



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 28 JUNE 2017**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday, 28 June 2017 commencing at 9.40 am.

### **ATTENDANCE**

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

### **ALSO IN ATTENDANCE**

Actg Chief Executive (Dave Walker)  
Executive Assistant & Media (Noelene Hyde)  
Chief Corporate Officer (Kylie Smith)  
Chief Operating Officer (Andre Kompler)  
Senior Planner (Tamai Davidson)  
Actg Finance Manager (Andrew Wright)

*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 dark red background at the bottom right of the page.

## 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.*

### PASSING OF COUNCILLOR JOHN MARTIN

*Led by Mayor Peter Petty, Councillors, Council staff and members of the public gallery observed a minutes' silence in memory of Councillor John Martin who passed away suddenly on Tuesday, 20 June 2017.*

### APOLOGIES

Nil.

### DISCLOSURE & DECLARATIONS OF INTEREST

**88/17**

**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
Cr Bronwyn Petrie	Pecuniary – will leave the Chamber for speakers to the matter and debate of the item	Item ENV8/17 - Tenterfield Local Environment Plan 2013 – Proposed Amendment – Planning Proposal RU3 Zoned Land Provisions
Cr Gary Verri	Less Than Significant Non Pecuniary – will remain in the Chamber	Item ENV9/17 – Mt Lindesay Road Waste Collection Service Update

(Gary Verri/Tom Peters)

### Motion Carried

### CONFIRMATION OF PREVIOUS MINUTES

**89/17**

**Resolved** that the Minutes of the Council meeting held on Wednesday, 24 May 2017, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Greg Sauer/Michael Petrie)

### Motion Carried



## TABLING OF DOCUMENTS

Nil.

## URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

**90/17** **Resolved** that the Confidential Addendum Agenda – Item Env10/17 – June 2016 Pollution Incident Update be received.

(Bronwyn Petrie/Gary Verri)

### **Motion Carried**

*Senior Planner Ms Tamai Davidson entered the meeting, the time being 9.44 am.*

## COMMUNITY CONSULTATION (PUBLIC ACCESS)

All speakers in the Public Access session have applied to address Item ENV8/17 – Tenterfield Local Environmental Plan 2013 – Proposed Amendment – Planning Proposal RU3 Zoned Land Provisions.

*Councillor Bronwyn Petrie, having declared a pecuniary interest in this Item, left the Chamber, the time being 9.45 am.*

## PROCEDURAL MOTION

**91/17** **Resolved** that Item ENV8/17 - Tenterfield Local Environmental Plan 2013 – Proposed Amendment – Planning Proposal RU3 Zoned Land Provisions be moved forward in the Agenda to be dealt with following the speakers on the matter.

(John Macnish/Greg Sauer)

### **Motion Carried**

The following speakers all spoke in favour of the planning proposal which seeks to remove RU3 Forestry Land Use Zone from Tenterfield Local Environmental Plan 2013 and convert all of the current RU3 zoned land to RU1 Primary Production.

- Mr Brett Watson
- Mr Bill Petrie
- Mr Tim Petrie

*Councillor Bronwyn Petrie returned to the Chamber, the time being 10.00 am.*

*10.00 am - The meeting adjourned to allow for the conduct of a Citizenship Ceremony for Dr Mohan Siribaddana, Dr Nilukshi Siribaddana and Miss Venesa Siribaddana.*

*Following the Citizenship Ceremony, Australia's newest citizens joined Councillors for morning tea.*

*The meeting reconvened with the same members present, the time being 10.25 am.*

*Councillor Bronwyn Petrie having declared a pecuniary interest in Item ENV8/17, left the Chamber, the time being 10.25 am.*



**(ITEM ENV8/17) TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013 - PROPOSED AMENDMENT - PLANNING PROPOSAL RU3 ZONED LAND PROVISIONS**

**SUMMARY**

The purpose of this report is for Council to consider a Planning Proposal document to be lodged through the Gateway Process with the Department of Planning and Environment. The Planning Proposal seeks to remove the RU3 Forestry Land Use Zone from Tenterfield Local Environmental Plan 2013 and convert all of the current RU3 zoned land to RU1 Primary Production.

**RECOMMENDATION**

That Council forward the Planning Proposal to the Department of Planning and Environment for assessment through the Gateway process.

