

UNCONFIRMED



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## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 23 SEPTEMBER 2020**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion, rear of Memorial Hall, Molesworth Street, Tenterfield, and via Zoom on **Wednesday, 23 September 2020** commencing at 9.33 am.

### **ATTENDANCE**

Councillor Peter Petty (Mayor)  
Councillor Greg Sauer (Deputy Mayor)  
Councillor Don Forbes via Zoom  
Councillor John Macnish  
Councillor Brian Murray  
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)  
Admin & Web Assistant (Christie Fitzpatrick)  
Chief Corporate Officer (Kylie Smith)  
Director Infrastructure (Fiona Keneally)

*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.*

## **WEBCASTING OF MEETING**

*I advise all present that this meeting is being recorded for placement on Council's website for the purposes of broadening knowledge and participation in Council issues, and demonstrating Council's commitment to openness and accountability.*

*All speakers must ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms or mentioning any private information.*

*No other persons are permitted to record the meeting, unless specifically authorised by Council to do so.*

## **OPENING AND WELCOME**

### **CIVIC PRAYER**

*We give thanks for the contribution by our pioneers, early settlers and those who fought in the various wars for the fabric of the Tenterfield Community we have today.*

*May the words of our mouths and the meditation of our hearts be acceptable in thy sight, O Lord.*

### **ACKNOWLEDGEMENT OF COUNTRY**

*I would like to acknowledge the traditional custodians of this land that we are meeting on today. I would also like to pay respect to the Elders past, present and emerging of the Jukembal, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.*

### **APOLOGIES**

Nil.

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

Nil.

## **OPEN COUNCIL REPORTS**

## **OUR GOVERNANCE**

### **(ITEM GOV60/20) ELECTION OF THE MAYOR - 2020 TO 2021**

#### **SUMMARY**

The purpose of this report is for Council to elect the Mayor for the proceeding term, being from September 2020 to the Local Government Elections on 4 September 2021.

**RECOMMENDATION:**

- (1) That Ms Kerri Swain, as Returning Officer, call for nominations for the election of Mayor for the one (1) year term September 2020 to the Local Government Elections on 4 September 2021; and
- (2) Council to determine the form of ballot to be used if so required, conditional on no Councillor attending the meeting via audio visual. If Councillors are attending via audio visual, the vote must be by Open Vote; and
- (3) Following the election, the Returning Officer declare Cr ..... elected as Mayor for the period September 2020 to the Local Government Elections on 4 September 2021.

(Gary Verri/Michael Petrie)

*Returning Officer Ms Kerri Swain entered the meeting, the time being 9.33 am.*

*The Returning Officer advised that one (1) nomination only for the position of Mayor was received.*

*The Returning Officer declared Cr Peter Petty elected as Mayor for the period September 2020 to September 2021.*

**181/20 Resolved**

- (1) That Ms Kerri Swain, as Returning Officer, call for nominations for the election of Mayor for the one (1) year term September 2020 to the Local Government Elections on 4 September 2021; and
- (2) Council to determine the form of ballot to be used if so required, conditional on no Councillor attending the meeting via audio visual. If Councillors are attending via audio visual, the vote must be by Open Vote; and
- (3) Following the election, the Returning Officer declared Cr Peter Petty elected as Mayor for the period September 2020 to the Local Government Elections on 4 September 2021.

(Gary Verri/Michael Petrie)

**Motion Carried**

**(ITEM GOV61/20) ELECTION OF THE DEPUTY MAYOR - 2020 TO 2021**

**SUMMARY**

The purpose of this report is for Council to elect the Deputy Mayor for the proceeding term, being from September 2020 to the Local Government Elections on 4 September 2021.

**RECOMMENDATION:**

- (1) That Ms Kerri Swain, as Returning Officer, call for nominations for the election of Deputy Mayor for the one (1) year term September 2020 to the Local Government Election on 4 September 2021; and
- (2) Council to determine the form of ballot to be used if so required, conditional on no Councillor attending the meeting via audio visual. If Councillors are attending via audio visual, the vote must be by Open Vote; and

- (3) Following the election, the Returning Officer declare Cr ..... elected as Deputy Mayor for the period September 2020 to the Local Government Election on 4 September 2021.

