



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 28 NOVEMBER 2018**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday, 28 November 2018 commencing at 9.30 am.

### **ATTENDANCE**

Councillor Peter Petty (Mayor)  
Councillor Greg Sauer (Deputy Mayor)  
Councillor Donald Forbes  
Councillor Tom Peters  
Councillor Bronwyn Petrie  
Councillor Michael Petrie  
Councillor Bob Rogan  
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 read 'Peter Petty', is written over a dark 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 Senior Planner, Ms Tamai Davidson was in attendance.*

**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**

**249/18** **Resolved** that the apology of Cr John Macnish and Cr Brian Murray be received and accepted.

(Greg Sauer/Bob Rogan)

**Motion Carried**

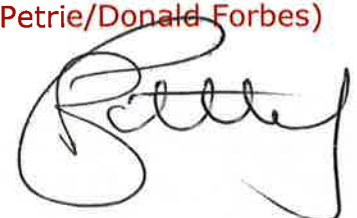
**DISCLOSURE & DECLARATIONS OF INTEREST**

**250/18** **Resolved** that Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

<b>Name</b>	<b>Type</b>	<b>Item</b>	<b>Action</b>
Cr Bronwyn Petrie	Pecuniary Interest	ENV22/18 – Tenterfield Local Environmental Plan 2013 – Planning Proposal RU3 Zoned Land Provisions	Will leave the meeting.

(Michael Petrie/Donald Forbes)

**Motion Carried**



## **(ITEM MIN4/18) CONFIRMATION OF PREVIOUS MINUTES**

**251/18** **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting held on Thursday, 25 October 2018

as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

(Tom Peters/Bob Rogan)

### **Motion Carried**

## **TABLING OF DOCUMENTS**

Nil.

## **URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS**

**252/18** **Resolved** that the Addendum Report be received and the Item GOV93/18 Quarterly Budget Review Statement – September 2018, be considered by Council prior to Item GOV91/18 Presentation of the Financial Statements for the Year Ended 30 June 2018.

(Bronwyn Petrie/Gary Verri)

### **Motion Carried**

## **COMMUNITY CONSULTATION (PUBLIC ACCESS)**

### **Item ENV22/18 – Tenterfield Local Environmental Plan 2013 – Planning Proposal RU3 Zoned Land Provisions**

*Having declared a Pecuniary Interest, Cr Bronwyn Petrie left the meeting, the time being 9.33 am.*

The following community members addressed Council on this matter:

- Mr Bill Petrie
- Ms Gail Hartridge

*Cr Bronwyn Petrie returned to the meeting, the time being 9.50 am.*

### **Item GOV83/18 – Monthly Operational Plan – October 2018**

- Ms Kylie Smith – Chief Corporate Officer addressed the following sections of the Monthly Operational Report:
  - Corporate and Governance
  - Finance & Technology
  - Environmental Management
  - Livestock Saleyards
  - Planning & Regulation
  - Building & Amenities
  - Parks, Gardens & Open Space
  - Swimming Complex
- Mr Andre Kompler – Chief Operating Officer addressed the following sections of the Monthly Operational Report:
  - Transport Network
  - Asset Management & Resourcing



- Waste Management
- Water Supply
- Sewerage Services

*Having declared a Pecuniary Interest in the following item, Cr Bronwyn Petrie left the meeting, the time being 10.28 am.*

## **CHANGE TO ORDER OF BUSINESS**

**253/18** **Resolved** that Item ENV22/18 Tenterfield Local Environmental Plan 2013 – Planning Proposal RU3 Zoned Land Provisions be moved forward in the Order of Business and be considered at this time.

(Greg Sauer/Michael Petrie)

### **Motion Carried**

## **(ITEM ENV22/18) TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013 - PLANNING PROPOSAL RU3 ZONED LAND PROVISIONS**

### **SUMMARY**

The purpose of this report is to seek Council's direction in progressing the Planning Proposal (PP) to rezone land from RU3 Forestry to RU1 Primary Production in light of submissions received after the statutory public consultation process. It is recommended that Council further amend the Planning Proposal to include only land that is held in freehold title to be rezoned from RU3 Forestry to RU1 Primary Production at Attachment 4 (Booklet 2) Document A. A copy of the original exhibited Planning Proposal can be found at Attachment 4 (Booklet 2) Document B.

**Procedural** - Chief Executive Terry Dodds asked the Senior Planner if any issues had been raised by the speakers which had not previously been addressed and was advised that this was not the case.

