



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 23 MAY 2018

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday, 23 May 2018 commencing at 9.33 am.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Don Forbes (Deputy Mayor)
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Bronwyn 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.

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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

78/18 **Resolved** that the apology of Cr Michael Petrie be received and accepted.

(Donald Forbes/Gary Verri)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

79/18 **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
Mayor Peter Petty	Less Than Significant Non Pecuniary – Operates a small stock transport business and buys & sells cattle at Tenterfield Saleyards	GOV46/18 & ECO11/18 - Tenterfield Truck Wash – Approving Funding	Remained in the Chamber, taking part in the discussion and voting on the matter.



Cr Bronwyn Petrie	Less Than Significant Non Pecuniary – sells cattle at Tenterfield Saleyards	ECO11/18 - Tenterfield Truck Wash	Remained in the Chamber, taking part in the discussion and voting on the matter.
Cr Bronwyn Petrie	Less Than Significant Non Pecuniary – undertaking preliminary investigation towards allowing this activity on private land	NM6/18 – Notice of Motion – Encourage Mountain Bikes to Tenterfield	Remained in the Chamber, taking part in the discussion and voting on the matter.
Cr Gary Verri	Less Than Significant Non Pecuniary – sells cattle at Tenterfield Saleyards	ECO11/18 - Tenterfield Truck Wash	Remained in the Chamber, taking part in the discussion and voting on the matter.
Cr John Macnish	Less Than Significant Non Pecuniary – cattle producer utilising Tenterfield Saleyards	ECO11/18 - Tenterfield Truck Wash	Remained in the Chamber, taking part in the discussion and voting on the matter.

(Greg Sauer/Brian Murray)

Motion Carried

CONFIRMATION OF PREVIOUS MINUTES

80/18 **Resolved** that the Minutes of the Ordinary Council meeting held on Wednesday, 18 April 2018, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Bronwyn Petrie/Bob Rogan)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Cr Bronwyn Petrie submitted an urgent Notice of Motion relating to Policing in Tenterfield which was accepted by the Mayor (Chairperson).

81/18 **Resolved** that the Addendum Agenda with the following reports be accepted by Council.

- Item GOV45/18 – Quarterly Budget Review Statement – March 2018



- Item GOV46/18 – Operational Plan 2018/2019

(Greg Sauer/Brian Murray)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Item GOV38/18 – Monthly Operational Report – May 2018

- James Paynter, Manager Works addressed the following sections of the Monthly Operational Report:
 - Transport Network
- Gillian Marchant, Manager Water & Waste addressed the following sections of the Monthly Operational Report:
 - Sewerage Services
 - Waste Management
 - Water Supply

Item MM3/18 – Police Association of NSW (Armidale Branch) Campaign – Transport of Prisoners

- Mr Chris Jordan, Western Region Delegate & Chair of the Armidale Police Association of NSW – addressing the issue of Police transporting prisoners which leaves the community at risk.

MAYORAL MINUTE

(ITEM MM3/18) POLICE ASSOCIATION OF NSW (ARMIDALE BRANCH) CAMPAIGN - TRANSPORT OF PRISONERS

SUMMARY

The Police Association of NSW (PANSW), Armidale Branch is seeking support from local Councils in relation to a campaign that they are conducting to encourage the State Government to fix the crisis around the transport of prisoners in NSW.

82/18 **Resolved** that Council write to the NSW Police Minister, The Hon Troy Grant, MP and Member for Lismore, The Hon Thomas George MP expressing support of the Police Association of NSW (Armidale Branch) campaign, highlighting the following:

- i) Transporting prisoners is not police work; and
- ii) Communities within the city of Armidale, and towns of Glen Innes, Inverell, Tenterfield, Uralla, Guyra are put at risk when they are left without *First Response Police*.

(Peter Petty/Gary Verri)

Motion Carried Unanimously



URGENT ITEM OF BUSINESS

83/18 **Resolved** that Council consider the urgent Notice of Motion submitted by Councillor Bronwyn Petrie.
(Tom Peters/John Macnish)

Motion Carried

84/18 **Resolved** that the Tenterfield Shire Council lobby the State Government to provide temporary replacements for Police Officers on long term leave (in excess of 3 months) from rural Police Stations.
(Bronwyn Petrie/Greg Sauer)

Motion Carried Unanimously

SUSPENSION OF STANDING ORDERS

85/18 **Resolved** that Standing Orders be suspended.
(Greg Sauer/Tom Peters)

Motion Carried

The Meeting adjourned for morning tea, the time being 10.35 am.

