



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 26 OCTOBER 2016**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chambers on Wednesday, 26 October 2016 commencing at 9.38 am.

### **ATTENDANCE**

Councillor Peter Petty (Mayor)  
Councillor Greg Sauer (Deputy Mayor)  
Councillor John Macnish  
Councillor John Martin  
Councillor Brian Murray  
Councillor Bronwyn Petrie  
Councillor Michael Petrie  
Councillor Gary Verri

### **ALSO IN ATTENDANCE**

General Manager (Damien Connor)  
Executive Assistant & Media (Noelené Hyde)  
Director of Corporate Services (Allan Shorter)  
Director of Strategic Planning & Environmental Services (James Ruprai)  
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 blue ink, appearing to be 'Peter Petty', is written over a red background at the bottom right of the page.

## **WEBCASTING OF MEETING**

*I advise all present that this meeting is being webcast for the purposes of providing live coverage to broaden 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**

**260/16** **Resolved** that the apologies tendered by Councillor Tom Peters and Councillor Don Forbes be received and accepted.

(Bronwyn Petrie/Michael Petrie)

### **Motion Carried**

### **OATH & AFFIRMATION FOR COUNCILLORS**

Cr Greg Sauer took the Oath of Office as required under section 233A of the NSW *Local Government Act 1993* (as amended), being absent from the first meeting of the new Council on 28 September 2016.

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

Nil.

### **CONFIRMATION OF PREVIOUS MINUTES**

**261/16** **Resolved** that the Minutes of the Extraordinary Council meeting and Ordinary Council meeting held on Wednesday, 28 September 2016, as circulated, be confirmed and signed as a true record of the proceedings of those meetings.

(Michael Petrie/Brian Murray)

### **Motion Carried**



## TABLING OF DOCUMENTS

### DISCLOSURE OF INTEREST RETURNS – COUNCILLORS & DESIGNATED PERSONS

**262/16** **Resolved** that in accordance with Section 450A of the *Local Government Act 1993*, Council note the tabling of the Disclosure of Interest Returns and note that there are no outstanding Returns.

(Bronwyn Petrie/Greg Sauer)

#### **Motion Carried**

### URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil.

### COMMUNITY CONSULTATION (PUBLIC ACCESS)

9.42 am - Mrs Cheryl Jaques – Item GOV14/16 Community Engagement – Draft Policy.

### MAYORAL MINUTE

Nil.

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

Nil.

### OPEN COUNCIL REPORTS

- **OUR COMMUNITY**

Nil.

- **OUR ECONOMY**

### (ITEM ECO5/16) NORTHERN INLAND INVESTMENT PROFILE

#### SUMMARY

The purpose of this report is to provide information on Economic Development activities in the Tenterfield Shire.

**263/16** **Resolved** that Council receive and note the “Northern Inland Investment Profile” update report.

(Michael Petrie/Bronwyn Petrie)

#### **Motion Carried**

### (ITEM ECO6/16) LOCAL ROADS & TRANSPORT CONGRESS - TOOWOOMBA - 9 TO 11 NOVEMBER 2016

#### SUMMARY

The purpose of this report is for Council to endorse the attendance of relevant Councillors and staff at the 2016 National Local Roads & Transport Congress to be held in Toowoomba, Queensland from Wednesday 9 to Friday, 11 November 2016.



**264/16** **Resolved** that Council endorse the attendance of Mayor Peter Petty and Cr Gary Verri at the 2016 Local Roads & Transport Congress in Toowoomba.

(John Martin/Greg Sauer)

**Motion Carried**

• **OUR ENVIRONMENT**

**(ITEM ENV50/16) 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).

**265/16** **Resolved** that Council receives and notes the Report "Planning/Development Update" for September 2016.

(Gary Verri/Brian Murray)

**Motion Carried**

• **OUR GOVERNANCE**

**(ITEM GOV14/16) COMMUNITY ENGAGEMENT - DRAFT POLICY**

**SUMMARY**

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

**266/16** **Resolved** that Council adopts the attached draft Community Engagement Policy and places the document on public exhibition for a period of 28 days.

(Greg Sauer/Michael Petrie)

**Motion Carried**

**(ITEM GOV15/16) LAND USE AND PLANNING: LOCAL ENVIRONMENTAL PLAN: PLANNING PROPOSAL - AMENDMENT NO. 5 TO TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013**

**SUMMARY**

The purpose of this report is to seek Council's resolution to adopt and make Draft Local Environmental Plan Amendment No. 5 (dLEP) to amend *Tenterfield Local Environmental Plan 2013* (LEP). The dLEP seeks to incorporate a SP2 Infrastructure Zone in to the LEP which overlays on to the New England Highway Tenterfield Heavy Vehicle Bypass route as determined by Roads and Maritime Services.

**MOVED:**

That Council adopts and makes Draft Tenterfield Local Environmental Plan Amendment No. 5 without variation and requests the Department of Planning and Environment to notify the Plan on the NSW Government Legislation website.



### **FORESHADOWED MOTION**

We defer the dLEP until Council confers with RMs to move the northern access outside of the 80 km zone.

(Gary Verri/)

**267/16** **Resolved** that Council adopts and makes Draft Tenterfield Local Environmental Plan Amendment No. 5 without variation and requests the Department of Planning and Environment to notify the Plan on the NSW Government Legislation website.

(Michael Petrie/Brian Murray)

### **Motion Carried**

*The Meeting adjourned for Morning Tea, the time being 10.27 am.*

*The Meeting reconvened with the same members present, the time being 10.49 am.*

### **(ITEM GOV16/16) AMENDMENT TO TENTERFIELD DEVELOPMENT CONTROL PLAN 2014**

#### **SUMMARY**

The purpose of this report is to consider any submissions made during the public exhibition period of the proposed amendments to Tenterfield Development Control Plan 2014 and to approve the amendments to the Plan. The amendments propose additional information in relation to colour schemes which have resulted due to increased community request for further guidance.