(Gary Verri/Bob Rogan)

*The Returning Officer advised that one (1) nomination only for the position of Deputy Mayor was received.*

*The Returning Officer declared Cr Greg Sauer elected as Deputy Mayor for the period September 2020 to September 2021.*

**182/20 Resolved**

- (1) That Ms Kerri Swain, as Returning Officer, call for nominations for the election of Deputy Mayor for the one (1) year term September 2020 to the Local Government Election on 4 September 2021; and
- (2) Council to determine the form of ballot to be used if so required, conditional on no Councillor attending the meeting via audio visual. If Councillors are attending via audio visual, the vote must be by Open Vote; and
- (3) Following the election, the Returning Officer declared Cr Greg Sauer elected as Deputy Mayor for the period September 2020 to the Local Government Election on 4 September 2021.

(Gary Verri/Bob Rogan)

**Motion Carried**

*Returning Officer, Ms Kerri Swain left the meeting, the time being 9.36 am.*

**(ITEM GOV62/20) SCHEDULE OF COUNCIL MEETINGS FOR 2020/2021**

**SUMMARY**

The purpose of this report is for Council to determine the dates and locations for Council Meetings for the next 12 months, being from October 2020 to September 2021.

**RECOMMENDATION**

- (1) Ordinary Council Meetings be held in each month of the calendar year with the exception of January 2021;
- (2) Council Meetings be held on the fourth Wednesday of the meeting month commencing at 9.30 am, with the exception of December 2020 which will be held on the third Wednesday of the month; and
- (3) Ordinary Council Meetings be held each month at the Council Chambers in Tenterfield but in the interim until the Chambers are available, at the RSL Pavilion at the rear of the Tenterfield Memorial Hall, with the exception of March 2021 (Torrington) and July 2021 (Drake) subject to ongoing COVID restrictions.

(Greg Sauer/Bronwyn Petrie)

## **AMENDMENT**

Item (3) - Move Torrington to July 2021 and Drake in 2022.

(Gary Verri/No Seconder)

### **Amendment Lapsed**

**183/20** **Resolved** that:

- (1) Ordinary Council Meetings be held in each month of the calendar year with the exception of January 2021;
- (2) Council Meetings be held on the fourth Wednesday of the meeting month commencing at 9.30 am, with the exception of December 2020 which will be held on the third Wednesday of the month; and
- (3) Ordinary Council Meetings be held each month at the Council Chambers in Tenterfield but in the interim until the Chambers are available, at the RSL Pavilion at the rear of the Tenterfield Memorial Hall, with the exception of March 2021 (Torrington) and July 2021 (Drake) subject to ongoing COVID restrictions.

(Greg Sauer/Bronwyn Petrie)

### **Motion Carried**

#### **ADDRESS BY MAYOR PETER PETTY**

*Mayor Peter Petty addressed Council following his re-election, stating that he was honoured to be elected to his 9<sup>th</sup> year as Mayor.*

*He expressed his sincere thanks to Councillors and staff as working together, many things have been achieved, particularly in the past, extremely difficult, 12 months. However, we need to focus for the upcoming 12 months and the many projects still to be accomplished, including completing the sealing of Mt Lindesay Road, the ongoing upgrade to Mt Lindesay Road between Legume and Woodenbong, timber bridges, beautification of our villages and the reinstatement of Bruxner Way as a State Highway. In addition, Council needs to get back on track with the Tenterfield Heavy Vehicle Bypass and continue our work with Water NSW to develop the Business Case for the Mole River Dam.*

*Mayor Petty referred to his position on the Local Health Committee and the continuing work of Council, and particularly Deputy Mayor Greg Sauer, to provide full support for our local health facilities and work with them to ensure the best possible services for our community.*

*In addition, Mayor Petty spoke about the growing industry of tourism in the Tenterfield Shire, and particularly the current interest in mountain biking.*

*Mayor Petty expressed his thanks to Deputy Mayor Greg Sauer for his ongoing support, Chief Executive Terry Dodds for his outstanding work to the benefit of all the Shire, and Executive Assistant & Media Noelene Hyde for her support during his 9 years as Mayor.*

*In closing, Mayor Petty expressed his pride that Councillors and staff are moving forward together to make this a wonderful Shire wide community.*

## **(ITEM MIN12/20) CONFIRMATION OF PREVIOUS MINUTES**

**184/20** **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting – 26 August 2020

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

(Michael Petrie/Brian Murray)

### **Motion Carried**

## **TABLING OF DOCUMENTS**

Nil.