The Meeting reconvened with the same members present, the time being 10.51 am.

RESUMPTION OF STANDING ORDERS

86/18 **Resolved** that Standing Orders be resumed.
(Greg Sauer/Bronwyn Petrie)

Motion Carried

RECOMMENDATION FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

87/18 **Resolved** that Council consider following items in the Confidential Section of the meeting in accordance with Section 10A(2)(a) of the Local Government Act 1993:

- Item ECO10/18 – Update on 2.4km Realignment & Construction Upgrade of Mt Lindsay Road at Dalman North (SLK 26.7-29.1)
- Item ECO11/18 – Tenterfield Truck Wash Update
- Item ENV11/18 – EPA Litigation Status & Resolution Update
- Item ENV12/18 – Geotech Pty Ltd Contract Dispute Status

(Bob Rogan/Brian Murray)

Motion Carried



OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

OUR ECONOMY

(ITEM ECO7/18) WASTE TO ENERGY - FEASIBILITY STUDY

SUMMARY

The purpose of this report is for Council to consider seeking financial assistance from the State and or Federal Government to allow completion of a feasibility study to convert municipal and other sources of waste into energy (WtE) at a local scale.

88/18 Resolved that Council:

- (1) Receives and notes the report;
- (2) Seeks support from all levels of government and government agencies to provide seed funding for the completion of a feasibility study to convert waste to energy;
- (3) Investigates alternate methods to achieve an outcome such as public private partnerships (PPP's), build own operate transfer contracts, and other partnering methodologies.

(Brian Murray/Greg Sauer)

Motion Carried

(ITEM ECO9/18) LOCAL ROADS & TRANSPORT CONGRESS - ALICE SPRINGS (NT) - 20 - 22 NOVEMBER 2018

SUMMARY

The purpose of this report is for Council to approve the attendance of the Mayor and Chief Executive at the 2018 Australian Local Government Association Local Roads & Transport Congress to be held in Alice Springs, Northern Territory from Tuesday, 20 November to Thursday, 22 November 2018.

89/18 Resolved that Council approve the attendance of Mayor Peter Petty and Chief Executive Terry Dodds at the 2018 Local Roads & Transport Congress in Alice Springs (NT).

(Brian Murray/Bronwyn Petrie)

Motion Carried



(ITEM EC08/18) TENTERFIELD LOCAL GOVERNMENT AREA TIMBER BRIDGES UPDATE

SUMMARY

The following report gives an update on the status of timber bridge condition and future load limiting process as part of a long term strategy aimed at seeing structures provide limited service over the next 20 years without unexpected bridge failures whilst Council progressively replaces structures.

90/18 **Resolved** that Council:

- (1) Note the need for load limits in due course to be placed on 15 of 17 timber bridge structures in the Tenterfield Local Government Area; and
- (2) Over the next 2 months engage with the appropriate stakeholders advising of alternative routes and updating information channels before load limit implementation; and
- (3) Receive a final report of detours and load limits before load limit implementation.

(Gary Verri/Bronwyn Petrie)

Motion Carried

OUR ENVIRONMENT

(ITEM ENV9/18) JENNINGS SEWERAGE SCHEME: PRELIMINARY ASSESSMENT REPORT

SUMMARY

The purpose of this report is to update Council on progress of a preliminary investigation for a sewerage scheme for Jennings and associations with Southern Downs Council. The report provides an assessment of types of schemes available and associated costs for implementation.

91/18 **Resolved** that Council:

- (1) Receive and note the Jennings Sewerage Scheme Preliminary Assessment by HunterH₂O (2017).
- (2) Endorse continued dialogue with Southern Downs Council.
- (3) Investigate funding opportunities to enable connection to the common effluent drainage system.

(Brian Murray/Greg Sauer)

Motion Carried



(ITEM ENV8/18) JOINT REGIONAL PLANNING PANELS - REVIEW OF PANEL MEMBERS

SUMMARY

The purpose of this report is to provide Council with the opportunity to review Council's Joint Regional Planning Panel members and update its membership as requested by the NSW Department of Planning and Environment.

The Joint Regional Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making on regionally significant development applications (DAs) and certain other planning matters.

The Joint Regional Planning Panels and the Sydney Planning Panels (planning panels) are independent bodies representing the Crown and are not subject to the direction of the Minister, except on matters relating to planning panel procedures.

