



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 18 APRIL 2018

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday, 18 April 2018 commencing at 9.30 am.

ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Chief Corporate Officer (Kylie Smith)

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 read 'Peter Petty', is located in the bottom right corner of the page. The signature is written over a dark red background.

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

APOLOGIES

Noted that Chief Operating Officer, Mr Andre Kompler was absent.

DISCLOSURE & DECLARATIONS OF INTEREST

56/18 **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	Action
Cr Bob Rogan	Non Pecuniary – Significant conflict of interest due to being a Member of Archery Club Management Committee	COM3/18 – Stronger Country Communities Grants	Left the Chamber and took no part in the discussion or voting on the matter.
Cr Gary Verri	Non Pecuniary – Less than Significant Conflict of Interest due to being a Financial	COM3/18 – Stronger Country Communities Grants	Remained in the Chamber, taking part in the discussion and voting on the



	Member of Liston Hall		matter.
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(Donald Forbes/Greg Sauer)

Motion Carried

CONFIRMATION OF PREVIOUS MINUTES

57/18 **Resolved** that the Minutes of the Council meeting held on Wednesday, 28 March 2018, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Brian Murray/Bob Rogan)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

58/18 **Resolved** that the Addendum Agenda with the following report be accepted by Council.

- Item GOV37/18 – Operational Plan 2018/2019

(Bronwyn Petrie/Michael Petrie)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Item GOV22/18 - Monthly Operational Report April 2018

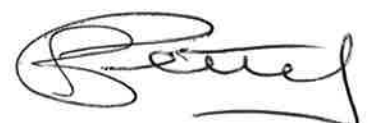
- Harry Bolton, Manager Economic Development & Community Engagement addressed the following sections of the Monthly Operational Report:
 - 3. Community Development
 - 4. Economic Growth and Tourism
 - 5. Theatre and Museum Complex
- Tamai Davidson, Senior Planner addressed the following section of the Monthly Operational Report:
 - 14. Planning and Regulation

MAYORAL MINUTE

(ITEM MM2/18) LIABILITY FOR DEPRECIATION OF RURAL FIRE SERVICE ASSETS

SUMMARY

The attachment (Attachment 1 Booklet 1) is to be referred to the May 2018 New England Group of Councils (NEGOC) for further discussion and outlines



Glen Innes Severn Council's position regarding the control of Rural Fire Service Assets.

It will be helpful for Council to have a resolved position for this meeting on Monday, 28 May 2018.

59/18

Resolved that:

- (1) Council adopts a firm position on the issue of Rural Fire Service assets, being that the Rural Fire Service Act 1997 should be amended to make it clear that control of its assets rests with the Rural Fire Service, and it should therefore have all assets relating to its activities on its Balance Sheet; and
- (2) Council refers its position, as noted in (1) above, to the New England Group of Councils (NEGOC), Local Government NSW and the Member for Lismore for further assistance in advocating for a change of the legislation and push for Rural Fire Service assets not to be recognised on the Balance Sheet of Local Councils' Annual Financial Reports.

(Peter Petty/Gary Verri)

Motion Carried

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

60/18

Resolved that the following item be considered in the Confidential Section of the meeting:

- Item COM5/18 - Tenterfield War Memorial Baths Operational Review.

(Bob Rogan/Brian Murray)

Motion Carried

OPEN COUNCIL REPORTS

Ms Kim Appleby (Corporate Projects Officer) and Mr Harry Bolton (Manager, Economic Development & Community Engagement) entered the meeting, the time being 9.58 am.

OUR COMMUNITY

(ITEM COM3/18) STRONGER COUNTRY COMMUNITIES GRANT PROGRAM

SUMMARY

The *Stronger Country Communities Fund* delivers local infrastructure to improve the quality of life for people in regional NSW. Funding is for projects such as parks, community halls, sports facilities, playgrounds and amenity blocks.