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

Nil.

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

*Due to the current COVID-19 regulations, there is no capacity for members of the public to attend due to social distancing requirements*

## **MAYORAL MINUTE**

Nil.

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

**185/20** **Resolved** that the following items be considered in the Confidential Section:

- Item COM24/20 - Lease of Council Controlled Land – Road Reserve;
- Item COM25/20 – McLeods Creek Road, Sandy Hill;
- Item ENV20/20 – Application of New Development Economic Development Stimulus Package;
- Item ECO14/20 – Industrial Estate – Reduction in Sale Price.

(Greg Sauer/Bronwyn Petrie)

### **Motion Carried**

## **OPEN COUNCIL REPORTS**

## **OUR COMMUNITY**

*Manager Economic Development & Community Engagement, Harry Bolton entered the meeting, the time being 9.48 am.*

**(ITEM COM21/20) UPDATE TO CURRENT GRANT FUNDING - THE NATIONAL BUSHFIRE RECOVERY, NSW BUSHFIRE COMMUNITY RESILIENCE & ECONOMIC RECOVERY, REGIONAL TOURISM BUSHFIRE RECOVERY, DROUGHT COMMUNITIES PROGRAMME EXTENSION AND LOCAL DROUGHT STIMULUS PACKAGE**

**SUMMARY**

The purpose of this report is to provide an update on all grant funding as per Council Resolution 20/40 in regards to the proposed projects for grant funding as recommended by Council in February 2020.

**186/20** **Resolved** that Council endorse and adopt the Proposed Funding Action Plan as per the attachment to this report.

(Gary Verri/Bob Rogan)

**Motion Carried**

*Manager Economic Development & Community Engagement, Harry Bolton left the meeting, and Manager Building & Property, Heidi Ford entered, the time being 10.28 am.*

**(ITEM COM22/20) MINGOOLA WASTE TRANSFER STATION SITE - COMPULSORY ACQUISITION**

**SUMMARY**

The purpose of this report is to seek Council approval to compulsory acquire Lot 7013 and the western portion of the subdivided Lot 7018 in DP 1075621 for the purpose of constructing the Mingoola Waste Transfer Station. In addition to this, Council also need to acknowledge the form road that traverses through Lot 7013 in DP 1075621, known as Springfield Road, for dedication as a Public Road.

**187/20** **Resolved** that Council:

- (1) Proceed with the compulsory acquisition of the land described as Lot 7013 in DP 1075621 for the purpose of developing the Mingoola Waste Transfer Station in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991; and
- (2) Proceed with the compulsory acquisition of the land described as the western portion of subdivided Lot 7018 in DP 1075621 for the purpose of subdivision, acquisition and developing the Mingoola Waste Transfer Station in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991; and
- (3) Make an application to the Minister and the Governor for approval to acquire Lot 7013 in DP 1075621 by compulsory process under section 186(1) of the Local Government Act; and
- (4) Make an application to the Minister and the Governor for approval to acquire the western portion of the subdivided Lot 7018 in DP 1075621 by compulsory process under section 186(1) of the Local Government Act; and
- (5) Classify the land as operational land; and

- (6) Proceed with the subdivision of the land described as Lot 7018 in DP 1075621 for the purpose of compulsory acquisition of the newly-formed Lot in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991; and
- (7) Arrange the survey of the formed road, known as Springfield Road, that traverses through Lot 7013 in DP 1075621 and dedicate this as a Public Road; and
- (8) Make an application to the Minister and the Governor for approval to acquire the newly-formed Road Lot that traverses through Lot 7013 in DP 1075621 by compulsory process under section 177(1) or 177(2)(a) or 177(2)(b) of the Roads Act.

(Brian Murray/Michael Petrie)

**Motion Carried**

**(ITEM COM23/20) MINGOOLA RURAL FIRE SERVICE - RECLASSIFICATION OF PART LOT 7015 DP 1075623 ON RESERVE 32548**

**SUMMARY**

The purpose of this report is to provide Council with the information required to resolve re-classifying the site managed by Council for the purposes of developing a Rural Fire Service shed in Mingoola from Community to Operational Land. Concurrently, this report provides Council with the information needed to acknowledge the need to dedicate Mingoola School Road as a road reserve for future Rural Fire Service (RFS) operation.