(Tom Peters/Michael Petrie)

**AMENDMENT**

That the wording of the Planning Proposal 2017-01 be amended as follows:

(1) In the section titled "Brief History", the following be added at the end of the last sentence. *"and approximately 50 Perpetual Leases with State Forest dedication over them are affected by the zoning."*

(2) In Section C, 7 – add after the last paragraph:

*"It is understood that the heritage listing was intended for sections of State Forests, National Park and Nature Reserve as evidenced by the notation on the listing Owner – State Government. The freehold landowner and NSW Farmers are currently in discussion with the Office of Environment & Heritage to amend the listing to remove the listing from all freehold land affected across the 15 local government areas."*

(3) In Section C, 9 – add after the paragraph:

*"However this will restore the pre-existing rights of title that were inadvertently changed as a result of the adoption of the LEP template."*

(John Macnish/Gary Verri)

**Amendment Carried Unanimously**

*As this is a Planning matter, the votes recorded were as follows:*

*Voting for the Amendment:*

*Cr Verri, Cr Macnish, Cr Murray, Cr Peters, Cr Forbes, Cr Sauer, Cr M Petrie, Mayor P Petty.*

*Absent from the Chamber:*

*Cr B Petrie*

**92/17**

**Resolved** that Council forward the Planning Proposal to the Department of Planning and Environment for assessment through the Gateway process to include the following amendments:

(1) In the section titled "Brief History", the following be added at the end of the last sentence. *"and approximately 50 Perpetual Leases with State*



*Forest dedication over them are affected by the zoning."*

(2) In Section C, 7 – add after the last paragraph:

*"It is understood that the heritage listing was intended for sections of State Forests, National Park and Nature Reserve as evidenced by the notation on the listing Owner – State Government. The freehold landowner and NSW Farmers are currently in discussion with the Office of Environment & Heritage to amend the listing to remove the listing from all freehold land affected across the 15 local government areas."*

(3) In Section C, 9 – add after the paragraph:

*"However this will restore the pre-existing rights of title that were inadvertently changed as a result of the adoption of the LEP template."*

(Tom Peters/Michael Petrie)

### **Motion Carried Unanimously**

*As this is a Planning matter, the votes recorded were as follows:*

*Voting for the Motion:*

*Cr Verri, Cr Macnish, Cr Murray, Cr Peters, Cr Forbes, Cr Sauer, Cr M Petrie, Mayor P Petty.*

*Absent from the Chamber:*

*Cr B Petrie*

*Senior Planner, Ms Tamai Davidson left the meeting the time being 10.28 am.*

*Councillor Bronwyn Petrie returned to the Chamber, the time being 10.30 am.*

## **OPEN COUNCIL REPORTS**

### **OUR COMMUNITY**

Nil.

### **OUR ECONOMY**

#### **(ITEM ECO10/17) UNNAMED RIGHT OF CARRIAGEWAY OFF OGILVIE DRIVE, TABULAM**

#### **SUMMARY**

The purpose of this report is to commence the road naming process to name a Right of Carriageway (ROC) off Ogilvie Drive, Tabulam located approximately 3.064 km from Plains Station Road that services several properties. In accordance with Geographical Names Board (GNB) guidelines this private road is identified as a "Lane".

**93/17** **Resolved** that Council:

(1) Endorses the name "Granite" Lane as the name of this unnamed lane for the purposes of commencing formal public consultation.





- (2) Advertise the proposed road name of "Granite Lane" allowing 28 days for public response to Council's intention to so 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."

(Michael Petrie/Tom Peters)

**Motion Carried**

**(ITEM ECO11/17) LEASE OF COUNCIL CONTROLLED LAND - ROAD RESERVE**

**SUMMARY**

The purpose of this report is to provide Council with the necessary information to determine a Lease Agreement for a section of adjoining road reserve between Tenterfield Shire Council and the property owner of Lot 1 Sec 79 DP 758959, 89 Rouse Street Tenterfield.

**94/17** **Resolved** that Council:

- (1) Approve the lease of the land as identified in the report to the property owner of Lot 1 Sec 79 DP 758959 for a minimum period of ten (10) years with an option to extend for a further ten (10) years as negotiated with Council with all legal costs and survey to be borne by the property owner; and
- (2) Approve the signing of the Lease Agreement by the Chief Executive and Mayor under the Seal of Council once the Lease Agreement is determined by Council.

