

Amended 27/8/18

Page 7 Item GOV55/18



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 25 JULY 2018

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday 25 July 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 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 black ink, appearing to be 'Peter Petty', is written over a red horizontal bar at the bottom right 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

Noted that the Property, Building & Landscape Coordinator, Heidi Ford was present in the meeting.

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

142/18 **Resolved** that the apology of Cr Michael Petrie and Cr Bronwyn Petrie be received and accepted.

(Donald Forbes/Greg Sauer)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

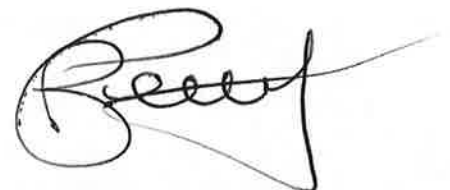
Nil.

CONFIRMATION OF PREVIOUS MINUTES

143/18 **Resolved** that the Minutes of the Council meeting held on Wednesday, 27 June 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

Nil.

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Item GOV54/18 – Monthly Operational Report – June 2018

- Erika Bursford, Manager Customer Service, Governance & Records addressed the following sections of the Monthly Operational Report:
 - Corporate and Governance
- Paul Della, Manager Finance & Technology addressed the following sections of the Monthly Operational Report:
 - Finance and Technology

MAYORAL MINUTE

Nil.

RECOMMENDATION FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

144/18 **Resolved** that the following item be considered in the Confidential Section of the Meeting:

- Item ECO15/18 – Koreelah Creek Bridge Upgrade Design Stage – Mt Lindesay Road.

(Gary Verri/Tom Peters)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM8/18) WAR MEMORIAL BATHS - TENDER RECOMMENDATION

SUMMARY

The purpose of this report is to advise Council of the outcome of the War Memorial Baths Tender for the Pool Operation.

SUSPENSION OF STANDING ORDERS

145/18 **Resolved** that Standing Orders be suspended and the Meeting move into Closed Committee to allow for discussion of the Confidential Attachment – Management & Operation of Tenterfield Swimming Pool.

(Donald Forbes/Bob Rogan)

Motion Carried



The doors were closed to the public, the recording device turned off and the Meeting moved into Closed Committee, the time being 9.58 am.

RESUMPTION OF STANDING ORDERS

146/18 **Resolved** that Standing Orders be resumed.

(Greg Sauer/Bob Rogan)

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 10.16 am.

(ITEM COM8/18) WAR MEMORIAL BATHS - TENDER RECOMMENDATION

147/18 **Resolved** that Council:

- (1) Accept the Confidential Report from Local Government Procurement; and
- (2) Accept the recommendation from Local Government Procurement as per the Confidential Report and not award a contract for the tender in this instance.

(Donald Forbes/Greg Sauer)

Motion Carried

(ITEM COM9/18) USE OF MEMORIAL HALL & RSL PAVILION BY TENTERFIELD TOTAL CARE & TRANSPORT INC - MEALS ON WHEELS

SUMMARY

Tenterfield Total Care & Transport Inc have contacted Council re use of the Memorial Hall and RSL Pavilion to facilitate *Meals on Wheels* and other community social programs during the refurbishment of the kitchen in their premises at 123 High Street, Tenterfield which are leased from Council, for the period Saturday, 21 July to Sunday, 19 August 2018.

148/18 **Resolved** that Council acknowledge a Quarterly Budget Review amendment will be required to the value of \$385.00 to reflect the cost of usage for the Memorial Hall & RSL Pavilion by Tenterfield Total Care & Transport Inc for the period Saturday, 21 July to Sunday, 19 August 2018 while their facility undergoes refurbishment.

(Greg Sauer/Brian Murray)

Motion Carried

OUR ECONOMY

(ITEM ECO13/18) UNNAMED RIGHT OF CARRIAGEWAY OFF MOLE RIVER ROAD, MOLE RIVER

SUMMARY

The purpose of this report is to commence the road naming process to name a Right of Carriageway (ROC) off Mole River Road, Mole River located



approximately 200m south-east from Gibraltar Road that services several properties. In accordance with Geographical Names Board (GNB) guidelines this private road is identified as a "Lane".

149/18 **Resolved** that Council:

- (1) Endorse the name "Stone Lane" as the name of this unnamed lane for the purposes of commencing formal public consultation.
- (2) Advertise the proposed road name of "Stone Lane" allowing 28 days for public response to Council's intention to name the road and commence gazettal process of the same unless advised of more appropriate names which:
 - (a) relate to the cultural and or historical significance of the location and;
 - (b) are consistent with the NSW Geographical Names Board guidelines.
- (3) Bring a report back to Council on public consultation results with final recommendation for name adoption and subsequent gazettal and signposting stating not only the road name but also "No Through Road", and "Council does not maintain this road."