### **RECOMMENDATION**

That Council:

- (1) Amend the Planning Proposal to reflect the submissions received, by rezoning only that land which is held in freehold title from RU3 Forestry to RU1 Primary Production;
- (2) Amend the Planning Proposal Part 6 - Project Timeline to reflect updated anticipated timeframes
- (3) Liaise with Forestry Corporation NSW and Property NSW in relation to freehold parcels of land which are no longer governed by the provisions of the forestry act and regulations with a view to rezoning them from RU3 to RU1;
- (4) Submit the revised Planning Proposal to the Minister for Planning and Environment for consideration.

(Greg Sauer/Bob Rogan)



## **AMENDMENT**

Replace Item (1) with the following:

- (1) Requests a draft instrument be prepared under Section 3.36(1) of the Environmental Planning & Assessment Act 1979 of the publicly exhibited document.

Current Item (3) will then become obsolete.

(Greg Sauer/Gary Verri)

### **Amendment Carried**

**254/18 Resolved** that Council:

- (1) Requests a draft instrument be prepared under Section 3.36(1) of the Environmental Planning & Assessment Act 1979 of the publicly exhibited document;
- (2) Amend the Planning Proposal Part 6 - Project Timeline to reflect updated anticipated timeframes
- (3) Submit the revised Planning Proposal to the Minister for Planning and Environment for consideration.

(Greg Sauer/Bob Rogan)

### **Motion Carried**

*Senior Planner Tamai Davidson left the meeting and Cr Bronwyn Petrie returned to the meeting, the time being 10.40 am.*

## **SUSPENSION OF STANDING ORDERS**

**255/18 Resolved** that Standing Orders be suspended.

(Tom Peters/Gary Verri)

### **Motion Carried**

*The Meeting adjourned for morning tea, the time being 10.41 am.*

*The Meeting reconvened with the same members present but with the inclusion of Manager Finance & Technology Paul Della and representatives from the Audit Office of NSW, Director, Financial Audit, James Sugumar and Audit Manager, Financial Audit, Furqan Yousuf, the time being 11.05 am.*

## **RESUMPTION OF STANDING ORDERS**

**256/18 Resolved** that Standing Orders be resumed.

(Gary Verri/Greg Sauer)

### **Motion Carried**



## CHANGE TO ORDER OF BUSINESS

- 257/18** **Resolved** that Item GOV91/18 Presentation of the Financial Statements for the Year Ended 30 June 2018 be moved forward in the Order of Business and be considered at this time.

(Greg Sauer/Bob Rogan)

### Motion Carried

## (ITEM GOV91/18) PRESENTATION OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2018

### SUMMARY

The purpose of this report is to present to Council the audited Financial Statements for the year ended 30 June 2018, in accordance with the provisions of Section 418 of the *Local Government Act 1993*.

Representatives from the Audit Office of NSW, Director, Financial Audit James Sugumar and Audit Manager, Financial Audit Furqan Yousuf addressed Council, giving a presentation on the audit of the Financial Statements for the year ended 30 June 2018.

- 258/18** **Resolved** that Council notes the audited Annual Financial Statements for the year ended 30 June 2018, attached as an Annexure to this report.

(Greg Sauer/Bob Rogan)

### Motion Carried

*Representatives from the Audit Office of NSW, Director, Financial Audit, James Sugumar and Audit Manager, Financial Audit, Furqan Yousuf and Manager Finance & Technology Paul Della left the meeting, the time being 11.30 am.*

## MAYORAL MINUTE

### (ITEM MM6/18) PRIORITY FOR FUNDING - DROUGHT COMMUNITIES PROGRAMME

#### SUMMARY

Following initial discussion at the conclusion of the August 2018 Council Meeting, a further discussion on 17 September 2018 and a meeting with General Stephen Day, Commonwealth Co-ordinator General for Drought on 21 September to further develop priorities for the Drought Communities Programme in line with the provided Guidelines, Council, at a Workshop on 17 October 2018 made submission for the following items:

- \$50,000 - Pastoral Care for Villages/Places with a Family Fun Day – BBQ, Support, Information, Hay and Water provided;
- \$25,000 - Rodeo (17 November 2018);
- \$50,000 - Tenterfield Show;
- \$50,000 - "Why Leave Town" Gift Vouchers to Salvation Army to distribute;
- \$200,000 - De-silting of Private Dams (animal welfare) – employing



- local contractors;
- \$100,000 - Labour Relief for Farmers (feeding stock, mental health support);
- \$495,000 - Upgrading or Temporary Repairs of Load Limited Timber Bridges;
- \$5,000 - Assistance to Small Business;
- \$25,000 - Provision and Cartage of Potable Water (through Salvation Army).