(Greg Sauer/Bronwyn Petrie)

**Motion Carried**

**(ITEM ECO12/17) PATERSONS ROAD - ROAD RESERVE UPDATE**

**SUMMARY**

The purpose of this report is to provide an update to Council on the cadastral surveying and legal work required to place the existing constructed section of Patersons Road into a dedicated road reserve east and south of Acacia Creek at Legume. The current section of Patersons Road is not contained within a dedicated road reserve but traverses privately owned land.

**95/17** **Resolved** that Council receive and note this information update report.

(Greg Sauer/Gary Verri)

**Motion Carried**



## **(ITEM ECO13/17) NSW TRAVELLING STOCK RESERVE REVIEW**

### **SUMMARY**

The purpose of this report is to provide Council with a submission to the NSW Travelling Stock Reserve Review process as an action in relation to Notice of Motion 7/17.

### **RECOMMENDATION**

That Council makes a submission to the review of NSW Travelling Stock Reserve Review expressing support for the NSW Government direction to ensure that the network remains connected, viable and well maintained and expressing a desire liaise with Local Land Services further on any identified surplus assets.

(Michael Petrie/Greg Sauer)

### **AMENDMENT**

That Council make a submission with a view to transferring unused sections of the Travelling Stock Reserve (TSR) to Council ownership.

(Gary Verri/Tom Peters)

### **Amendment Carried**

**96/17** **Resolved** that Council make a submission with a view to transferring unused sections of the Travelling Stock Reserve (TSR) to Council ownership.

(Gary Verri/Tom Peters)

### **Motion Carried**

## **(ITEM ECO14/17) MAY 2017 INFRASTRUCTURE, ENGINEERING, PLANNING AND SERVICES PROGRESS 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.

**97/17** **Resolved** that Council receive and note the Chief Operating Officer's May 2017 Progress Report.

(Brian Murray/Bronwyn Petrie)

### **Motion Carried**

## **OUR ENVIRONMENT**

### **(ITEM ENV7/17) 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).



**98/17** **Resolved** that Council receives and notes the Report "Planning/Development Update".

(Gary Verri/Michael Petrie)

**Motion Carried**

*Acting Finance Manager Mr Andrew Wright entered the meeting, the time being 11.15 am.*

**(ITEM ENV9/17) MT LINDESAY ROAD WASTE COLLECTION SERVICE UPDATE**

**SUMMARY**

The purpose of this report is to provide Council further information to aid making a decision on whether to continue the Mt Lindesay Road waste collection service or otherwise.

**RECOMMENDATION**

That:

- (1) Consequent to public survey and 2016/2017 waste pick up trials on Mt Lindesay Road, Council confirms for the 2017/2018 year its preference for a new "user pays- optional" fee of \$219/annum for ratepayers on Mt Lindesay Road for those wanting a fortnightly roadside 120L bin pick up collection service in lieu of the current compulsory service.
- (2) Council advertise this new fee/charge for 28 days and then bring a report back to Council for fee final adoption.
- (3) After final adoption, Council write to each ratepayer along Mt Lindesay Road advising; Council having listened to previous community comments, Council's desire now to provide the service only to those users of the service who want the service, and the need for residents who want the service to so confirm the same with Council.
- (4) That this waste collection service be introduced on a "no-precedence" basis and that no later than two (2) months before the completion of this two (2) year temporary service, a properly worded survey be sent to all residents, both those using the service and those not using it, to fully canvas the interest and support in making it a permanent service thereafter.

(Greg Sauer/John Macnish)

**AMENDMENT**

Item (1) - Replace \$219/annum with \$297 per annum for a weekly roadside pickup.

(Bronwyn Petrie/John Macnish)

**Amendment Carried**

**99/17** **Resolved** that:

- (1) Consequent to public survey and 2016/2017 waste pick up trials on Mt Lindesay Road, Council confirms for the 2017/2018 year its preference for a new "user pays- optional" fee of \$297/annum for ratepayers on Mt





Lindesay Road for those wanting a weekly roadside 120L bin pick up collection service in lieu of the current compulsory service.