Each planning panel consists of five members, with three of the members, including the Chair, appointed by the Minister (State members) and two members nominated by the relevant Council (Council members).

A copy of the "Planning Panels Operational Procedures – September 2016" is enclosed for Council's reference at Attachment 2 (Booklet 1).

RECOMMENDATION

That Council:

- (1) Seeks expressions of interest from current Councillors and/or community members in accordance with the criteria set down by the Planning Panels Operational Procedures – September 2016; and
- (2) Advises the Panel Secretariat that Council has facilities to make audio recordings of public Panel meetings as required by the Operational Procedures.

(Greg Sauer/Bronwyn Petrie)

AMENDMENT

Add:

- (3) That Council adopt the position of Mayor and Deputy Mayor with Councillor Greg Sauer as the alternative as Council's members on the Joint Regional Planning Panel.

(Bronwyn Petrie/Gary Verri)

Amendment Carried

92/18 **Resolved** that Council:

- (1) Seeks expressions of interest from current Councillors and/or community members in accordance with the criteria set down by the Planning Panels Operational Procedures – September 2016; and
- (2) Advises the Panel Secretariat that Council has facilities to make audio recordings of public Panel meetings as required by the Operational Procedures.



- (3) Adopts the positions of Mayor and Deputy Mayor with Councillor Greg Sauer as the alternative as Council's members on the Joint Regional Planning Panel.

(Greg Sauer/Bronwyn Petrie)

Motion Carried

(ITEM ENV10/18) MURRAY DARLING ASSOCIATION - MEMBERSHIP

SUMMARY

The purpose of this report is for Council to reconfirm its position in relation to non-membership of the Murray Darling Association arising from the additional information received.

RECOMMENDATION

That Council reconfirms its position in relation to non-membership, and does not seek to rejoin the Murray Darling Association.

(Donald Forbes/Brian Murray)

AMENDMENT

That Council rejoins the Murray Darling Association.

(Bronwyn Petrie/Donald Forbes)

Amendment Carried

- 93/18** **Resolved** that Council rejoins the Murray Darling Association.

(Bronwyn Petrie/Donald Forbes)

Motion Carried

OUR GOVERNANCE

(ITEM GOV38/18) MONTHLY OPERATIONAL REPORT - MAY 2018

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 2017/2018 Operational Plan.

- 94/18** **Resolved** that Council receives and notes the status of the Monthly Operational Report to May 2018.

(Donald Forbes/Gary Verri)

Motion Carried

Mr Paul Della (Manager Finance & Technology) entered the Meeting, the time being 12.13 pm.



(ITEM GOV39/18) BORROWING POLICY - NEW POLICY

SUMMARY

The purpose of this report is to provide Council with a Borrowing Policy for adoption.

95/18 **Resolved** that Council adopts the new Borrowing Policy.

(Gary Verri/Greg Sauer)

Motion Carried

(ITEM GOV40/18) CORPORATE CREDIT CARD POLICY - POLICY NO 1.034

SUMMARY

The purpose of this report is to provide an updated Corporate Credit Card Policy for adoption.

96/18 **Resolved** that Council adopts the revised Corporate Credit Card Policy No 1.034.

(Brian Murray/Bob Rogan)

Motion Carried

(ITEM GOV41/18) INVESTMENT POLICY - POLICY NO 1.091

SUMMARY

The purpose of this report is to provide a revised Investment Policy for adoption by Council.

97/18 **Resolved** that Council adopts the revised Investment Policy No. 1.091.

(Gary Verri/Bob Rogan)

Motion Carried

(ITEM GOV42/18) RELATED PARTY DISCLOSURE POLICY - POLICY NO 1.189

SUMMARY

The purpose of the report is to present to Council an updated Related Party Disclosure Policy for adoption.

98/18 **Resolved** that Council adopts the revised Related Party Disclosure Policy No 1.189.

(Donald Forbes/Bronwyn Petrie)

Motion Carried

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(ITEM GOV43/18) 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.

99/18 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 30 April 2018.

(Greg Sauer/Brian Murray)

Motion Carried

(ITEM GOV44/18) CAPITAL EXPENDITURE REPORT AS AT 30 APRIL 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.

100/18 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 30 April 2018.

(Bronwyn Petrie/Gary Verri)

Motion Carried

SUSPENSION OF STANDING ORDERS

101/18 **Resolved** that Standing Orders be suspended.

