

UNCONFIRMED



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 24 APRIL 2019

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday 24 April 2019 commencing at 9.30 am

ATTENDANCE

Councillor Peter Petty (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)
Acting Executive Assistant & Media (Sarah Jarrett)
Chief Corporate Officer (Kylie Smith)
Manager of Asset & Program Planning (David Counsell)

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 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 Jukembal, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

60/19 **Resolved** that the apology of Councillor Greg Sauer (Deputy Mayor) be received and noted.

(Brian Murray/Gary Verri)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

Nil.

(ITEM MIN3/19) CONFIRMATION OF PREVIOUS MINUTES

61/19 **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting held on Wednesday, 27 March 2019

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

(Tom Peters/Bob Rogan)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

62/19 **Resolved** the Addendum Agenda containing Mayoral Minute MM5/19 be received and considered accordingly.

(Michael Petrie/Brian Murray)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil.

MAYORAL MINUTE

(ITEM MM3/19) MAYORAL MINUTE - NATIONAL PARKS & STATE FORESTS - REQUEST FOR INCREASED HAZARD REDUCTION AND WATER INFRASTRUCTURE

SUMMARY

I, Mayor Peter Petty intend to move the following Mayoral Minute with respect to hazard reduction and water infrastructure in the NSW National Parks and State Forests.

63/19 **Resolved** that Council:

- (1) Write to the Federal Member for New England, the State Member for Lismore and relevant Federal and State Department Ministers, requesting that NSW National Parks and Wildlife Service and Forestry Corporation and 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, and
- (2) That Council submit this same request to the NSW Country Mayors' Association as a Motion of Importance.

(Peter Petty/Gary Verri)

Motion Carried

(ITEM MM4/19) MAYORAL MINUTE - REQUEST UPGRADE - INTERSECTION OF OLD BALLANDEAN ROAD/BRUXNER WAY & NEW ENGLAND HIGHWAY

SUMMARY

I, Mayor Peter Petty intend to move the following Mayoral Minute relating to the Federal Government's announcement for funding of \$140 million for upgrading to the New England Highway – Tamworth to the Queensland Border.

64/19 **Resolved** that Council write to the Federal Member for New England, The Honorable Barnaby Joyce MP, to make him aware of the unsafe road intersection of Ballandean Road/BruXner Way and the New England Highway and request

that this section of the New England Highway be included as a priority in the announcement of funding of \$140m allocated to upgrades to the New England Highway from Tamworth to the Queensland Border.

(Peter Petty/Gary Verri)

Motion Carried

(ITEM MM5/19) MAYORAL MINUTE - JOIN ALGA'S CAMPAIGN FOR FAIRER FUNDING

SUMMARY

The Australian Local Government Association (ALGA) has launched a national campaign *A Fairer Share*, to advocate for more funding for local government and our communities. Council received a request to support the campaign on 17 April 2019 and Local Government NSW (LGNSW) have provided the following information to support their request.

FAGs are a vital part of the revenue base of all councils, and this year councils will receive \$2.4 billion from the Australian Government under this important program.

The value of the FAGs has been declining for more than 20 years. In 1996 the level of funding for the FAGs was equal to around 1% of Commonwealth Taxation Revenue but this has steadily fallen since 1996 under successive Federal Governments until it has reached a level now less than 0.55% of Commonwealth Taxation revenue. This decline was exacerbated by a three-year freeze on the indexation of FAGs from 2014-15 to 2016-17 which has cost local government an estimated \$925m in foregone FAGs funding.

FAGs are essential for many councils, particularly those in regional and remote areas of Australia which have very limited access to alternative revenue sources such as rates. These councils are dependent on the FAGs for the provision of infrastructure and services for their communities.

At the national level there has been an increasing level of demand from the community for local services and a growing expectation for a higher standard of services. This comes at the same time as cost shifting by state and territory governments onto local government continues to be a problem and state and territory governments in several states impose revenue restrictions on councils through rate capping.