- (2) Council advertise this new fee/charge for 28 days and then bring a report back to Council for fee final adoption.
- (3) After final adoption, Council write to each ratepayer along Mt Lindesay Road advising; Council having listened to previous community comments, Council's desire now to provide the service only to those users of the service who want the service, and the need for residents who want the service to so confirm the same with Council.
- (4) That this waste collection service be introduced on a "no-precedence" basis and that no later than two (2) months before the completion of this two (2) year temporary service, a properly worded survey be sent to all residents, both those using the service and those not using it, to fully canvas the interest and support in making it a permanent service thereafter.

(Greg Sauer/John Macnish)

**Motion Carried**

**OUR GOVERNANCE**

**(ITEM GOV33/17) 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.

- 100/17** **Resolved** that Council receive and note the Report "Finance and Accounts" for the period ended 31 May 2017.

(Gary Verri/Michael Petrie)

**Motion Carried**

**(ITEM GOV34/17) 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.

- 101/17** **Resolved** that Council receive and note the "Posted Expenditure Report" for the period ended 31 May 2017.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**



**(ITEM GOV35/17) ADOPTION OF OPERATIONAL PLAN 2017/18 AND DELIVERY PROGRAM 2017-2021**

**SUMMARY**

The purpose of this report is for Council to adopt the four year Delivery Program 2017-2021 and the annual Operational Plan 2017-2018 for Tenterfield Shire Council following public exhibition.

*Cr John Macnish left the meeting, the time being 11.40 am.*

*Cr John Macnish returned to the meeting, the time being 11.43 am.*

**102/17** **Resolved** that Council:

- (1) Adopt the Delivery Program 2017-2021, as attached;
- (2) Adopt the Operational Plan 2017-18, as attached;
- (3) That Council endorses the changes made to the Delivery Program 2017-2021 and Operational Plan 2017-2018 as a result of the exhibition period; and
- (4) Adopt the annual budget summary by service and 4 year Capital Program.

(Gary Verri/Greg Sauer)

**Motion Carried**

**(ITEM GOV36/17) POSITION OF MANAGER ASSETS & PROJECT PLANNING**

**SUMMARY**

The purpose of this report is to address Council Resolution 85/17:

*"Resolved that the two (2) newly created advertised positions of Managers Assets and Governance do not proceed to interview until a case for their creation has been presented to Council and Council resolves to resource these positions as per the requirements of the Local Government Act clauses 332(1) and 332(1)(b)."*

**RECOMMENDATION**

- (1) That the position of Manager Assets & Project Planning proceed; and
- (2) A review of the positions of Manager Governance, Information & Performance and Manager HR & Workforce Development be completed by the Acting Chief Executive. Councillors to be advised of the outcome of the Review in accordance with Section 332 (1A) and (1B) of the *Local Government Act*.
- (3) Recommendations (1) and (2) are subject to the adoption of the 2017/2018 budget (Section 332 (1)(c) of the *Local Government Act*).

(Greg Sauer/Brian Murray)

**AMENDMENT**

That the employment of the Manager Assets & Project Planning be left until the employment of the new Chief Executive to make that decision.

(Brian Murray/John Macnish)

**Amendment Lost**



**103/17 Resolved:**

- (1) That the position of Manager Assets & Project Planning proceed; and
- (2) A review of the positions of Manager Governance, Information & Performance and Manager HR & Workforce Development be completed by the Acting Chief Executive. Councillors to be advised of the outcome of the Review in accordance with Section 332 (1A) and (1B) of the *Local Government Act*.
- (3) Recommendations (1) and (2) are subject to the adoption of the 2017/2018 budget (Section 332 (1)(c) of the *Local Government Act*).

(Greg Sauer/Brian Murray)

**Motion Carried**

**(ITEM GOV37/17) ANNUAL REMUNERATION FOR COUNCILLORS AND THE MAYOR 2017-2018**

**SUMMARY**

The purpose of this report is to address the recent determination of the NSW Local Government Remuneration Tribunal which handed down an increase in the fees payable to Councillors and the Mayor of 2.5% for the 2017/2018 financial year.

The increase applies to both the minimum and maximum allowable rates for both Councillors and the Mayor. Council is required to determine at which rate it sets fees for both Councillors and the Mayor within the minimum and maximum allowable amounts for the upcoming financial year.