(Brian Murray/Tom Peters)

Motion Carried

(ITEM ECO14/18) NATIONAL SALEYARDS EXPO - CASINO - 24 TO 26 JULY 2018

SUMMARY

The purpose of this report is for Council to endorse the attendance of Mayor Peter Petty at the National Saleyards Expo in Casino, 25 and 26 July 2018. Mayor Petty will be accompanied by Mr Mark Cooper, Council's Open Space, Regulatory & Utilities Supervisor.

- 150/18** **Resolved** that Council endorse the attendance of Mayor Peter Petty at the Australian Livestock Markets Association National Saleyards Expo at Casino, 25 and 26 July 2018.

(Bob Rogan/Gary Verri)

Motion Carried

OUR ENVIRONMENT

(ITEM ENV15/18) MURRAY DARLING ASSOCIATION - 74TH NATIONAL CONFERENCE & ANNUAL GENERAL MEETING - LEETON, NSW - 29-31 AUGUST 2018

SUMMARY

The purpose of this report is to determine Council's delegate/s for the Murray Darling Association and associated attendance at the Association's 74th National Conference and Annual General Meeting to be held at Leeton, NSW - 29 to 30 August 2018.



RECOMMENDATION

That Council:

- (1) Determine the Council delegate/s for the Murray Darling Association; and
- (2) Determine attendee/s for the Murray Darling Association 74th National Conference and Annual General Meeting to be held in Leeton, NSW – 29 to 31 August 2018.

(Greg Sauer/Tom Peters)

AMENDMENT

That the positions of Mayor and/or Deputy Mayor be the delegate positions or any alternative Councillor if the Mayor or Deputy Mayor are unavailable.

(Tom Peters/Donald Forbes)

Amendment Carried

Councillor Bob Rogan recorded a vote against the Amendment.

AMENDMENT

That Deputy Mayor Don Forbes attend the Murray Darling Association 74th National Conference and Annual General Meeting.

(Greg Sauer/John Macnish)

Amendment Carried

151/18 Resolved that:

- (1) The positions of Mayor and/or Deputy Mayor be the delegate positions or any alternative Councillor if the Mayor or Deputy Mayor are unavailable, for the Murray Darling Association; and
- (2) That Deputy Mayor Don Forbes attend the Murray Darling Association 74th National Conference and Annual General Meeting to be held in Leeton, NSW – 29 to 31 August 2018.

(Greg Sauer/Tom Peters)

Motion Carried

SUSPENSION OF STANDING ORDERS

152/18 Resolved that Standing Orders be suspended.

(Donald Forbes/Gary Verri)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.31 am.

The Meeting reconvened with the same members present but with the absence of the Property, Building & Landscape Coordinator, Heidi Ford, who had left the meeting. The time being 10.55 am.



RESUMPTION OF STANDING ORDERS

153/18 Resolved that Standing Orders be resumed.

(Greg Sauer/Gary Verri)

Motion Carried

OUR GOVERNANCE

(ITEM GOV54/18) MONTHLY OPERATIONAL REPORT - JUNE 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.

154/18 Resolved that Council receives and notes the status of the Monthly Operational Report to June 2018.

(Bob Rogan/Gary Verri)

Motion Carried

(ITEM GOV55/18) 2018 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - SUBMISSION OF MOTIONS

SUMMARY

The purpose of this report is for Council to consider motions for submission to the 2018 Local Government NSW Annual Conference for inclusion in the Business Paper.

155/18 Resolved:

- (1) That Council approve the following motions for submission to Local Government NSW for inclusion in the 2018 Annual Conference Business Paper.
- (2) Motion 1 - That Councils lobby State and Federal Governments to introduce harmonized biosecurity biodiversity legislation with a view to improving dam/river catchment volumes and increased creek flows by returning the landscape to woodland and removing excess vegetation in riparian zones.
- (3) Motion 2 - That LGNSW lobbies the NSW State Governments to legislate a Bill of Rights.

(Gary Verri/Greg Sauer)

Motion Carried



(ITEM GOV56/18) REVOCATION OF SUPERSEDED COUNCIL POLICIES

SUMMARY

The purpose of this report to seek Council's revocation of Council's Gathering Information Policy, that has been superseded in specific State legislation, and where relevant legal obligations are able to be applied through a Council protocol.

156/18 **Resolved** that Council revoke Policy Statement No. 1.072 – Gathering Information.

(Donald Forbes/Bob Rogan)

Motion Carried

Manager Finance & Technology, Paul Della, entered the meeting, the time being 11.18 am.