**Total \$1,000,000**

Following lodgement of the submission, advice was received that the Guidelines had been amended and "Gift Cards" were no longer applicable as the Federal Government would be arranging an alternative to this option for all drought effected Councils.

Council's submission was amended and relodged, allocating the additional \$50,000 to the upgrading or temporary repairs of load limited timber bridges.

On Thursday, 15 November 2018, further advice was received from Department of Premier & Cabinet (DPC) indicating that the following projects were unlikely to be accepted resulting in the removal of the following items:

- \$200,000 - De-silting of Private Dams;
- \$100,000 - Labour Relief for Farmers; and
- \$5,000 - Assistance to Small Business.

The application was then moved to DRAFT status by Department of Premier & Cabinet to allow resubmission of revised eligible projects, whilst suspending the application in its entirety.

Council met again on Friday, 16 November to consider the allocation of outstanding funding. Serious concern was expressed regarding the removal of an allocation for private dams due to the increasing risk and occurrences of animals becoming stuck in the silted up dams. It was requested that the submission again include this allocation and the allocation for the Tenterfield Show. However, Council agreed that if it became unlikely that the de-silting of private dams, labour relief and assistance to small businesses were deemed unlikely to proceed, the funds were be reallocated to the upgrading or temporary repairs of load limited bridges.

Councillors also expressed extreme disappointment and concern regarding the unavailability of a Drought Co-ordinator for Tenterfield as it was a promise of General Day that this position would be available to assist Tenterfield Shire primary producers complete paperwork and provide support. To date this support has not materialised.

On 20 November, following considerable discussion with DPC, Council re-submitted its revised application for funding which excluded the following:

- \$200,000 - De-silting of Private Dams;
- \$100,000 - Supply of labour Relief for Farmers; and
- \$5,000 - Assistance to small business

A handwritten signature in black ink, appearing to be 'B. Kelly', written in a cursive style.

The revised application dated 20 November 2018 now includes the following:

- \$850,000 – Upgrading or Temporary Repairs of Load Limited Timber Bridges;
- \$50,000 - Community Drought support events;
- \$50,000 - Tenterfield Show;
- \$25,000 - Tenterfield Rodeo Drought Relief Activity
- \$25,000 - Provision and Delivery of Potable water

**Total \$1,000,000**

**259/18** **Resolved** that in the event the \$50,000 allocation for the Tenterfield Show is excluded, this amount also be allocated to Council's timber bridge infrastructure giving a total for that project of \$900,000.

(Peter Petty/Gary Verri)

**Motion Carried**

**(ITEM MM7/18) WASTE RECYCLING CONTRACT - CONTAINER DEPOSIT SCHEME & NATIONAL CHINA SWORD IMPACTS**

**SUMMARY**

It has recently come to Council's attention that updated Agreements with Lismore City Council relating to the disposal of recyclables at the Lismore Materials Recycling Facility (MRF) are due for signing at the end of the month.

The new conditions contained in the Agreements, particularly relating to the Refund Sharing Agreement and payment of the Container Deposit Scheme (CDS) and large increase in disposal costs, have the potential to lead to substantial increases in Council's waste budget, with the likelihood that these costs would need to be passed on to Ratepayers.

In addition, the ad hoc manner in which the changes to the Agreements has been advised to Council are of immediate concern.

**260/18** **Resolved** that Council:

- (1) Sign final revised draft Agreements between Lismore City Council and Tenterfield Shire Council, relating to the disposal of recyclables at the Lismore Materials Recycling Facility (MRF) for a period not exceeding twelve (12) months pertaining to the following:
  - Glass Crushing Temporary Additional Fee Agreement
  - Container Deposit Scheme Refund Sharing Agreement
  - Northern Rivers Waste Feedstock Supply Agreement
- (2) Management staff, over the next six (6) months, investigate and confirm alternative means for minimising the costs/tonne for recycling and present to Council an alternatives/options report specifically talking to relative operational costs/tonne of doing business associated with each alternative option, the whole of life capital costs/tonne associated with each alternative, and the recommended way forward identifying the expected impact on subsequent years' annual waste budgets.