**104/17 Resolved that:**

- (1) The report and determination of the NSW Remuneration Tribunal 2017 be noted; and
- (2) Council sets the level of fees payable to Councillors at \$11,570 per annum effective from 1 July 2017 to 30 June 2018; and
- (3) Council sets the fee payable to the Mayor at \$25,250 per annum effective from 1 July 2017 to 30 June 2018; and
- (4) The 2017/2018 Operational Plan budget (Councillor and Mayoral Fees) be increased by an amount of \$950 to cover the 2.5% increase.

(Greg Sauer/Tom Peters)

**Motion Carried**

**(ITEM GOV38/17) INVESTMENT - DRAFT POLICY 1.091**

**SUMMARY**

The purpose of this report is to enable Council to review the existing Investment Policy which was previously adopted in May 2015.



**Note:** An amendment was made to page 2 of the Report and amendment to be made to spelling of "Jaques" on page 1 of the Report.

**105/17** **Resolved** that Council adopts the draft Investment Policy 1.091 as per the attachment.

(Michael Petrie/Gary Verri)

**Motion Carried**

**(ITEM GOV39/17) RELATED PARTY DISCLOSURE POLICY - NEW POLICY**

**SUMMARY**

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

**106/17** **Resolved** that Council:

- (1) Adopts the draft Related Party Disclosure Policy as per the attachment; and
- (2) Places the Related Party Disclosure Policy on public exhibition for a period of 14 days.

(Greg Sauer/Bronwyn Petrie)

**Motion Carried**

*Acting Finance Manager Mr Andrew Wright left the meeting, the time being 12.08 pm.*

**(ITEM GOV40/17) MT MCKENZIE COMMUNICATION TOWER FACILITY SHARING LICENCE AGREEMENT - NOVATION DEED**

**SUMMARY**


The purpose of this report is to inform Council on the request for a Novation Deed and transfer of the current Facility Sharing Licence Agreement at Council's digital communications tower on Mt McKenzie.

**107/17** **Resolved** that Council:

- (1) Execute the Novation Deed, and approve the Chief Executive to sign the Novation Deed; and
- (2) Action a new Facility Sharing Licence Agreement with Network Investments Pty Ltd for an initial period of five (5) years with two (2) options to extend, each being for a further five (5) years; and
- (3) Execute a new Facility Sharing Licence Agreement with Network Investments Pty Ltd for an initial period of five (5) years with two (2) options to extend, each being for a further five (5) years, with the same being signed by the Chief Executive and the Mayor under the Seal of Council.
- (4) Approve that the Chief Executive be authorised to execute the 2 x options to extend.

(Michael Petrie/Tom Peters)

**Motion Carried**



## REPORTS OF DELEGATES & COMMITTEES

### (ITEM RC7/17) REPORT OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE - 1 JUNE 2017

#### SUMMARY

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 1 June 2017.

#### **108/17** Resolved:

- (1) That the report of the Tenterfield Shire Local Traffic Committee meeting of 1 June 2017 be received and noted; and further
- (2) That Council offers no objections to the use of roads such as Amosfield Road and Mount Lindesay Road associated with the Cycle QLD event on 7 September 2017 subject to Police, approval and standard conditions; and further
- (3) That Council offers no objections to the use of roads such as Mount Lindesay Road, Beaury Creek Road and Grahams Creek Road associated with the Woodenbong Trailbike Ride to be held on the new dates of 17/18 June 2017 subject to Police approval and standard conditions; and further
- (4) Two (2) no stopping signs be installed in the section directly in front of the bus bay inline with the area where the children wait for the buses to prevent conflict with children and buses located in Douglas Street between the hours of 8am-9:30am and 2:30-4pm on school days to coincide with drop off and pick up times; and further
- (5) Council Rangers to investigate on weekdays and weekends to determine the times that heavy vehicles are utilising the Industrial Estate for parking and report back to the next LTC meeting. Also, Council to investigate with RMS the possibility of constructing a designated heavy vehicle parking area in line with the construction of the bypass as a wider solution for a wide stand to benefit truck drivers; and further
- (6) That Council installs an additional "No Stopping" sign with right arrow at the specified location in Manners Street to allow for a closed "No Stopping" Zone in conjunction with the existing "No Stopping" sign with left arrow near Whereat Lane.

(Peter Petty/Gary Verri)

#### Motion Carried

### (ITEM RC8/17) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE -14 JUNE 2017

#### SUMMARY

A meeting of the Audit & Risk Committee was held on Wednesday, 14 June 2017.