**188/20** **Resolved** that Council:

- (1) Delegate authority to the Chief Executive to apply for the re-classification of the land managed by Council within the Travelling Stock Route (TSR32548) at Mingoola, known as Part Lot 7015 in DP 1075623, from Community to Operational Land, in order to fit the purpose of constructing a Rural Fire Service Station; and
- (2) Acknowledge the road known as Mingoola School Road is not contained within a dedicated road reserve and should be considered by Council to rectify this - whether now or in the future.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**

**OUR ECONOMY**

Nil.

**SUSPENSION OF STANDING ORDERS**

**189/20** **Resolved** that Standing Orders be suspended.

(Greg Sauer/Gary Verri)

**Motion Carried**



*Standing Orders were suspended and the meeting adjourned for morning tea, the time being 10.56 am. Manager Building & Property, Heidi Ford left the meeting.*

## **RESUMPTION OF STANDING ORDERS**

**190/20** **Resolved** that Standing Orders be resumed.

(Brian Murray/Greg Sauer)

### **Motion Carried**

*The meeting resumed with the same members present and with Manager Water & Waste, Gillian Marchant in attendance, the time being 11.22 am.*

## **OUR ENVIRONMENT**

### **(ITEM ENV19/20) TORRINGTON GREENWASTE**

#### **SUMMARY**

The purpose of this report is to provide an alternative option report for Torrington's green waste at the new waste transfer station.

**191/20** **Resolved** that Council:

- (1) Offer the mega muncher to the 59 properties for residents of the village of Torrington in lieu of green waste acceptance at Torrington transfer station; and
- (2) Does not offer alternative for greenwaste.

(Brian Murray/John Macnish)

### **Motion Carried**

*Manager Water & Waste, Gillian Marchant left the meeting, the time being 11.34am.*

## **OUR GOVERNANCE**

### **(ITEM GOV63/20) MONTHLY OPERATIONAL REPORT - AUGUST 2020**

#### **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 2019/2020 Operational Plan. This is the final report for the 2019/2020 period.

**192/20** **Resolved** that Council receives and notes the status of the Monthly Operational Report for August 2020.

(Gary Verri/Michael Petrie)

### **Motion Carried**

## **(ITEM GOV64/20) DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD**

### **SUMMARY**

The purpose of this report is for Council to provide delegation for Acting Chief Executive during period of leave of Chief Executive.

**193/20** **Resolved** that Council approve the temporary appointment of Chief Corporate Officer, Kylie Smith to the position of Acting Chief Executive for the period Monday, 5 October 2020 to Sunday, 18 October 2020 inclusive.

(Greg Sauer/Brian Murray)

### **Motion Carried**

*Manager Customer Service, Governance & Records, Erika Bursford entered the meeting, the time being 11.53 am.*

## **(ITEM GOV65/20) TENTERFIELD SHIRE COUNCIL CODE OF CONDUCT 2020 & PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT 2020**

### **SUMMARY**

The purpose of this report is to advise Council that the Tenterfield Shire Council Code of Conduct 2020 and the Tenterfield Shire Council Procedures for the Administration of the Code of Conduct are required to be adopted following amendments, as issued by the NSW Office of Local Government on 14 August 2020.

**194/20** **Resolved** that Council:

- (1) Adopt the Tenterfield Shire Council Code of Conduct 2020, as amended; and
- (2) Adopt the Tenterfield Shire Council Procedures for the Administration of the Code of Conduct 2020, as amended.

(Bob Rogan/Michael Petrie)

### **Motion Carried**

*Manager Customer Service, Governance & Records, Erika Bursford left the meeting and Manager Building & Property, Heidi Ford entered the meeting, the time being 12.04 pm.*

## **(ITEM GOV66/20) CROWN LANDS PLANS OF MANAGEMENT**

### **SUMMARY**

The purpose of this report is for Council to consider the draft Plans of Management (POMs) for Crown Land parcels managed by Council. In accordance with the enactment of the Crown Land Management Act 2016, Council is required to generate POMs for the community land managed by Council which is Crown Land.

**195/20** **Resolved** that Council endorse the listed draft Plans of Management and forward to the Crown Lands Minister for approval prior to the compulsory community consultation period:

- Plan of Management - General Community Use;
- Plan of Management - Sportsgrounds;
- Plan of Management - Parks;
- Plan of Management - Natural Areas.