**Motion Carried**

**(ITEM MM8/18) LOCAL GOVERNMENT NSW (LGNSW) SAVE OUR RECYCLING CAMPAIGN**

**SUMMARY**

Local Government NSW (LGNSAW) has called on all NSW Councils to support it in its advocacy to all those contesting the upcoming State election to reinvest 100% of the Waste Levy collected each year into waste management, recycling and resource recovery in NSW.

The *Protection of the Environment Operations Act 1997* (POEO Act) requires certain licensed waste facilities in NSW to pay a contribution to the NSW Government for each tonne of waste received at the facility. Referred to as the 'waste levy', the contribution aims to reduce the amount of waste being landfilled and promote recycling and resource recovery.

The Waste Levy applies in the regulated area of NSW which comprises the Sydney Metropolitan Area, the Illawarra and Hunter Regions, the Central and North Coast Local Government Areas to the Queensland border as well as the Blue Mountains, Wingecarribee, and Wollondilly Local Government Areas.

In 2016/17, the NSW Government collected \$726 million from Local Government, community, businesses and industry via the Waste Levy, but only committed to use \$72 million through its *Waste Less Recycle More* initiative - or 10% - on waste minimisation and recycling in 2017/18.

Overall the NSW Government's *Waste Less Recycle More* initiative allocates \$801 million over 8 years (2013-2021) to waste and recycling, however the Waste Levy collected over that same period will be over \$4.62 billion.

At a Local Government level, just 18% of the \$300 million collected from the Local Government Sector each year is reinvested in recycling and waste management.

Regardless of how you look at it, the principle remains the same - very little of the Waste Levy is currently used to support waste minimisation, recycling and resource recovery. The remainder is returned to NSW Government's consolidated revenue.

The reinvestment of the Waste Levy to support waste and resource recovery infrastructure, develop markets and innovative solutions, and undertake other initiatives to encourage reuse and recycling also offers wide-ranging benefits to our communities right across NSW. There is the potential for economic growth, new infrastructure, new technology and new jobs, particularly in our regional areas.

It should be noted that the following motion was unanimously endorsed at the Local Government NSW 2018 Conference:

*That the NSW Government be called upon to ensure that 100% of the levy*



arising from Section 88 of the Protection of the Environment Operations Act 1997 be used for waste infrastructure and programs, predominantly by local government and the waste sector, for initiatives such as:

- Development of regional and region-specific solutions for sustainable waste management (e.g. soft plastic recycling facilities, green waste, waste to energy).
- Support innovative solutions to reduce waste and waste transport requirements.
- Protect existing and identify new waste management locations.
- Local community waste recovery and repair facilities.
- Funding a wider range of sustainability initiatives, such as marketing and strategies that promote and support a circular economy.

This motion covered motions proposed by Blacktown City Council (Resource Recovery Locations); Central Coast Council (Waste Levy Revenues); Cessnock City Council (Recycling Crisis - Funding Support); City of Ryde (Revenue Raised by the Waste Levy); Federation Council (Waste Resource); Gwydir Shire Council (Tyre Recycling); Hornsby Shire Council (Increase in Grant Funding for Waste Levy Program); Leeton Shire Council (Increase of Waste Levy Distribution); and Shoalhaven City Council (POEO Levies).

Related motions were also submitted by Tweed Shire Council (Recycled Products & Procurement); Lake Macquarie Council (Support for Recyclate End Markets, Reusable, Recyclable or Compostable Packaging); and Orange City Council (Waste Management).

As previously noted, this is not a party-political issue: the advocacy initiative calls on all parties and candidates to commit to the 100% hypothecation of the Waste Levy to the purpose for which it is collected.

Although Tenterfield Shire Council is exempt from paying the NSW EPA Waste Levy and has received three (3) grants funded through the Waste Levy (equating to a total amount of \$817,945.49 between 2015 and 2018), I am recommending that we support this campaign by the NSW local government sector and Local Government NSW and call on all political parties to commit to the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste management, recycling and resource recovery.

**261/18 Resolved that Council:**

- (1) Endorse Local Government NSW's campaign, *Save Our Recycling*, to realise the reinvestment of a 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery; and
- (2) Make representation to the local Members, The Hon Thomas George MP and The Hon Barnaby Joyce MP in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery; and
- (3) Write to the Premier, the Hon Gladys Berejiklian MP, the Opposition



Leader, Mr Michael Daley, the Minister for Local Government and Minister for the Environment, The Hon Gabrielle Upton MP, and the Shadow Minister for the Environment & Heritage, Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery; and

- (4) Take a lead role in activating the LGNSW *Save Our Recycling* campaign locally; and
- (5) Endorse the distribution and display of the LGNSW *Save Our Recycling* information on Council premises, as well as involvement in any actions arising from the initiative; and
- (6) Formally advise LGNSW that Council has endorsed the *Save Our Recycling* advocacy initiative.

