RESOLUTION REGISTER

### (ITEM RES6/19) COUNCIL RESOLUTION REGISTER - JULY 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.

*The Mayor requested that Minutes of the Liquor Accord Meetings be submitted to Council in the future.*

**151/19** **Resolved** that Council notes the status of the Council Resolution Register to July 2019.

(Gary Verri/Michael Petrie)

**Motion Carried**

#### CONFIDENTIAL BUSINESS

Nil.

#### MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 12:26 pm.

.....  
Councillor Peter Petty  
Mayor/Chairperson