(Greg Sauer/Michael Petrie)

**Motion Carried**

*Manager Building & Property, Heidi Ford left the meeting, the time being 12.13 pm.*

**PROCEDURAL MOTION**

**196/20** **Resolved** that Item GOV69/20 - Civic Office - Update Of Policies, Item GOV69/20 - Economic Development & Community - Update Of Policies, Item GOV70/20 - Planning & Development - Update Of Policies, Item GOV71/20 - Property & Buildings - Update Of Policies, Item GOV72/20 - Water & Waste - Update of Policies be adopted together.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV67/20) CIVIC OFFICE - UPDATE OF POLICIES**

**SUMMARY**

The purpose of this report is to update the listed policies aligned with Civic Office.

**196/20** **Resolved** that Council:

- (1) Adopt the updated Media Policy 1.130;
- (2) Adopt the updated Councillor Expenses & Facilities Policy 1.160.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV69/20) ECONOMIC DEVELOPMENT & COMMUNITY - UPDATE OF POLICIES**

**SUMMARY**

The purpose of this report is to update the listed policies aligned with the Economic Development and Community Engagement Office.

**196/20** **Resolved** that Council:

- (1) Adopt the updated Filming Policy 1.062; and

- (2) Adopt the updated Public Art Policy 1.166; and
- (3) Adopt the updated School of Arts Collections Acquisition and Deaccession Policy 1.193; and
- (4) Adopt the updated School of Arts Theatre/Cinema Front of House Policy 1.194; and
- (5) Adopt the updated School of Arts Use for Weddings and other activities Policy 1.195.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV70/20) PLANNING & DEVELOPMENT - UPDATE OF POLICIES**

**SUMMARY**

The purpose of this report is to update the listed policies aligned with Planning and Development Services.

**196/20** **Resolved** that Council adopt the following policies:

- Updated Burial on Private Land Policy 3.021; and
- Updated Limit of Delegated Authority in Dealing with Development Applications and Complying Development Certificates Policy 3.122; and
- Rainwater Tanks – Installation Requirements where Reticulated Water is Connected Policy 3.180; and
- Private Swimming Pool Safety Policy 3.194; and
- Aerated Wastewater Treatment Systems Policy 3.011; and
- On Site Sewage Management Policy 3.150.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV71/20) PROPERTY & BUILDINGS - UPDATE OF POLICIES**

**SUMMARY**

The purpose of this report is to update and make obsolete the listed policies aligned with the Corporate Office, and update the Fees and Charges.

**196/20** **Resolved** that Council:

- (1) Make obsolete the Hire Fees – Public Facilities, Halls & Parks Policy 3.130, and update the Fees & Charges to include that Local Schools are to be exempt from these fees and charges.; and

- (2) Make obsolete the Memorial Hall, RSL Pavilion – Hiring of Chairs and Tables Policy 3.131.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV72/20) WATER & WASTE - UPDATE OF POLICIES**

**SUMMARY**

The purpose of this report is for Council to review and adopt the listed policies aligned with Water & Waste.

**196/20** **Resolved** that Council:

- (1) Adopts the updated Drinking Water Policy 2.162,
- (2) Adopts the updated Liquid Trade Waste Regulation Policy 2.130; and
- (3) Adopts the updated Septic Tank Connections Policy 3.190.

(Greg Sauer/Bob Rogan)

**Motion Carried**

*Manager Finance & Technology, Paul Della entered the meeting, the time being 12.16 pm.*

**(ITEM GOV73/20) 2019/20 FINANCIAL STATEMENTS TO BE REFERRED FOR AUDIT**

**SUMMARY**

The purpose of this report is to comply with statutory requirements in relation to the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2020. The Financial Statements are to be referred to Council's Auditor, with authorisation from the Mayor, a Councillor, the Chief Executive and the Responsible Accounting Officer.

**197/20** **Resolved** that Council:

- (1) In relation to the Financial Statements and in accordance with Section 413(2)(c) of the Local Government Act 1993 (as amended):
  - a) Resolves that in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2020 and Special Schedules are properly drawn up in accordance with the provisions of the Local Government Act 1993, (as amended) and the Regulations there under; and
  - b) Approves the Financial Statements for signature by the Mayor, the Deputy Mayor, the Chief Executive and the Responsible Accounting Officer.