(Peter Petty/Bronwyn Petrie)

**Motion Carried**

**RECOMMENDATION FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION**

**262/18** **Resolved** that the following items be considered in the Confidential Section of the Meeting:

- Item COM23/18 – School of Arts Restoration Project – Tender Recommendation;
- Item GOV92/18 – Information Technology – Review of Tenterfield Shire Council Conducted by Roberts & Morrow Technology;
- Item COM24/18 – Tenterfield Shire Council Rural & Regional Roads Reseal Program 2018;
- Item ENV25/18 – Tenterfield Dam Upgrade – End of Project Status and Future Followup.

(Greg Sauer/Tom Peters)

**Motion Carried**

**OPEN COUNCIL REPORTS**

*Property, Building & Landscape Coordinator Heidi Ford entered the meeting, the time being 11.40 am.*

**OUR COMMUNITY**

**(ITEM COM21/18) LEASES FOR AERODROME HANGERS**

**SUMMARY**

The purpose of this report is to seek a resolution to enter into new leases with the existing owners of the two (2) Aerodrome Hangars.



**263/18** **Resolved** that Council:

- (1) Delegate authority to the Chief Executive to enter into Five (5) year leases with the two existing owners of sheds located on Hangar Site 1 and Hangar Site 2.
- (2) Authorise the Leases to be signed under the Seal of Council by the Mayor and the Chief Executive.

(Bob Rogan/Michael Petrie)

**Motion Carried**

*Property, Building & Landscape Coordinator Heidi Ford left the meeting, the time being 11.46 am.*

**(ITEM COM22/18) ELECTRIC VEHICLE RECHARGING STATION**

**SUMMARY**

The purpose of this report is to seek endorsement from Council to lease a car spaces in Tenterfield Shire Council's carpark for the purpose of NRMA installing an Electric Vehicle Fast Charger station.

Recommendation to include the words "one (1)" car space ...

**RECOMMENDATION**

That Council authorises that the License to Occupy for Charging Stations for Electric Vehicles be signed under the Seal of Council by the Mayor and the Chief Executive, thus committing one (1) car space in the northern carpark to be allocated for a five (5) year peppercorn lease to NRMA for the purposes of electric car recharging.

(Michael Petrie/Bob Rogan)

**AMENDMENT**

New Item (2):

- (2) That Council ask NRMA to print a promotional article in *The Road Ahead* extolling the virtues of Tenterfield Shire Council tourist attractions.

(Gary Verri/Tom Peters)

**Amendment Carried**

**264/18** **Resolved** that Council:

- (1) Authorises that the License to Occupy for Charging Stations for Electric Vehicles be signed under the Seal of Council by the Mayor and the Chief Executive, thus committing one (1) car space in the northern carpark to be allocated for a five (5) year peppercorn lease to NRMA for the purposes of electric car recharging; and
- (2) Ask NRMA to print a promotional article in *The Road Ahead* extolling the virtues of Tenterfield Shire Council tourist attractions.

(Michael Petrie/Bob Rogan)

**Motion Carried**



## **OUR ECONOMY**

Nil.

## **OUR ENVIRONMENT**

### **(ITEM ENV23/18) 2018 WATER ASSET MANAGEMENT PLAN UPDATE**

#### **SUMMARY**

The purpose of this report is to update Council's Water Supply Asset Management Plan to reflect current thinking, allow for funding projections as used in the current Operations Plan, to align with IP & R, and provide a refresh on the way ahead to manage expectations in terms of what we can do, what we cannot do, flagging challenges ahead.

Also an up to-date Asset Management Plan is needed as part of a current funding application for a new water treatment plant under the NSW Government's 'Safe and Secure Water Supply Scheme'.