Round 2 is now open. This report requires Council to give consideration to those eligible projects that could be included in an application/s to be prepared and submitted, either for Council or on behalf of a Non-Council organisation.



RECOMMENDATION

That Council:

- (1) Determines the priority of local eligible projects for consideration by the NSW State Government in the current round of funding for the Stronger Country Communities Grant Program.
- (2) Prepares and submits an application/s in the Stronger Country Communities Grant Program.
- (3) Notifies the community of the Stronger Country Communities Grant Program application process outcome.

(Bob Rogan/Brian Murray)

Having declared a Non Pecuniary Interest, Cr Bob Rogan left the meeting, the time being 10.00 am.

SUSPENSION OF STANDING ORDERS - MOVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE

61/18 **Resolved** that 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

(Greg Sauer/John Macnish)

Motion Carried

The doors were closed to the public, the recording device turned off and the meeting moved in Closed Committee, the time being 10.07 am.

RESUMPTION OF STANDING ORDERS

62/18 **Resolved** that Standing Orders be resumed

(Gary Verri/Bronwyn Petrie)

Motion Carried

The Meeting moved out of Closed Committee, the doors were opened to the public and the recording device was switched on, the time being 10.45 am.

The Meeting adjourned for Morning Tea, the time being 10.46 am.

The Meeting reconvened with the same members present, with the exception of Cr Bob Rogan who, having declared an interest remained outside the Chamber, the time being 11.01 am.

SUSPENSION OF STANDING ORDERS

63/18 **Resolved** that Standing Orders be suspended.

(Greg Sauer/Brian Murray)

Motion Carried



ITEM COM3/18) STRONGER COUNTRY COMMUNITIES GRANT PROGRAM

Recommendation remains open for debate.

AMENDMENT

Replacement of Item (1) with the following, Items (2) and (3) to remain the same:

That Council's priority projects for the Stronger Country Communities Funding Round are as follows:

Community

- Tenterfield Town Centre Streetscape Improvements Stage II
- Major refurbishment to hall at Liston
- Toilets in the villages of Jennings, Legume, Urbenville and Tenterfield town
- Refurbishment of Tenterfield Memorial Hall
- Playground equipment and park upgrades for Urbenville and Drake
- Council resubmit the Round 1 application in this application for Round 2

Sporting

- Refurbishment of Tenterfield Memorial Hall
- Shirley Park Upgrades
- Archery Centre Facilities

(Gary Verri/Donald Forbes)

Amendment Carried

64/18

Resolved that:

(1) Council's priority projects for the Stronger Country Communities Funding Round are as follows:

Community

- Tenterfield Town Centre Streetscape Improvements Stage II
- Major refurbishment to hall at Liston
- Toilets in the villages of Jennings, Legume, Urbenville and Tenterfield town
- Refurbishment of Tenterfield Memorial Hall
- Playground equipment and park upgrades for Urbenville and Drake
- Council resubmit the Round 1 application in this application for Round 2

Sporting

- Refurbishment of Tenterfield Memorial Hall
- Shirley Park Upgrades
- Archery Centre Facilities

(2) Council prepares and submits an application/s in the Stronger Country Communities Grant Program.

(3) Council notifies the community of the Stronger Country Communities Grant Program application process outcome.

(Gary Verri/Donald Forbes)

Motion Carried

Cr Bob Rogan returned to the Chamber, the time being 12.29 pm.



Ms Kim Appleby (Corporate Projects Officer) and Mr Harry Bolton (Manager, Economic Development & Community Engagement) left the meeting, the time being 12.29 pm.