(ITEM GOV57/18) FINANCE & ACCOUNTS - PERIOD ENDED 30 JUNE 2018

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.

157/18 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 30 June 2018.

(Donald Forbes/Gary Verri)

Motion Carried

(ITEM GOV58/18) CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 2018

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.

158/18 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 30 June 2018.

(Brian Murray/Greg Sauer)

Motion Carried



(ITEM GOV59/18) REPORT ON LOAN BALANCES

SUMMARY

The purpose of this report is to inform Council of its loan balances as at 30 June 2018.

- 159/18** **Resolved** that Council notes the loan balance as at 30 June 2018 was \$7,690,327.31.

(Greg Sauer/Gary Verri)

Motion Carried

Manager Finance & Technology, Paul Della, left the meeting, the time being 11.26 am.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC17/18) REPORTS OF COMMITTEES & DELEGATES - ANNUAL GENERAL MEETING - AUSTRALIAN RURAL ROAD GROUP (INCORPORATED) - 19 JUNE 2018

SUMMARY

The Annual General Meeting of the Australian Rural Road Group (Incorporated) was held in Canberra on Tuesday, 19 July 2018. The meeting was attended by Mayor Peter Petty while in Canberra attending the 2018 National General Assembly of Local Government.

- 160/18** **Resolved** that the report from the Australian Rural Road Group (Incorporated) meeting of 19 June 2018 be received and noted.

(Peter Petty/Bob Rogan)

Motion Carried

(ITEM RC18/18) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE - 21 JUNE 2018

SUMMARY

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 21 June 2018.

- 161/18** **Resolved** that the report and actions of the Tenterfield Shire Local Traffic Committee meeting of 21 June 2018 be received and noted.

(Peter Petty/Greg Sauer)

Motion Carried



(ITEM RC19/18) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE - 21 JUNE 2018

SUMMARY

A meeting of the Audit & Risk Committee was held on Thursday, 21 June 2018.

- 162/18** **Resolved** that Council redirect the Audit Committee to bring forward the Human Resource & Workforce Development Audit and the Information Technology Audit to both be completed by the end of 2018.

(Donald Forbes/Brian Murray)

Motion Carried

- 163/18** **Resolved** that the Minutes of the Audit & Risk Committee Meeting held on 21 June 2018 be endorsed and adopted.

(Gary Verri/Donald Forbes)

Motion Carried

(ITEM RC20/18) REPORTS OF COMMITTEES & DELEGATES - NEW ENGLAND JOINT ORGANISATION (NEJO) - 25 JUNE 2018

SUMMARY

The inaugural Ordinary Meeting of the New England Joint Organisation (NEJO) was held at Moree Plains Shire Council on Monday, 25 June 2018.

- 164/18** **Resolved** that the Minutes of the New England Joint Organisation (NEJO) of 25 June 2018 be received and noted.

(Peter Petty/Greg Sauer)

Motion Carried

NOTICES OF MOTION

Nil.

(ITEM RES6/18) COUNCIL RESOLUTION REGISTER - JULY 2018

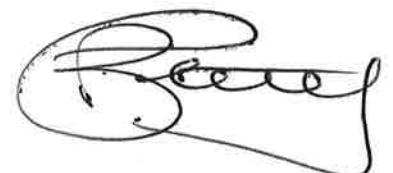
SUMMARY

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.

- 165/18** **Resolved** that Council notes the status of the Council Resolution Register to July 2018.

(Bob Rogan/Brian Murray)

Motion Carried



CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

166/18 **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.

(Greg Sauer/Donald Forbes)

Motion Carried

The doors were closed to the public, the recording device turned off and the Meeting moved into Closed Committee, the time being 11.48 am.

(ITEM ECO15/18) KOREELAH CREEK BRIDGE UPGRADE DESIGN STAGE - MT LINDESAY ROAD

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

The purpose of this report is to provide Council with a report and recommendation on the tender evaluation associated with the Koreelah Creek Bridge upgrade design stage of the \$24M Mt Lindesay Road upgrade project.

167/18 **Resolved** that Council accept the tender of SMEC Australia Pty Ltd for the Koreelah Creek Bridge upgrade design stage of the Mt Lindesay Road project in the amount of \$252,301.50 (including GST).

(Gary Verri/Brian Murray)

Motion Carried

RESUMPTION OF STANDING ORDERS

168/18 **Resolved** that Standing Orders be resumed.

(Donald Forbes/Bob Rogan)

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 12 noon.

In accordance with Section 253 of Local Government Regulations (General) 2005, 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 12.01 pm.



Councillor Peter Petty
Mayor/Chairperson