**265/18** **Resolved** that Council receive and adopt the updated Water Supply Asset Management.

(Gary Verri/Greg Sauer)

#### **Motion Carried**

### **(ITEM ENV24/18) FORMER ARSENIC PROCESSING PLANT, JENNINGS NSW - VOLUNTARY MANAGEMENT PROPOSAL UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997**

#### **SUMMARY**

This report is in addition to the previous report ITEMS ENV14/18 considered at the 27 June 2018 Ordinary meeting and ENV25/18 considered at the 22 August 2018 Ordinary meeting to advise Council of an additional partial road reserve that is required to be closed as part of the Voluntary Management Proposal (VMP) under the Contaminated Land Management Act 1997 submitted by NSW Department of Industry-Crown Lands following the outcome of the NSW Environment Protection Authority's (EPA's) assessment of contamination of the NSW Crown Land, known as the Former Arsenic Poison Factory, Jennings NSW.

**266/18** **Resolved** that Council, in addition to Council Resolution Nos. 125/18 and 181/18:

Continues the Road Closure Process in accordance with the Roads Act 1993 to incorporate the additional portions of Council road reserves to enable NSW Department of Industry - Crown Lands and Water to secure perimeter fencing around the entire proposed Project Site Boundary to minimise access to the public, livestock and wildlife and subject to objections being resolved:

- Portion of King Street road reserve and Gladstone Street road reserve as identified and fenced (highlighted yellow) as per attachment (Survey Plan Dwg No. TE180470-SV1).
- Upon closure, it is understood that all of the mentioned road



reserves will vest in the Crown.

- Upon completion of bitumen sealing of King Street to be undertaken by Crown Lands, Council will be required to update Council's Road Register accordingly for ongoing maintenance of King Street, Jennings between Ballandean Street and Robinson Street.

(Bob Rogan/Michael Petrie)

**Motion Carried**

**OUR GOVERNANCE**

**(ITEM GOV83/18) MONTHLY OPERATIONAL REPORT - OCTOBER 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 2018/2019 Operational Plan.

- 267/18** **Resolved** that Council receives and notes the status of the Monthly Operational Report for October 2018.

(Greg Sauer/Gary Verri)

**Motion Carried**

*Manager Customer Service, Governance & Records Erika Bursford entered the meeting, the time being 12.07 pm.*

**(ITEM GOV84/18) TENTERFIELD SHIRE COUNCIL ANNUAL REPORT 2017/2018**

**SUMMARY**

The purpose of this report is for Council to receive the Annual Report, inclusive of the Annual Financial Statements, for the financial year ending 30 June 2018.

- 268/18** **Resolved** that Council receive and adopt the Annual Report for 2017/2018.

(Bob Rogan/Michael Petrie)

**Motion Carried**

**(ITEM GOV85/18) AMENDED POLICY -  
CONFERENCE/SEMINAR/TRAINING EXPENSES - POLICY NO 4.031**

**SUMMARY**

The purpose of this report is to seek Council's adoption of the amended Conference/Seminar/Training Expenses Policy No 4.031.





**269/18** **Resolved** that Council adopt the amended policy - Conference/Seminar/Training Expenses Policy No. 4.031.

(Gary Verri/Michael Petrie)

**Motion Carried**

*Manager Customer Service, Governance & Records Erika Bursford left the meeting, the time being 12.25 pm.*

*Property, Building & Landscape Coordinator Heidi Ford entered the meeting, the time being 12.25 pm.*

**(ITEM GOV86/18) NOMINATION OF NATIVE TITLE MANAGER**

**SUMMARY**

Council is required to give notice to the Minister for Lands and Forestry of the name and contact details of Council's nominated Native Title Manager.

**270/18** **Resolved** that Council:

- (1) Nominate the Engineering Officer, Jessica Gibbons as its Native Title Manager; and further
- (2) Give notice to the Minister for Lands and Forestry of contact details of Council's Engineering Officer as required under Section 8.8 of the Crown Land Management Act 2016.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**

*Property, Building & Landscape Coordinator Heidi Ford left the meeting, the time being 12.28 pm.*

*Manager Finance & Technology Paul Della entered the meeting, the time being 12.28 pm.*

**(ITEM GOV87/18) NEW DRAFT POLICY - CONCEALED WATER LEAKAGE CONCESSION - POLICY NO 1.037**

**SUMMARY**

The purpose of this report is to adopt a new policy in relation to Concessions for Water Leakages caused by concealed leaks.

**271/18** **Resolved** that Council adopt the attached new draft policy - Concealed Water Leakage Concession Policy No 1.037.

(Bob Rogan/Gary Verri)

**Motion Carried**



**(ITEM GOV88/18) REVISED POLICY - WRITING OFF OF DEBTS - POLICY NO 1.230**

**SUMMARY**

The purpose of this report is to provide a minor update to the Writing Off of Debts Policy 1.230 to complement the new Concealed Water Leakage Concession policy of Council.