(ITEM COM4/18) 2.4 KM ROAD REALIGNMENT & CONSTRUCTION UPGRADE OF MT LINDESAY ROAD AT DALMAN NORTH (SLK 26.7-29.1) - ACQUISITION OF PART OF LOT 39 DP 751065

SUMMARY

This report will enable Council to proceed with the Acquisition of part of Lot 39 DP 751065 for road widening purposes in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

65/18 **Resolved** that Council:

- (1) Proceed with the acquisition of part of Lot 39 DP 751065 (935m²) for road widening purposes in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
- (2) Pay compensation of agreed value to the property owners of Lot 39 DP 751065 entitled to compensation by virtue of the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991.
- (3) Agree that all minerals are to be exempt from the acquisition of part of Lot 39 DP 751065.
- (4) Delegate authority to the Chief Executive or their delegate to execute any documents on behalf of Council.

(Michael Petrie/Donald Forbes)

Motion Carried

OUR ECONOMY

Nil.

OUR ENVIRONMENT

Nil.

OUR GOVERNANCE

(ITEM GOV22/18) MONTHLY OPERATIONAL REPORT - APRIL 2018

SUMMARY

The purpose of this report is to provide a standing monthly report to the Ordinary Council Meeting of Council that demonstrates staff accountabilities and actions taken against Council's 2017/2018 Operational Plan.

66/18 **Resolved** that Council notes the status of the Monthly Operational Report to April 2018.

(Brian Murray/Greg Sauer)

Motion Carried



(ITEM GOV23/18) JOINT ORGANISATION NOMINATION

SUMMARY

Council has previously resolved (Resolution 271/17) to become a member of a Joint Organisation and have submitted their nomination to the Minister for Local Government.

A request from Narrabri Shire Council to become a member of the same Joint Organisation has been received and a further resolution of Council is required to enable this to be considered by the Minister.

67/18

Resolved that for the purposes of the resolution passed by Tenterfield Shire Council on 20 December 2017 concerning the approval of Council's area being included in the Joint Organisation's area, that in addition to those Council areas prescribed in the previous resolution, these being:

- Armidale Regional Council, Glen Innes Severn Council, Gwydir Shire Council, Inverell Shire Council, Moree Plains Shire Council and Uralla Shire Council.

Council endorses the area of the Narrabri Shire Council being included in the area of the Joint Organisation.

(Brian Murray/Bob Rogan)

Motion Carried

Registering a vote against the motion were Cr G Sauer, Cr M Petrie, Cr D Forbes and Cr T Peters.

The Meeting adjourned for lunch, the time being 12.57 pm.

The Meeting reconvened with the same members present and the addition of Ms Erika Bursford, Actg Manager Customer Service, Governance & Records, the time being 1.34 pm.

(ITEM GOV24/18) LEGAL ACTIONS - 1 JANUARY 2018 TO 31 MARCH 2018

SUMMARY

The purpose of this report is to advise Council of any legal actions occurring or commencing against Council during January, February and March 2018.

68/18

Resolved that Council note the legal actions report for the period 1 January 2018 to 31 March 2018.

(Brian Murray/Michael Petrie)

Motion Carried

Ms Erika Bursford, Actg Manager Customer Service, Governance & Records left the meeting and Mr Paul Della, Manager Finance & Technology entered the meeting, the time being 1.36 pm.



(ITEM GOV25/18) FINANCE AND ACCOUNTS

SUMMARY

In accordance with Clause 212 of the Local Government (General) Regulation 2005 the Responsible Accounting Officer must provide 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.

69/18 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 March 2018.

(Greg Sauer/Bob Rogan)

Motion Carried

(ITEM GOV26/18) CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 2018

SUMMARY

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.

70/18 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 March 2018.

(Greg Sauer/Michael Petrie)

Motion Carried

(ITEM GOV27/18) REPORT ON LOAN BALANCES

SUMMARY

The purpose of this report is to inform Council of its loan balances.

71/18 **Resolved** that Council notes the loan balance as at 31 March 2018 was \$4,355,654.67.