The Australian Local Government Association has made the restoration of the FAGs and the provision of a Fairer Share for local communities a key election initiative and ALGA and the state and territory local government associations are seeking the support of Council for the campaign and asking Council to engage directly with local candidates in the Federal Election to seek their support for a Fairer share of Federal funding for our community.

The following Council Resolution has been provided by LGNSW for consideration to show support for the campaign.

65/19 **Resolved** that Council:

- (1) Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of council services and infrastructure;
- (2) Expresses its concern about the decline in the value of Financial Assistance Grants funding at the national level from an amount equal to around 1% of Commonwealth Taxation Revenue in 1996 to a current figure of around 0.55%.; and
- (3) Calls on all political parties contesting the 2019 Federal Election and their local candidates to support the Australian Local Government Association's call to restore the national value of Financial Assistance Grants funding to an amount equal to at least 1 % of Commonwealth Taxation revenue and therefore to provide a Fairer Share of Federal funding for our local communities.

(Peter Petty/Gary Verri)

Motion Carried

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

66/19 **Resolved** that the following matters be considered in the Confidential Section of the Meeting:

- (ITEM ECO6/19) - Livestock Selling Centre Truckwash and Loading Ramp 12-18/19
- (ITEM ECO7/19) - Purchase of Fabricated Bridge Framework

(Bronwyn Petrie/Tom Peters)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

OUR ECONOMY

(ITEM ECO5/19) TIMBER BRIDGES UPDATE

SUMMARY

The purpose of this report is to advise Council on the outcome of structural inspections and reporting on the balance of Council's timber bridge inventory along with a way forward.

67/19 **Resolved** that Council:

- (1) Notes out the balance of Council's timber bridge inventory that had no prior level 3 structural inspection, engineers independent of Council suggested the implementation of load limits on 20 bridges across the TSC road network over and above what already is load limited. These recommendations related to current conditions and no long term maintenance; and
- (2) Endorse the non-application of load limits for up to 24 months based on risk management of the impaired bridges via;
 - a. Load testing of structures where load limits of less than 10T have been recommended, to confirm deflections and allowable load.
 - b. Application of 10km/hr speed signage and speed bumps ahead of bridges for which a load limit was recommended in engineering reports as determined safe by Engineering Department.
 - c. Increased frequency of level 2 bridge condition inspections to once every 4 months for all structures for which a load limit was recommended in engineering reports.
 - d. Per the engineering reports, carry out required maintenance over a 2 year period and or equivalent cost effective interim solutions that effectively will strengthen structures to carry envisaged T44 loading for the next 10-15 years until timber bridges can be replaced.
 - e. Redo level 3 inspections after 2 years on any structure having a prior load limit recommendation that has not already been upgraded.

(Bronwyn Petrie/Michael Petrie)

Motion Carried

OUR ENVIRONMENT

Nil.

OUR GOVERNANCE

(ITEM GOV19/19) MONTHLY OPERATIONAL REPORT - MARCH 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.

68/19 **Resolved** that Council receives and notes the status of the Monthly Operational Report for March 2019.

(Gary Verri/Bob Rogan)

Motion Carried

Councillor Michael Petrie, left the meeting, the time being 10.43am

Councillor Michael Petrie, returned to the meeting, the time being 10.45am.

SUSPENSION OF STANDING ORDERS

69/19 **Resolved** that Standing Orders be suspended.

(Gary Verri/Bob Rogan)

Motion Carried

The Meeting adjourned for morning tea, the time being 10.47 am.

The Meeting reconvened with the same members present and with the addition of Erika Bursford, Manager Customer Service, Governance & Records, the time being 11.08 am.

RESUMPTION OF STANDING ORDERS

70/19 **Resolved** that Standing Orders be resumed.