- 272/18** **Resolved** that Council adopt the revised Writing Off of Debts Policy No 1.230 and note that the threshold for which the write off of debts be referred to Council be increased from \$1,000 to \$5,000.

(Greg Sauer/Donald Forbes)

**Motion Carried**

**(ITEM GOV93/18) QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 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).

- 273/18** **Resolved** that Council:

- (1) Adopts the September 2018 Quarterly Budget Review Statement; and
- (2) Approves that an increase of up to \$1.030M to Council's borrowing limit be sought for 2018/19 to fund additional works in relation to the Dam Wall Project if additional funding sources are not forthcoming.

(Bronwyn Petrie/Gary Verri)

**Motion Carried**

**(ITEM GOV89/18) FINANCE & ACCOUNTS - PERIOD ENDED 31 OCTOBER 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.

- 274/18** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 October 2018.

(Greg Sauer/Gary Verri)

**Motion Carried**



**(ITEM GOV90/18) CAPITAL EXPENDITURE REPORT AS AT 31 OCTOBER 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.

**275/18** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 October 2018.

(Gary Verri/Bob Rogan)

**Motion Carried**

*Manager Finance & Technology Paul Della left the meeting, the time being 12.46 pm.*

**REPORTS OF DELEGATES & COMMITTEES**

**(ITEM RC24/18) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE - 25 OCTOBER 2018**

**SUMMARY**

A meeting of the Audit & Risk Committee was held on Thursday, 25 October 2018.

**276/18** **Resolved** that the report and actions of the Audit & Risk Committee Meeting of 25 October 2018 be received and noted.

(Greg Sauer/Donald Forbes)

**Motion Carried**

**(ITEM RC25/18) REPORTS OF COMMITTEES & DELEGATES - ARTSTATE BATHURST - 1 TO 4 NOVEMBER 2018**

**SUMMARY**

Artstate Bathurst was held at the Bathurst Memorial Entertainment Centre from Thursday, 1 November to Sunday, 4 November 2018 and was attended by Council's Arts NorthWest delegate, Cr Gary Verri.

**277/18** **Resolved** that the delegate's Report on the Artstate Bathurst event held 1 to 4 November 2018 be received and noted.

(Gary Verri/Bob Rogan)

**Motion Carried**



**(ITEM RC26/18) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE - 14 NOVEMBER 2018**

**SUMMARY**

A meeting of the Tenterfield Shire Local Traffic Committee was held on Wednesday, 14 November 2018.

**278/18**

**Resolved** that the report and actions of the Tenterfield Shire Local Traffic Committee meeting of 14 November 2018 be received and noted.

(Peter Petty/Tom Peters)

**Motion Carried**

**NOTICES OF MOTION**

**(ITEM NM8/18) NOTICE OF MOTION - DROUGHT PROOFING FARMS**

**SUMMARY**

The purpose of this motion is to drought proof Australian at the farming level by using tax incentives to store more water, using water more efficiently and storing more fodder on farms.

**279/18**

**Resolved** that Council request the Hon Barnaby Joyce MP to pursue the following items to help drought proof farms by giving a 125% tax write off for the following items. The tax incentive should be in addition to any Federal Government scheme and that the taxation measures remain in place for at least ten (10) years.

First Priority Items:

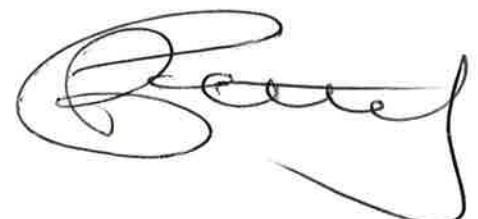
- Making new dams, enlarging and deepening existing dams;
- Installing stock watering troughs and associated tanks and piping;
- Installing solar pumps for stock and domestic purposes;
- Construction of contour banks (swales) to retain water in the paddocks;
- Restoring natural waterholes that have been silted up and the removal of this material out of the flood plain, plus the stabilization of any material to prevent the removed material re-entering the waterways.

Second Priority Items

- Construction of hay sheds, silos and silage pits;
- Use of contractors to make pit silage;
- Purchase of molasses tanks;
- Purchase of grain, hay, molasses and any fodder that can be stored for a considerable period – any fodder stored under this programme cannot be used without a drought declaration.