(Bronwyn Petrie/Donald Forbes)

Motion Carried

(ITEM GOV37/18) OPERATIONAL PLAN 2018/2019

SUMMARY

The purpose of this report is to present to Council the draft Tenterfield Shire Council Operational Plan for 2018/2019 (circulated under separate cover), for inclusion with the current Tenterfield Shire Council Delivery Program 2017/2021.



RECOMMENDATION

- (1) That Council place the draft Tenterfield Shire Council Operational Plan 2018/2019 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 2018/2019.

(Brian Murray/Bronwyn Petrie)

AMENDMENT

Page 34 of the Fees & Charges, cost of Emergency NLIS tags be amended to \$10.00 each.

(John Macnish/Michael Petrie)

Amendment Carried

AMENDMENT

Page 68 – Operational Plan 2018/2019 – Add “Investigate the option of converting waste to energy during the development of the Strategic Business Plan.”

(Gary Verri/Bob Rogan)

Amendment Carried

72/18 Resolved that:

- (1) The following amendments be made to the draft Tenterfield Shire Council Operational Plan 2018/2019:
 - Page 34 of the Fees & Charges – cost of Emergency NLIS tags be amended to \$10.00 each;
 - Page 68 of the Operational Plan 2018/2019 – add “Investigate the option of converting waste to energy during the development of the Strategic Business Plan”.
- (2) Council place the amended draft Tenterfield Shire Council Operational Plan 2018/2019 on public exhibition for 28 days for community review and comment; and
- (2) A further report be brought back to Council for adoption of the Tenterfield Shire Operational Plan 2018/2019.

(Brian Murray/Bronwyn Petrie)

Motion Carried

Mr Paul Della, Manager Finance & Technology left the meeting, the time being 1.55 pm



REPORTS OF DELEGATES & COMMITTEES

(ITEM RC9/18) REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACES COMMITTEE MEETING - 15 MARCH 2018

SUMMARY

A meeting of the Parks, Gardens & Open Spaces Committee was held on Thursday, 15 March 2018.

- 73/18** **Resolved** that the Minutes of the Parks, Gardens & Open Spaces Committee meeting of 15 March 2018 be received and the Action Items noted.

(Brian Murray/Bronwyn Petrie)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES3/18) COUNCIL RESOLUTION REGISTER - APRIL 2018

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.

- 74/18** **Resolved** that Council notes the status of the Council Resolution Register to April 2018.

(Michael Petrie/Bronwyn Petrie)

Motion Carried

CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

- 75/18** **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.

(Brian Murray/Greg Sauer)

Motion Carried



The doors were closed to the public, the recording device turned off and the Meeting moved into Closed Committee, the time being 2.04 pm

Ms Heidi Ford, Property, Buildings & Landscape Coordinator entered the meeting, the time being 2.04 pm.

(ITEM COM5/18) TENTERFIELD WAR MEMORIAL BATHS OPERATIONAL REVIEW

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 advise Council that the Operating Pool Contract for the Tenterfield War Memorial Baths expired on 8 April 2018. Whilst the contract has provisions for Council to request an extension of the current arrangement for a further 5 years, a review of the contract has highlighted issues around its currency with respect to the management of the facility.

The report also provides the opportunity for Council to receive and note the draft the Tenterfield War Memorial Baths Management Plan (Pool Management Plan) which will be included in the tender specifications.

76/18 **Resolved** that Council:

- (1) Resolves to call for Tenders for the Contract Management of the Tenterfield War Memorial Baths Operation.
- (2) Receive and note the draft Tenterfield War Memorial Baths Management Plan.

(Tom Peters/Michael Petrie)

Motion Carried

Voting against the motion – Deputy Mayor Don Forbes.

RESUMPTION OF STANDING ORDERS

77/18 **Resolved** that Standing Orders be resumed.

(Gary Verri/Greg Sauer)

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 2.51 pm.



The Mayor read the resolution as resolved by Council whilst in Closed Committee.

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 2.52 pm.



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Councillor Peter Petty
Mayor/Chairperson

