



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 22 MARCH 2017**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Council Chamber, Tenterfield Shire Council on Wednesday, 22 March 2017 commencing at 9.36 am.

### **ATTENDANCE**

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

### **ALSO IN ATTENDANCE**

General Manager (Damien Connor)  
Executive Assistant & Media (Noelene Hyde)  
Director of Corporate Services (Allan Shorter)  
Acting Director of Strategic Planning & Environmental Services (David Stewart)  
Director of Engineering Services (Stephen Bell)

*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 'Peter Petty', is written over a red background at the bottom right of the page.

## **RECORDING 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**

**22/17** **Resolved** that the apology of Cr Michael Petrie be received and accepted.

(Donald Forbes/Gary Verri)

**Motion Carried**

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

Nil.

### **CONFIRMATION OF PREVIOUS MINUTES**

**23/17** **Resolved** that the Minutes of the Council Meeting held on Wednesday, 22 February 2017, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Greg Sauer/Brian Murray)

**Motion Carried**



## TABLING OF DOCUMENTS

**24/17** **Resolved** that the tabled Confidential Agenda be received and included in the Confidential Section of the Meeting.

(Greg Sauer/Gary Verri)

### Motion Carried

## URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Item dealt with – Tabling of Documents.

## COMMUNITY CONSULTATION (PUBLIC ACCESS)

### 9.38 am - Presentation of Certificates to Previous Councillors

Previous Councillors Toni Hull, Mary Leahy, Blair Maxwell and Carol Schiffmann were recognised for their service by presentation of a Certificate of Service.

- Toni Hull – 1 Term as Councillor (12 September 2010 to 10 September 2016)
- Mary Leahy – 1 Term as Councillor (12 September 2010 to 10 September 2016) & Deputy Mayor (24 September 2014 to 23 September 2015)
- Blair Maxwell - 1 Term as Councillor (12 September 2010 to 10 September 2016)
- Carol Schiffmann - 1 Term as Councillor (12 September 2010 to 10 September 2016) & Deputy Mayor (23 September 2015 to 10 September 2016)

Apologies were received from Blair Maxwell and Carol Schiffmann and a letter of apology was read from Toni Hull.

Mary Leahy was present to accept her Certificate from the Mayor.

## MAYORAL MINUTE

### (ITEM MM1/17) NOTICE OF MOTION - FINANCIAL SUPPORT FOR CULTURAL EXCHANGE

#### SUMMARY

With the demise of the International Town Partnership Cultural Committee, it is imperative that Council honours the Partnership Deed and maintains the Sister City Relationship by assisting the ongoing cultural exchange programme for our youth.

#### RECOMMENDATION

I, Cr Peter Petty move a Notice of Motion that Tenterfield Shire Council support financially and in advertising, the ongoing cultural exchange with our Sister Cities of Ottobeuren, Bohen and Hawangan with participants being in the age group of 18 – 25 years.

(Peter Petty/Greg Sauer)

#### PROPOSED AMENDMENT

That Tenterfield Shire Council support financially and in advertising (\$3,000), the ongoing cultural exchange with our Sister Cities of Ottobeuren, Bohen and Hawangan with participants being in the age group of 18 years and over.

(Bronwyn Petrie)



**25/17** **Resolved** that Tenterfield Shire Council support financially and in advertising (\$3,000), the ongoing cultural exchange with our Sister Cities of Ottobeuren, Bohen and Hawangan with participants being in the age group of 18 years and over.

(Peter Petty/Greg Sauer)

**Motion Carried**

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

Item dealt with – Tabling of Documents.

**OPEN COUNCIL REPORTS**

**OUR COMMUNITY**

**(ITEM COM2/17) CEMETERY FEES & CHARGES AND SPECIFICATIONS**

**SUMMARY**

This report is to recommend to Council for resolution proposed fees and charges for the new Niche Wall and Ashes Rose Garden so that families can start to book and intern ashes prior to 1 July 2017.

**26/17** **Resolved** that Council:

- (1) Adopts the proposed Fees & Charges for the Niche Memorial Wall and Rose Garden detailed in this report; and
- (2) Places them on exhibition for public comment for a period of 28 days.

(Greg Sauer/John Macnish)

**Motion Carried**

**OUR ECONOMY**

Nil.

**OUR ENVIRONMENT**

**(ITEM ENV3/17) PLANNING/DEVELOPMENT UPDATE**

**SUMMARY**

The purpose of the report is to provide up to date statistics for Councillors on development activities, the information is also forwarded to the Australian Bureau of Statistics (ABS).

**27/17** **Resolved** that Council receives and notes the Report "Planning/Development Update".

(Brian Murray/John Martin)

**Motion Carried**



## **OUR GOVERNANCE**

### **(ITEM GOV11/17) 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.

**28/17** **Resolved** that Council receive and note the Manager Finance's Report "Finance and Accounts" for the period ended 28 February 2017.

(Bronwyn Petrie/Tom Peters)

#### **Motion Carried**

### **(ITEM GOV12/17) POSTED EXPENDITURE REPORT**

#### **SUMMARY**

The purpose of this report is to monitor progress on major and critical expenditure items and flag when the expenditure reaches 60% of budget whether the item will meet budgeted targets.

**29/17** **Resolved** that Council receive and note the "Posted Expenditure Report" for the period ended 28 February 2017.