(Donald Forbes/Bob Rogan)

Motion Carried

The Meeting adjourned for lunch, the time being 12.30 pm.

The Meeting reconvened with the same members present, the time being 1.05 pm.

RESUMPTION OF STANDING ORDERS

102/18 **Resolved** that Standing Orders be resumed.

(Brian Murray/Bob Rogan)

Motion Carried



(ITEM GOV45/18) QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2018

SUMMARY

The purpose of this report is to provide Council with a quarterly Budget Review Statement (Attachment 1) in accordance with Regulation 203 of the Local Government (General) Regulation 2005 (the Regulation).

103/18 **Resolved** that Council:

- (1) Adopts the new format for the Quarterly Budget Review; and
- (2) Adopts the March 2018 Quarterly Budget Review Statement.

(Bob Rogan/Brian Murray)

Motion Carried

Ms Erika Bursford (Actg Manager Customer Service, Governance & Records) entered the Meeting, the time being 1.09 pm.

(ITEM GOV46/18) OPERATIONAL PLAN 2018/2019

SUMMARY

The purpose of this report is for Council to adopt the Tenterfield Shire Council Operational Plan 2018/2019, as amended to include submissions following public exhibition from 19 April 2018 to 17 May 2018, for inclusion with the current Tenterfield Shire Council Delivery Program 2017/2021 (circulated under separate cover).

104/18 **Resolved** that Council:

- (1) Adopts the Tenterfield Shire Council Operational Plan 2018/19, with the following amendments:
 - Page 29 – Re-introduction of trike use on railway line to meet Community Strategic Plan Strategy 7.3;
 - Pages 100 & 101 – Correction to Waste Fees tables in Revenue Statement;
 - Page 102 – Free Waste Weeks in Lieu of Vouchers;
 - Page 104 – Bruxner Way contribution to be identified separately from total RMS contribution, and
 - Fees & Charges Page 34 – Emergency NLIS tag service to be amended to \$36.
- (2) Adopts the following documents as part of the Tenterfield Shire Council Operational Plan 2018/19:
 - Tenterfield Shire Council Budget for 2018/2019;
 - Tenterfield Shire Council Revenue Policy Statement for 2018/2019;
 - Tenterfield Shire Council Fees and Charges for 2018/2019.
- (3) In accordance with the provisions of Section 355 of the Local Government Act 1993, makes, fixes and levies the rates for the year ending 30 June 2019 for the following rating categories:
Farmland:



A Farmland rate of 0.002899240 cents in the dollar on the current land values of all rateable land in the Local Government Area being Farmland, with a base rate of \$400.00 per annum (the total revenue collected from this base amount represents 25.65% of the total revenue collected from this category of land);

Residential – Tenterfield:

A Residential – Tenterfield rate of 0.007145865 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$315.00 per annum (the total revenue collected from this base amount represents 48.79% of the total revenue collected from this category of land);

Residential – Tenterfield (Urban):

A Residential – Tenterfield rate of 0.007144626 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$315.00 per annum (the total revenue collected from this base amount represents 23.26% of the total revenue collected from this category of land);

Residential – Urbenville:

A Residential – Urbenville rate of 0.011195999 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$282.00 per annum (the total revenue collected from this base amount represents 49.58% of the total revenue collected from this category of land);

Residential – Jennings:

A Residential – Jennings rate of 0.008366157 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$282.00 per annum (the total revenue collected from this base amount represents 49.93% of the total revenue collected from this category of land);

Residential – Drake:

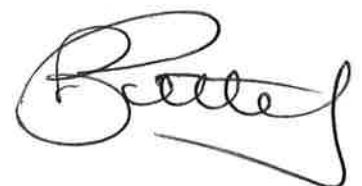
A Residential – Drake rate of 0.009854314 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$282.00 per annum (the total revenue collected from this base amount represents 49.73% of the total revenue collected from this category of land);

Residential – Other:

A Residential – Other rate of 0.005067048 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$148.00 per annum (the total revenue collected from this base amount represents 24.90% of the total revenue collected from this category of land);

Business – Tenterfield:

A Business – Tenterfield rate of 0.014394395 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$540.00 per annum (the total revenue collected from this base amount represents 39.70% of the total revenue collected from this

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category of land);

Business – Urbenville:

A Business – Urbenville rate of 0.009739094 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$256.00 per annum (the total revenue collected from this base amount represents 48.78% of the total revenue collected from this category of land);