**109/17** **Resolved** that the Report of Audit & Risk Committee meeting of 14 June 2017 be received and noted.

(Peter Petty/Donald Forbes)

**Motion Carried**

**NOTICES OF MOTION**

Nil.

**RESOLUTION REGISTER**

**(ITEM RES5/17) COUNCIL RESOLUTION REGISTER - JUNE 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.

**110/17** **Resolved** that Council notes the Council Resolution Register to June 2017.

(Greg Sauer/Tom Peters)

**Motion Carried**

**CONFIDENTIAL BUSINESS**

**111/17** **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.

(Bronwyn Petrie/Tom Peters)

**Motion Carried**

*The doors were closed to the public, the recording device turned off and the meeting moved into Closed Committee, the time being 12.18 pm.*

**(ITEM ECO9/17) TENDER 09-16/17 - SUPPLY OF TILT CRANE TRUCK**

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



## **SUMMARY**

Council recently advertised Tender 09-16/17 – Supply of Tilt-Crane Truck. Following Councils resolution CM 82/17 and subsequent discussions with Murwillumbah Truck Centre re what is included and not included in the price, there is no resolution on final price and the Tenderer's documentation is inconsistent. To avoid disputation on what is included and what is not, it is recommended Council re-advertise with more concise documentation.

### **112/17 Resolved that Council:**

- (1) Re-tender 09-16/17 for the Supply of a Tilt-Crane Truck;
- (2) Re-allocate funding for the purchase of a Tilt-Crane Truck to the 2017/2018 plant replacement budget and tenders be recalled in the new financial year.

(Greg Sauer/Brian Murray)

### **Motion Carried**

## **(ITEM GOV32/17) CHIEF EXECUTIVE - RECRUITMENT & SELECTION PROCESS**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) (d(i)) (d(ii)) (d(iii)) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals; AND 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; AND commercial information of a confidential nature that would, if disclosed (iii) reveal a trade secret.

## **SUMMARY**

The purpose of this report is to commence recruitment and selection of a Chief Executive to fill the current senior staff vacancy.

*Acting Chief Executive Dave Walker declared an interest in this item.*

## **RECOMMENDATION**

That Council:

- (1) Determine a Recruitment Agency to facilitate recruitment of a Chief Executive from the proposals received;
- (2) Increase the Long Term Financial Plan allocation in 2017/18 by \$65,000 to cover the recruitment process and Chief Executive TRP market adjustment, with an ongoing adjustment in subsequent years to reflect the remuneration package only;
- (3) Determine an Interview Panel for second round interviews.

(Greg Sauer/Michael Petrie)



**113/17** **Resolved** that Council:

- (1) Appoint Blackadder & Associates as the recruitment agency for the Chief Executive position; and
- (2) Allocate a TRP of \$225,000; and
- (3) Determine the Interview Panel of seven (7) Councillors at the July Ordinary Council Meeting.

(Bronwyn Petrie/Gary Verri)

**Motion Carried**

### **(ITEM ENV10/17) JUNE 2016 POLLUTION INCIDENT 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**

The purpose of this report is to give Council the condensed background and status of a pollution incident dating back to June 2016.

**114/17** **Resolved** that Council receive and note the status of EPA follow up consequent to a June 2016 effluent overflow from a Council sewer main.

(Gary Verri/Greg Sauer)

**Motion Carried**

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

**115/17** **Resolved** that the meeting move out of Closed Committee.

(Gary Verri/Greg Sauer)

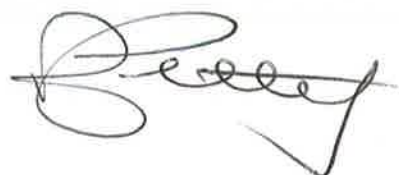
**Motion Carried**

*The meeting moved out of Committee, the doors were opened to the public and the recording device was turned on, the time being 1.10 pm.*

*The Mayor read the resolutions as resolved by Council whilst in Closed Committee.*

#### **QUESTIONS FOR NEXT MEETING**

Cr Gary Verri requested a Councillor workshop on Council Committees which replaced the Section 355 Committees, and seven (7) day trading in Tenterfield.



**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 1.15 pm.



Councillor Peter Petty  
Mayor/Chairperson

