



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 22 NOVEMBER 2017

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chambers on Wednesday, 22 November 2017 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)
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 red ink, appearing to be 'Beary', is written over the bottom right portion of the page.

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

Nil.

DISCLOSURE & DECLARATIONS OF INTEREST

Nil.

CONFIRMATION OF PREVIOUS MINUTES

238/17 That Council consider the adoption of both sets of Minutes as a single item.

(Greg Sauer/Bob Rogan)

Motion Carried



239/17 **Resolved** that the minutes of the following meetings of the Tenterfield Shire Council, as circulated, be confirmed and signed as a true record of the proceedings of those meetings.

- Ordinary Council Meeting held on Wednesday, 25 October 2017;
- Extraordinary Council Meeting held on Wednesday, 15 November 2017.

(Tom Peters/Greg Sauer)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

240/17 **Resolved** that the Addendum Agenda (Item GOV89/17) be accepted for inclusion in the Business Paper.

(Brian Murray/Michael Petrie)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

9.40 am - Presentation to recently retired staff member Mr Allan (Suey) Grogan – recognising thirty four (34) of service.

MAYORAL MINUTE

Nil.

RECOMMENDATION FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

- (Item ECO33/17) Feasibility Investigation – Tenterfield Saddler

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM14/17) NAMING OF NEW NICHE MEMORIAL WALL AT TENTERFIELD CEMETERY

SUMMARY

The purpose of this report is to uniquely identify/name the newly constructed niche memorial wall at the Tenterfield Cemetery.



241/17 **Resolved** that:

- (1) Council provide a public notice of the proposal and seek submissions from the Community;
- (2) Council receives a further Report following the submission period.

(Gary Verri/John Macnish)

Motion Carried

OUR ECONOMY

(ITEM ECO31/17) OCTOBER 2017 INFRASTRUCTURE, ENGINEERING, PLANNING AND ENVIRONMENTAL SERVICES UPDATE

SUMMARY

This Infrastructure, Environment and Regulation activities report provides a summary of Council's operations covering; Engineering Services, Transport, Asset Management and Major Project Planning, Fleet Services, Waste Services, Water and Waste Water Services, Environmental Services inclusive of operational statistics, achievements and work challenges ahead.

A separate Planning/Development update is provided within the 'Our Environment' suite of reports.

242/17 **Resolved** that Council receive and note the October 2017 Operations progress update.

(Michael Petrie/Greg Sauer)

Motion Carried

OUR ENVIRONMENT

Senior Planner, Ms Tamai Davidson entered the meeting, the time being 10.05 am.

(ITEM ENV26/17) PLANNING/DEVELOPMENT UPDATE

SUMMARY

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

243/17 **Resolved** that Council receive and note the Planning/Development Update.

(Brian Murray/Michael Petrie)

Motion Carried



(ITEM ENV27/17) SEPP REVIEW PROGRAM - PRIMARY PRODUCTION AND RURAL DEVELOPMENT PLANNING REFORM PACKAGE

SUMMARY

The purpose of this report is to seek Council's resolution on providing a submission on the *Primary Production and Rural Development – Explanation of Intended Effect (EIE)* Attachment 1 (Booklet 1). The EIE explains the effect of the proposed State Environmental Planning Policy (SEPP) Primary Production and Rural Development 2017 and related planning reforms, which are yet to be drafted and publicly exhibited.

- 244/17** **Resolved** that Council supports the *Primary Production and Rural Development – Explanation of Intended Effect* and the proposed rationalization of planning reforms which support the ongoing health of agricultural industries in NSW.

(Bob Rogan/Greg Sauer)

Motion Carried

Senior Planner, Ms Tamai Davidson left the meeting, the time being 10.08 am.

OUR GOVERNANCE

(ITEM GOV78/17) OCTOBER 2017 - CORPORATE OFFICER SERVICE UPDATE

SUMMARY

The purpose of this report is to provide a summary of Council's Community and Corporate operations.

- 245/17** **Resolved** that Council receive and note the Chief Corporate Officer's October 2017 Service Update report.

(Greg Sauer/Michael Petrie)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.25 am

The Meeting reconvened with the same members present and the addition of Governance Co-ordinator, Ms Erika Bursford. The time being 10.46 am.

(ITEM GOV79/17) CODE OF CONDUCT COMPLAINTS STATISTICS REPORT 2017

SUMMARY

The purpose of this report is to provide Council with a Code of Conduct Complaints Statistics Report for the period 1 September 2016 to 31 August 2017. It should be noted that of the three complaints lodged, no breaches were found.

- 246/17** **Resolved** that Council receives and notes the Code of Conduct Complaints Statistics for the period 1 September 2016 to 31 August 2017.

(Donald Forbes/Bronwyn Petrie)

Motion Carried



(ITEM GOV80/17) CODE OF CONDUCT - PANEL OF CONDUCT REVIEWERS

SUMMARY

In accordance with the Model Code of Conduct and Procedures for Council's Administration of the Code of Conduct, Council has a statutory obligation to establish an independent Panel of Conduct Reviewers. The purpose of this Report is to advise Council of its obligations under the Code.

247/17 **Resolved** that:

- (1) Council re-establishes an independent Code of Conduct Review Panel and advertises for suitably qualified individuals or entities to participate on the Panel through an Expression of Interest process.
- (2) Council writes to each of its previous Panel members and thanks them for their contributions over the past four years.
- (3) Council receives a further Report once Expressions of Interest have been received.