Business – Jennings:

A Business – Jennings rate of 0.004882816 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$256.00 per annum (the total revenue collected from this base amount represents 48.78% of the total revenue collected from this category of land);

Business – Drake:

A Business – Drake rate of 0.006425474 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$256.00 per annum (the total revenue collected from this base amount represents 48.78% of the total revenue collected from this category of land);

Business – Other:

A Business – Other rate of 0.005536684 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$273.00 per annum (the total revenue collected from this base amount represents 43.37% of the total revenue collected from this category of land);

Mining:

A Mining rate of 0.017476684 cents in the dollar on the current land values of all rateable land in the Local Government Area where the dominant use is for a coal mine or metalliferous mine, with a base rate of \$430.00 per annum (the total revenue collected from this base amount represents 46.83% of the total revenue collected from this category of land).

- (4) In accordance with the provisions of Section 552 of the Local Government Act 1993, Council makes, fixes and levies a Water Supply Availability Charge on all land rateable to the Water Supply Charge for the year ending June 2019, as follows:
- a. Residential - \$444.00 per connection per annum;
 - b. Residential Strata - \$333.00 per connection per annum;
 - c. Mt Lindesay Private Line – \$561 per connection per annum;
 - d. Rural Other - \$444 per connection per annum;
 - e. Non Residential - Meter connection: 20mm - \$166.75 per connection per annum (Minimum Charge \$444 per annum);
 - f. Non Residential - Meter connection: 25mm - \$250.56 per connection per annum (Minimum Charge \$444 per annum);
 - g. Non Residential - Meter connection: 32mm - \$426.90 per connection per annum (Minimum Charge \$444 per annum);



- h. Non Residential - Meter connection: 40mm - \$667.04 per connection per annum;
 - i. Non Residential - Meter connection: 50mm - \$1,042.27 per connection per annum;
 - j. Non Residential - Meter connection: 80mm - \$2,668.21 per connection per annum;
 - k. Non Residential - Meter connection: 100mm - \$4,169.07 per connection per annum;
 - l. Non Residential - Meter connection: 150mm - \$9,380.43 per connection per annum;
 - m. Voluntary & Charitable Organisations - \$88.00 per connection per annum;
 - n. Services installed solely for the purpose of firefighting – No Charge.
- (5) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by residential customers (to be by measure of metered water consumption) at the rate of \$3.46 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and, and \$5.19 per kilolitre for water consumed over 450 kilolitres per annum.
- (6) In accordance with Section 502 of the Local Government Act, that Council makes, fixes and levies a stepped tariff for the charge for water consumed by Rural/MT Lindesay customers (to be by measure of metered water consumption) at the rate of \$3.46 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and, and \$5.19 per kilolitre for water consumed over 450 kilolitres per annum.
- (7) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Non-Residential customers (to be by measure of metered water consumption) at the rate of \$3.46 per kilolitre for water consumption between nil (0) and 800 kilolitres per annum and, and \$5.19 per kilolitre for water consumed over 800 kilolitres per annum.
- (8) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a minimum water consumption account charge of \$25 for each of the six (6) monthly billing periods. Further, that if at the time of reading a water meter it is found to be damaged or has stopped, an account will be issued based on the previous two corresponding water bills.
- (9) In accordance with the provisions of Section 501(1) and 502 of the Local Government Act 1993, makes, fixes and levies a Sewerage Service Availability Charge of \$1,032.00 on all land assessable to the Drainage Charge in the Tenterfield and Urbenville Town Areas and:
- a. Is connected to the Council's sewer main, or
 - b. Is not connected to the Council's sewer main but any part of the property is no more than 75 metres from the Council's sewer main, and
 - c. Is land from which sewerage can be discharged into the sewers of Council for the year ending June 2019.



Further, that in respect of Residential Flat Buildings a Sewerage Availability Charge will be made equal to the number of residential flats multiplied by the service charge for a single connection.