(Greg Sauer/Bronwyn Petrie)

#### **Motion Carried**

### **(ITEM GOV13/17) DRAFT SOCIAL MEDIA POLICY**

#### **SUMMARY**

The purpose of this report is to present a draft Social Media Policy to Council for adoption and subsequent placing on public exhibition for comment.

**30/17** **Resolved** that Council adopts the draft Social Media Policy, as attached, and places the document on public exhibition for a period of 14 days.

(Gary Verri/Brian Murray)

#### **Motion Carried**

### **(ITEM GOV14/17) ANZAC DAY ARRANGEMENTS - TUESDAY, 25 APRIL 2017**

#### **SUMMARY**

The purpose of this report is provide information for Council's consideration regarding arrangements for Anzac Day, Tuesday, 25 April 2017.

**31/17** **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) That 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 Tom Peters at the Dawn Service in Torrington;
- (c) Mayor Peter Petty and Councillor Gary Verri at the Legume Service;
- (d) Councillor Gary Verri at the Urbenville Service;
- (e) Councillor Brian Murray and Councillor Don Forbes at the Jennings Service;
- (f) Councillor John Macnish and Councillor Bronwyn Petrie at the Drake Service;
- (g) Councillor Gary Verri at the Liston Service; and
- (h) Mayor Peter Petty and Councillor John Martin at the Mingoola Service.

(Brian Murray/Greg Sauer)

**Motion Carried**

**REPORTS OF DELEGATES & COMMITTEES**

**(ITEM RC4/17) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE - 1 MARCH 2017**

**SUMMARY**

A meeting of the Audit and Risk Committee was held on Wednesday, 1 March 2017.

**32/17** **Resolved** that Council receives and notes the Minutes of the Audit & Risk Committee meeting held on Wednesday, 1 March 2017.

(Donald Forbes/Gary Verri)

**Motion Carried**

**NOTICES OF MOTION**

**(ITEM NM3/17) NOTICE OF MOTION - ACKNOWLEDGEMENT OF TENTERFIELD ROTARY CLUB**

**SUMMARY**

The purpose of this Notice of Motion is to officially acknowledge and recognize on behalf of the community of the Tenterfield Shire, the outstanding contribution of the Rotary Club of Tenterfield in hosting and staging the 9<sup>th</sup> Biennial Bavarian Music Festival and Beerfest.

**33/17** **Resolved** that Council officially acknowledge and recognise on behalf of the community of the Tenterfield Shire, the outstanding contribution of the Rotary Club of Tenterfield in hosting and staging the 9<sup>th</sup> Biennial Bavarian Music Festival and Beerfest from Monday, 27<sup>th</sup> February to Sunday, 5<sup>th</sup> March 2017.

(Donald Forbes/Greg Sauer)

**Motion Carried**





## RESOLUTION REGISTER

### (ITEM RES2/17) COUNCIL RESOLUTION REGISTER - MARCH 2017

#### 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.

**34/17** Resolved that Council notes the Council Resolution Register to March 2017.

(Gary Verri/John Martin)

#### Motion Carried

## CONFIDENTIAL BUSINESS

### CONFIDENTIAL MATTERS FOR CONSIDERATION IN CLOSED PART OF MEETING

**35/17** 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.

(Gary Verri/Donald Forbes)

#### Motion Closed

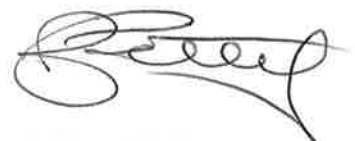
*The doors were closed to the public, the recording device was turned off and the meeting moved into Closed Committee, the time being 10.15 am.*

### (ITEM ECO3/17) TENDER 10-16/17 FLOOD DAMAGE RESTORATION

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) (d(ii)) (d(iii)) 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; OR commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; OR commercial information of a confidential nature that would, if disclosed (iii) reveal a trade secret.

#### SUMMARY

The purpose of this report is for the Council to consider Tender 10-16/17 Flood Damage Restoration. It will be a recommendation to Council that the Tender from Earthtec Pty Ltd be accepted for a lump sum amount of \$1,589,659 GST Exclusive (\$1,748,625 GST Inclusive).



**36/17** **Resolved** that Council:

- (1) Awards Tender 10-16/17 Flood Damage Restoration to Earthtec Pty Ltd for a lump sum amount of \$1,589,659 GST Exclusive (\$1,748,625 GST Inclusive); and
- (2) Writes to the NSW Roads & Maritime to enquire whether the funding shortfall for Tender 10-16/17 Flood Damage Restoration works at Mt Lindesay Road and Rivertree Road can be funded from the Natural Disaster Relief and Recovery Arrangements (NDRRA) to meet the project scope of works as defined by the NDRRA grant conditions; and
- (3) Considers a reallocation of funds to cover the projected funding shortfall for Tender 10-16/17 Flood Damage Restoration at Mt Lindesay Road and Rivertree Road in the third quarter budget review.

(Donald Forbes/Greg Sauer)

**Motion Carried**

### **MOVE OUT OF CONFIDENTIAL PART OF MEETING**

**37/17** **Resolved** that the meeting move out of Closed Committee.

(Gary Verri/Donald Forbes)

**Motion Carried**

*The meeting moved out of Committee, the doors were opened to the public and the recording device was turned on, the time being 10.30 am.*

*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 10.32 am.

  
.....  
Councillor Peter Petty  
Mayor/Chairperson