(Gary Verri/Bob Rogan)

**Motion Carried**



## RESOLUTION REGISTER

### (ITEM RES10/18) COUNCIL RESOLUTION REGISTER - NOVEMBER 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.

**280/18** **Resolved** that Council notes the status of the Council Resolution Register to November 2018.

(Greg Sauer/Michael Petrie)

#### Motion Carried

### CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

**281/18** **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.

(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 12.55 pm.*

*Property, Building & Landscape Coordinator Heidi Ford entered the meeting, the time being 12.56 pm.*

### (ITEM COM23/18) SCHOOL OF ARTS - WINDOWS RESTORATION PROJECT - TENDER RECOMMENDATION

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

The purpose of this report is to advise Council of the recommendation for the School of Arts Windows Restoration tender, and grant authority to affix the Council Seal to the contract.



**282/18** **Resolved** that Council:

- (1) Accept Magoffin and Deakin Architects' recommendation to receive David Brown's tender to the value of \$343,080.
- (2) Delegate the authority to the Chief Executive to execute the contract.
- (3) Authorise the Seal of Tenterfield Shire Council to be affixed to the contract between Tenterfield Shire Council and David Brown.

(Bob Rogan/Bronwyn Petrie)

**Motion Carried**

*Property, Building & Landscape Coordinator Heidi Ford left the meeting, the time being 12.59 pm.*

*Manager Finance & Technology Paul Della entered the meeting, the time being 12.59 pm.*

**(ITEM GOV92/18) INFORMATION TECHNOLOGY REVIEW OF TENTERFIELD SHIRE COUNCIL CONDUCTED BY ROBERTS & MORROW TECHNOLOGY**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (f) of the Local Government Act, 1993, as the matter involves matters affecting the security of the Council, Councillors, Council staff or Council property.

**SUMMARY**

That Council notes the report of Roberts & Morrow Technology in relation to their review of Council's Information Technology environment and the associated resource implications.

**283/18** **Resolved** that Council notes the Information Technology Review from Roberts & Morrow Technology.

(Greg Sauer/Tom Peters)

**Motion Carried**

*Manager Finance & Technology Paul Della left the meeting, the time being 1.08 pm.*

**(ITEM COM24/18) TENTERFIELD SHIRE COUNCIL RURAL AND REGIONAL ROADS RESEAL PROGRAM 2018/2019**

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





## **SUMMARY**

The purpose of this report is to seek Council's approval to proceed with Tenterfield Shire Council's annual Reseal program following tender process and evaluation of tender through Local Government Procurement.

**284/18** **Resolved** that Council accept the tender from Fulton Hogan Industries Pty Ltd for \$521,109 to complete Council's Resealing program for the 2018/2019 financial year.

(Gary Verri/Donald Forbes)

## **Motion Carried**

## **(ITEM ENV25/18) TENTERFIELD DAM UPGRADE - END OF PROJECT STATUS AND FUTURE FOLLOWUP**

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

## **SUMMARY**

The purpose of this report is to give Council an update on the status of the project and close out actions appropriate.

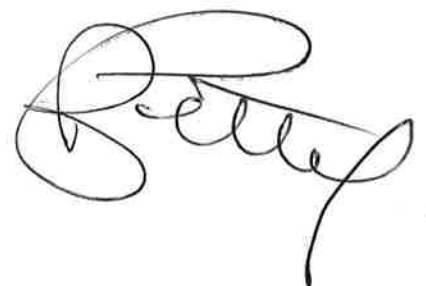
**285/18** **Resolved** that Council:

- (1) Note the completion of the project which otherwise would have achieved time and budget targets except for necessary changes to work scope design and additional project work; and further
- (2) That Council write to the NSW Water Minister seeking additional grant funding for increased works costs necessary to fully complete the project and deliver a durable quality asset for the State and Tenterfield; and further
- (3) That Council subject to whatever level of extra funding provided by the NSW Government, endorse staff engaging in due process needed to increase dam project loan funding from the current \$5.45M approved level up to a maximum of \$1.03M to cover shortfall on initial loan funding undertaken and extra project works.

(Greg Sauer/Bronwyn Petrie)

## **Motion Carried**

*Noted: Public Tour of Dam Wall and Official Opening to be held early February 2019.*



## RESUMPTION OF STANDING ORDERS

**286/18** **Resolved** that Standing Orders be resumed.

(Bob Rogan/Gary Verri)

### **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 1.22 pm.*

*In accordance with Section 253 of Local Government Regulations (General) 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 1.24 pm.



Councillor Peter Petty  
Mayor/Chairperson