- (10) In accordance with the provisions of Sections 501(1) and 552 of the Local Government Act 1993, Council makes, fixes and levies Annual Access Charges for Commercial and Non-Residential Sewerage for the year ending June 2019, as follows:

A Sewerage Access Charge will be incurred proportional to the customer's water connection diameter plus a pay for use charge based on the water used, calculated in accordance with the following connection options and the formula following subparagraph "j" below:

- a. Non Residential - Meter connection: 20mm - \$522.00 per connection per annum (Minimum Charge \$1,032 per annum);
- b. Non Residential - Meter connection: 25mm - \$1,016.31 per connection per annum (Minimum Charge \$1,032 per annum);
- c. Non Residential - Meter connection: 32mm - \$1,336.73 per connection per annum
- d. Non Residential - Meter connection: 40mm - \$2,088.14 per connection per annum;
- e. Non Residential - Meter connection: 50mm - \$3,263.18 per connection per annum;
- f. Non Residential - Meter connection: 80mm - \$8,353.76 per connection per annum;
- g. Non Residential - Meter connection: 100mm - \$13,052.75 per connection per annum;
- h. Non Residential - Meter connection: 150mm - \$29,384.24 per connection per annum;
- i. Voluntary & Charitable Organisations - \$206.00 per connection per annum;
- j. Services installed solely for the purpose of firefighting - No Charge.

The minimum non-residential sewerage access charge will be the annual residential sewerage availability charge.

- (11) Makes, fixes and levies Trade Waste and On site sewerage Management Charges as outlined in the Operational Plan 2018/19.
- (12) Makes, fixes and levies and charges Waste Management Charges as outlined in the 2018/19 Operational Plan 2018/19.
- (13) Introduces a system where for two weeks of each year, being the last week of July and January, whereby Tenterfield Shire residents may take household domestic waste to each Waste Transfer Station for free. This replaces the previous voucher system that was included with the rates notice. Household domestic waste excludes asbestos, chemicals, paints, oils, whitegoods, furniture, mattresses and tyres.
- (14) Borrows up to \$2,000,000 in 2018/19 for the reinforcement of the Tenterfield Water Supply Dam Wall and up to \$830,000 for the Sale



Yards Truck Wash.

- (15) In accordance with the provisions of Section 566(3) of the Local Government Act 1993, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2019. (This rate will be 7.5% as advised by the Office of Local Government).
- (16) In accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan 2018/19 on its website within 28 days.

(Bronwyn Petrie/Bob Rogan)

Motion Carried

Mr Paul Della (Manager Finance & Technology) and Ms Erika Bursford (Actg Manager Customer Service, Governance & Records) left the Meeting, the time being 1.18 pm.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC11/18) REPORTS OF COMMITTEE & DELEGATES - SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS JOINT MANAGEMENT COMMITTEE - 22 MARCH 2018

SUMMARY

A meeting of the Sir Henry Parkes Memorial School of Arts Joint Management Committee was held on Thursday, 22 March 2018.

- 105/18** **Resolved** that the report of the Sir Henry Parkes Memorial School of Arts Joint Management Committee Meeting of Thursday, 22 March 2018 be received and noted.

(Peter Petty/Greg Sauer)

Motion Carried

(ITEM RC12/18) REPORTS OF COMMITTEE AND DELEGATES - TENTERFEILD SHIRE LOCAL TRAFFIC COMMITTEE MEETING - 3 MAY 2018

SUMMARY

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 3 May 2018.

- 106/18** **Resolved** that:

- (1) The report from the Tenterfield Shire Local Traffic Committee Meeting of 3 May 2018 be received and noted; and
- (2) Council support the installation of signage on each of the bridges recommended for load limits in accordance with current standards.

(Peter Petty/Gary Verri)

Motion Carried

NOTICES OF MOTION

(ITEM NM6/18) NOTICE OF MOTION - ENCOURAGE MOUNTAIN BIKES TO TENTERFIELD

SUMMARY

The purpose of this Notice of Motion is to advocate for Council to investigate and report back on the feasibility of encouraging users of Mountain Bikes to visit Tenterfield.

RECOMMENDATION

That the Chief Executive investigate and report back to Council on the feasibility of constructing mountain bike tracks with the aim of attracting bikers to Tenterfield, if and when funding becomes available.

(John Macnish/Bob Rogan)

AMENDMENT

That the recommendation be amended to read:

"That the Chief Executive investigate and report back to Council on the feasibility of Council completing the cycle roadway and track maps and descriptions, and encourage the development of mountain bikes in Tenterfield Shire with the aim of attracting mountain bikes to Tenterfield."

(Bronwyn Petrie/Greg Sauer)

Amendment Carried

- 107/18** **Resolved** that the Chief Executive investigate and report back to Council on the feasibility of Council completing the cycle roadway and track maps and descriptions, and encourage the development of mountain bikes in Tenterfield Shire with the aim of attracting mountain bikes to Tenterfield.