#### **MOVED:**

That Council:

- (1) Approves the amendments to Tenterfield Development Control Plan 2014 to include more detailed provisions relating to colour schemes for historic buildings and conservation areas;
- (2) Approves amendments to the Plan to correct minor errors in numbering and wording contained in the Plan; and
- (3) Gives public notice of its decision.

(Michael Petrie/Brian Murray)

### **Motion Lost**

### **FORESHADOWED MOTION**

Council rework alterations to the DCP 2014 in relation to heritage colour schemes.

(Bronwyn Petrie/)

**268/16** **Resolved** that Council rework alterations to the DCP 2014 in relation to heritage colour schemes.

(Bronwyn Petrie/John Macnish)

### **Motion Carried**





## **(ITEM GOV17/16) UPGRADING COUNCIL MEETING WEBCASTS**

### **SUMMARY**

The purpose of this report is to provide an update regarding options for systems to upgrade the quality of current live webcasting of Council meetings as per Council Resolution 227/16 of 24 August 2016.

**269/16** **Resolved** that Council utilise the NBN to webcast Council meetings in the future but use Option 3 until such time as the NBN is available.

### ***"Option 3 – Video Recording of Council Meetings***

*Make a video recording of Council Meetings in the Council Chamber utilizing current webcam and PA system and make this available on Council's website on the following day. The webcam recording would need to be reformatted to provide good quality picture and sound so would not be available immediately. No additional cost."*

(Gary Verri/Bronwyn Petrie)

### **Motion Carried**

## **(ITEM GOV18/16) POLICY AMENDMENT - SEWERAGE AVAILABILITY CHARGES**

### **SUMMARY**

The purpose of this report is to consider amending Council's Revenue Policy in respect of the application of Sewerage Availability Charges where Council issues an Order to connect under Clause 124 of the Local Government Act and Clause 96 of the Local Government (General) Regulation 2005.

**270/16** **Resolved** that Council:

(1) Amend the Revenue Policy 2016-17 Section 3.1 (paragraph no 3) to read:

*"The Sewerage Availability Charge is levied as a charge per sewerage connection to each rates assessment, or if no sewerage connection is provided then a Sewerage Availability Charge will be levied on all sewered land in the Tenterfield and Urbenville Town areas within 75 metres of Council's main and physically able to be connected to Councils main (in accordance with Section 552 of the Local Government Act 1993), the Sewerage Availability Charge will then apply to the number of parcels of rateable land separately valued as at 1 July in each rating year, except where Council issues an order to connect to the local sewer main in accordance with Clause 124 (Chapter 7, Part 2, Division 1) of the Local Government Act 1993 and Clause 96 (Part 3, Division 3) of the Local Government (General) Regulation 2005, the Sewerage Availability Charge shall not apply until the date of completion of the connection"; and*

(2) Advertise the proposed amendment for consultation purposes for a period of 28 days, and if no material submissions are received the Policy amendment be adopted; and

(3) Approve the amendment to the Revenue Policy 2016-17 to apply retrospectively from 1 July 2016.

(John Macnish/Brian Murray)

### **Motion Carried**



## **(ITEM GOV19/16) 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.

**271/16** **Resolved** that Council receive and note the Manager Finance's Report "Finance and Accounts" for the period ended 30 September 2016.

(Michael Petrie/Gary Verri)

**Motion Carried**

## **(ITEM GOV20/16) 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.

**272/16** **Resolved** that Council receive and note the "Posted Expenditure Report" for the period September 2016.

(Brian Murray/Greg Sauer)

**Motion Carried**

## **(ITEM GOV21/16) REPORT ON LOAN BALANCES**

### **SUMMARY**

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

**273/16** **Resolved** that Council notes the loan balance as at 30 September 2016 was \$5,003,524.47.

(Gary Verri/Michael Petrie)

**Motion Carried**

## **REPORTS OF DELEGATES & COMMITTEES**


Nil.

## **NOTICES OF MOTION**

## **(ITEM NM12/16) EXTRA FUNDING FOR STATE ROADS IN COUNCIL'S CARE**

### **SUMMARY**

The purpose of this Notice of Motion is to seek increased block grants for the Mt Lindesay Road.



**274/16** **Resolved** that Tenterfield Shire Council ask Hon Thomas George MP to ask the appropriate Ministers for an increase in the Block Grant allocated for the State Roads under Council's care.

(Gary Verri/Brian Murray)

**Motion Carried**

**(ITEM NM13/16) SUPPORT FOR REDUCTION OF DAYLIGHT SAVING**

**SUMMARY**

The purpose of this Notice of Motion is to support Hon Thomas George MP in his bid to reduce Daylight Saving.

**275/16** **Resolved** that Tenterfield Shire Council offer its support to Hon Thomas George MP in his bid to reduce the duration of Daylight Savings by one (1) month to conclude on the first Sunday of March 2017.

(Gary Verri/Michael Petrie)

**Motion Carried**

**RESOLUTION REGISTER**

**(ITEM RES3/16) COUNCIL RESOLUTION REGISTER - OCTOBER 2016**

**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.

**276/16** **Resolved** that the Council Resolution Register to October 2016 be received and noted.

(Greg Sauer/Bronwyn Petrie)

**Motion Carried**

**CONFIDENTIAL BUSINESS**

Nil.

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 11.42 am.

  
Councillor Peter Petty  
Mayor/Chairperson