(Michael Petrie/Donald Forbes)

Motion Carried

Governance Co-ordinator, Ms Erika Bursford left the meeting and Finance Manager, Mr Andrew Wright entered the meeting, the time being 10.52 am.

(ITEM GOV81/17) 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.

248/17 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 October 2017.

(Brian Murray/Greg Sauer)

Motion Carried

(ITEM GOV82/17) POSTED EXPENDITURE REPORT

SUMMARY

The purpose of this report is to monitor progress on expenditure items and flag when the expenditure reaches 60 percent of the allocated budget to alert Council to over expenditure. At this time, four items have been flagged on the report due to a nil budget allocation. The adoption of proposed carry-forward amounts will enable the projects to be completed within the original budget allocations.



249/17 **Resolved** that Council receive and note the Posted Expenditure Report for the period ended 31 October 2017.

(Michael Petrie/Greg Sauer)

Motion Carried

(ITEM GOV83/17) BUDGET AND FINANCIAL REPORTING SOFTWARE

SUMMARY

Council's financial sustainability, and effective use of its financial resources, is predicated upon Council's staff's ability to quickly and easily access and report on Council's financial position.

This report is to support the bringing forward of funds to implement a budget and reporting system that will enhance Council's existing financial system. The system will provide quick and easy access to Council's financials, allowing officers to easily monitor their existing budgets and design their future budgets in the same system. This project has been identified in the Delivery Program relating to the 2017/18 year.

250/17 **Resolved** that:

- (1) A project to the value of \$35,000 to purchase and implement a Budget and Financial Reporting system be added to the capital program; and
- (2) Council move the allocation of \$21,141 forward in the Long Term Financial Plan from 2017/18 to be funded by existing cash reserves; and
- (3) The remaining \$13,859 be sourced from a reallocation of operational budget items identified in the report.

(Gary Verri/Greg Sauer)

Motion Carried

(ITEM GOV89/17) BUDGET REVIEW AS AT 30 SEPTEMBER 2017

SUMMARY

The purpose of this report is to submit the September Quarter Budget review to Council.

251/17 **Resolved** that Council adopt the 2016/17 Budget Review as at 30 September 2017.

(Greg Sauer/Bob Rogan)

Motion Carried

Finance Manager Mr Andrew Wright left the meeting, the time being 11.19 am.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC19/17) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING - 19 OCTOBER 2017



SUMMARY

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 19 October 2017.

- 252/17** **Resolved** that the report of the Tenterfield Shire Local Traffic Committee meeting of 19 October 2017 be received and the actions be endorsed.

(Peter Petty/Tom Peters)

Motion Carried

(ITEM RC20/17) REPORTS OF COMMITTEES & DELEGATES - EXTRAORDINARY MEETING OF AUDIT & RISK COMMITTEE - 7 NOVEMBER 2017

SUMMARY

An Extraordinary Meeting of the Audit & Risk Committee was held on Tuesday, 7 November 2017.

- 253/17** **Resolved** that the Minutes of the Extraordinary Meeting of the Audit & Risk Committee held on 7 November 2017 be endorsed and adopted.

(Donald Forbes/Michael Petrie)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES10/17) COUNCIL RESOLUTION REGISTER - NOVEMBER 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.

- 254/17** **Resolved** that Council notes the status of the Council Resolution Register to November 2017.

(Greg Sauer/Michael Petrie)

Motion Carried

URGENT MOTION WITHOUT NOTICE

Accepted by Mayor as Chairperson

CONGRATULATIONS TO NATIONAL PARTY

That Council writes and congratulates the National Party on the democratic way their candidate was chosen for the Electorate.

(Gary Verri/Tom Peters)

Motion Lost



CONFIDENTIAL BUSINESS

255/17 **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.

(Greg Sauer/Brian Murray)

Motion Carried

Acting Economic Development Project Officer, Ms Kim Appleby entered the meeting, the time being 11.39 am.

The doors were closed to the public, the recording device turned off and the meeting moved into Closed Committee, the time being 11.39 am.

(ITEM ECO33/17) FEASIBILITY INVESTIGATION - TENTERFIELD SADDLER

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

SUMMARY

In accordance with its resolution of 26 July 2017, this report provides the outcomes of a feasibility study to enable Council to determine its position in relation to the *Tenterfield Saddler*.

RECOMMENDATION

That Council:

- (1) Receive and note the report.
- (2) Take no further action in relation to the property outlined in this Report.

(Bob Rogan/Tom Peters)

AMENDMENT

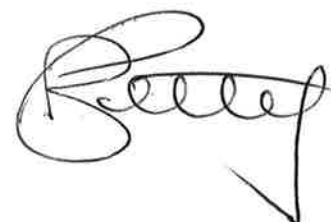
That the recommendation lay on the table subsequent to a further report to Council.

(Gary Verri/Bob Rogan)

256/17 **Resolved** that the recommendation lay on the table subsequent to a further report to Council.

(Gary Verri/Bob Rogan)

Motion Carried



RESUMPTION OF STANDING ORDERS

257/17 **Resolved** that the meeting move out of Closed Committee and Standing Orders be resumed.

(Gary Verri/Tom Peters)

Motion Carried

The meeting moved out of Closed Committee, the doors were opened to the public and the recording device turned on, the time being 12.22 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 12.23 pm.



Councillor Peter Petty
Mayor/Chairperson