(Bronwyn Petrie/Greg Sauer)

Motion Carried

RESOLUTION REGISTER

(ITEM RES4/18) COUNCIL RESOLUTION REGISTER - MAY 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.

- 108/18** **Resolved** that Council notes the status of the Council Resolution Register to May 2018.

(Greg Sauer/Bob Rogan)

Motion Carried



CONFIDENTIAL BUSINESS - SUSPENSION OF STANDING ORDERS

109/18 **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 2.09 pm.

(ITEM ECO10/18) UPDATE ON 2.4KM ROAD REALIGNMENT & CONSTRUCTION UPGRADE OF MT LINDESAY ROAD AT DALMAN NORTH (SLK 26.7- 29.1)

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 update Council on the status of the 28 March 2018 Council Resolution 54/18 to award a contract to MJ Smith Ground Preparation Pty Ltd for the Dalman North stage of the Mt Lindesay project in the amount of \$3,570,009.84 (including GST) subject to Council first receiving from the State/Federal Government written confirmation of monthly project funding support acceptable to Council.

110/18 **Resolved** that Council:

- (1) Note the project delay incurred on the awarding of a tender in the amount of \$3,570,009.84 (including GST) to MJ Smith Ground Preparation Pty Ltd subsequent to not receiving State/Federal funding confirmation advice until 11 May 2018; and
- (2) Note the correct Tender evaluation schedule.

(Bob Rogan/Gary Verri)

Motion Carried



(ITEM ECO11/18) TENTERFIELD TRUCK WASH UPDATE

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)) 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; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.

SUMMARY

This report provides a summary of where the project is at in terms of scope, cost and overall progress. The report seeks from Council an endorsement of revised budget of \$1.52M from the current budget of \$1.29M previously endorsed at the December 2017 Ordinary Council Meeting in Resolution 287/17.

111/18 **Resolved** that Council receive and note the progress report authorising progression to detailed design; which includes:

- The under/over loading facility from a round forcing yard;
- The provision of a safety management systems for working from heights;
- One truck wash bay but establish infrastructure which provides provision for second bay if required in the future;
- Revise rigid pavement to be replaced with unsealed flexible pavement, where from an engineering point of view this proves satisfactory;
- Limit Council's financial exposure to previously determined position of \$1.29m inclusive of the grant. (Understanding that if possible and the design remains fit for purpose that it is desirable to reduce this figure).

(Greg Sauer/Donald Forbes)

Motion Carried Unanimously

(ITEM ENV11/18) EPA LITIGATION STATUS AND RESOLUTION UPDATE

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (g) of the Local Government Act, 1993, as the matter involves advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

SUMMARY

This report provides an update on the status of EPA litigation against Council in relation to a June 2016 sewer manhole overflow. The report also seeks Council endorsement of a proposed negotiated change to Council's operational licence with consequent commitment to future capital works in lieu of a s64 sequence 2 prosecution.

112/18 **Resolved** that Council:

- (1) Receive and note Council's environmental risk review relating to sources of effluent overflow and the most appropriate way forward.



- (2) Note and endorse the capital requirements needed over the next five years to manage major overflow risks.
- (3) Endorse the proposed EPA changes to Council's STP operating licence.

(Bronwyn Petrie/Gary Verri)

Motion Carried

(ITEM ENV12/18) GEOTECH PTY LTD CONTRACT DISPUTE STATUS

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)) 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; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.

SUMMARY

This report is provided for Council to correct an administrative error in relation to a GST calculation of a dispute settlement figure for Geotech Pty Ltd.

113/18 Resolved that Council:

- (1) Notes the GST error in Resolution 53/18 of its 28 March 2018 Ordinary Meeting of Council regarding Report Item ENV7/18 – Geotech Pty Ltd Contract Dispute Status.
- (2) Settles both the remainder of Geotech Pty Ltd's seven figure claim along with any other rights Geotech may have at law pertaining to their Tenterfield Dam Construction Contract in the amount of \$290,000 (excluding GST).

(Gary Verri/Greg Sauer)

Motion Carried

RESUMPTION OF STANDING ORDERS

114/18 Resolved that Standing Orders be resumed.

(Brian Murray/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 3.56 pm.

In accordance with Section 253 of Local Government Regulation (General) Regulation 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 3.58 pm.



Councillor Peter Petty
Mayor/Chairperson