(Brian Murray/Bob Rogan)

Motion Carried

(ITEM GOV20/19) OPERATIONAL PLAN 2019/2020

SUMMARY

The purpose of this report is for Council to adopt the Tenterfield Shire Council Operational Plan 2019/2020, pending submissions following public exhibition from 24 April 2019 to 22 May 2019, for inclusion with the current Tenterfield Shire Council Delivery Program 2017/2021.

71/19 **Resolved** that Council:

- (1) Place the draft Tenterfield Shire Council Operational Plan 2019/2020 on public exhibition for 28 days for community review and comment, and
- (2) That a further report be brought back to Council for adoption of the Tenterfield Shire Operational Plan 2019/2020.

(Michael Petrie/Bronwyn Petrie)

Motion Carried

Erika Bursford, Manager Customer Service, Governance & Records, left the meeting the time being 11.44 am.

Paul Della, Manager Finance & Technology entered the meeting, the time being 11.44 am.

(ITEM GOV21/19) FINANCE & ACCOUNTS - MARCH 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.

72/19 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 March 2019.
(Gary Verri/Brian Murray)

Motion Carried

(ITEM GOV22/19) CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 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.

73/19 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 March 2019.
(Bronwyn Petrie/Bob Rogan)

Motion Carried

Paul Della, Manager Finance & Technology left the meeting, the time being, 11.46am.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC6/19) REPORTS OF COMMITTEES & DELEGATES - NEW ENGLAND JOINT ORGANISATION OF COUNCILS (NEJO) - MONDAY, 25 FEBRUARY 2019

74/19 **Resolved** that the report of the New England Joint Organisation of Councils (NEJO) meeting of 25 February 2019 be received and noted.
(Peter Petty/Michael Petrie)

Motion Carried

(ITEM RC7/19) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE MEETING - WEDNESDAY, 6 MARCH 2019

75/19 **Resolved** that the report of the Audit & Risk Committee meeting of 6 March 2019 be received and noted.
(Donald Forbes/Bob Rogan)

Motion Carried

(ITEM RC8/19) REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACE ADVISORY COMMITTEE - THURSDAY, 21 MARCH 2019

76/19 **Resolved** that the report of the Parks, Gardens & Open Space Advisory Committee held on 21 March 2019 be received and noted.
(Brian Murray/Gary Verri)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES3/19) COUNCIL RESOLUTION REGISTER - APRIL 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.

77/19 **Resolved** that Council notes the status of the Council Resolution Register to April 2019.

(Brian Murray/Bronwyn Petrie)

Motion Carried

CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

78/19 **Resolved** that Standing Orders be suspended and;

- 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.

(Gary Verri/Brian Murray)

Motion Carried

The doors were closed to the public, the recording device turned off and the Meeting moved into Closed Committee, the time being 12.05 pm.

(ITEM ECO6/19) LIVESTOCK SELLING CENTRE TRUCKWASH AND LOADING RAMP 12-18/19

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 information relating to the Request for Tender (RFT) 12-18/19 for the Construction of Truck Wash and

Loading Ramp at the Tenterfield Livestock Selling Centre and a recommendation with respect to tender submissions.

79/19 **Resolved** that Council resolve not to accept the tender submission received and explore and report on other ways to deliver the project/s.

(Michael Petrie/Bob Rogan)

Motion Carried

(ITEM ECO7/19) PURCHASE OF FABRICATED BRIDGE FRAMEWORK

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 recommend the purchase of three fabricated bridge frameworks to use in the replacement of existing timber bridge structures.

80/19 **Resolved** that Council resolve to purchase three fabricated bridge framework structures from InQuik for use in replacing existing timber bridges to the value of \$277,500 plus GST.

(Michael Petrie/Bronwyn Petrie)

Motion Carried

RESUMPTION OF STANDING ORDERS

81/19 **Resolved** that Standing Orders be resumed.

(Brian Murray/Tom Peters)

Motion Carried

The Meeting moved out of Closed Committee, the doors were opened to the public and the recording device switched on, the time being 1.20 pm.

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

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 1.21 pm.

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Councillor Peter Petty
Mayor/Chairperson