- (2) Refers the Financial Statements to Council's Auditor for audit; and
- (3) Forwards the audited Financial Statements to the Office of Local Government by 31 October 2020 if possible noting that the deadline has been extended to 30 November 2020 for this year only due to the impact of the COVID-19 pandemic; and
- (4) Delegates to the Chief Executive the authority to place the Audited Financial Statements on public exhibition from Monday, 2 November 2020 if possible (or the soonest practicable alternative date if not) and that notice be given that Council will present its Audited Financial Statements at the Ordinary Council Meeting to be held on 25 November 2020 if possible (or the soonest practicable alternative date if not); and
- (5) Presents the audited Financial Statements at the meeting of Council to be held on 25 November 2020 if possible in accordance with Section 419(1) of the Local Government Act 1993 (as amended) or alternatively at the soonest practicable date as determined by the Chief Executive Officer.

(Brian Murray/Bronwyn Petrie)

**Motion Carried**

**(ITEM GOV74/20) FINANCE & ACCOUNTS - PERIOD ENDED 31 AUGUST 2020**

**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.

- 198/20** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 August 2020.

(Michael Petrie/Gary Verri)

**Motion Carried**

**(ITEM GOV75/20) CAPITAL EXPENDITURE REPORT AS AT 31 AUGUST 2020**

**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.

- 199/20** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 August 2020.

(Greg Sauer/Brian Murray)

**Motion Carried**

Manager Finance & Technology, Paul Della left the meeting, the time being 12.23 pm.

## REPORTS OF DELEGATES & COMMITTEES

### (ITEM RC21/20) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC

#### SUMMARY

Items presented by the Delegate for information of Council:

- Minutes of Region 11 Meeting – 14 August 2020
- Murray Darling Association Delegate's Report – August 2020

**200/20** **Resolved** that Council receive and note the Delegate's report for the Murray Darling Association Inc. for August 2020.

(Greg Sauer/Bob Rogan)

#### Motion Carried

### (ITEM RC22/20) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE - 9 SEPTEMBER 2020

#### SUMMARY

A meeting of the Audit & Risk Committee was held on Wednesday, 9 September 2020.

**201/20** **Resolved** that the report of the Audit & Risk Committee of 9 September 2020 be received and noted.

(Peter Petty/Gary Verri)

#### Motion Carried

## NOTICES OF MOTION

### (ITEM NM7/20) NOTICE OF MOTION - TENTERFIELD TOWN DAM FOR RECREATIONAL ACTIVITIES

#### SUMMARY

The purpose of this motion is to provide the opportunity to open up the Tenterfield town dam for limited recreational use.

**202/20** **Resolved** that Council investigate the opportunities that may be available near and including the town dam for recreational activities with a view to producing a master plan for presentation to the Council and subsequently the community.

(Bob Rogan/Greg Sauer)

#### Motion Carried

**(ITEM NM8/20) NOTICE OF MOTION - EVENT FOR THE TENTERFIELD MOUNTAIN BIKE CLUB**

**SUMMARY**

The purpose of this motion is to approach the newly formed Tenterfield Mountain Bike Club with a suggested format and initial route planning for an event suitable for the Club to hold locally.

**203/20** **Resolved** that Council make an approach to the newly formed Tenterfield Mountain Bike Club (Saddlers Mountain Bike Club) with a suggested format and initial route planning for an event suitable for the Club to hold locally. The event being a tour designed for mountain bikes that would bring riders and others to Tenterfield.

(Bob Rogan/Gary Verri)

**Motion Carried**

**RESOLUTION REGISTER**

**(ITEM RES8/20) COUNCIL RESOLUTION REGISTER - SEPTEMBER 2020**

**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.

**204/20** **Resolved** that Council notes the status of the Council Resolution Register to September 2020.

(Michael Petrie/Gary Verri)

**Motion Carried**

*Engineering Officer, Jessica Gibbins entered the meeting, the time being 12.43 pm.*

**CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS**

**205/20** **Resolved** that

- a) Standing orders be suspended and 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/Brian Murray)

**Motion Carried**



*The recording device was turned off and the meeting moved into Closed Committee, the time being 12.43 pm.*

**(ITEM COM24/20) LEASE OF COUNCIL CONTROLLED LAND - ROAD RESERVE**

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

**SUMMARY**

The purpose of this report is for Council to amend the term of the proposed Lease Agreement for a section of adjoining road reserve between Tenterfield Shire Council and the property owner to comply with the provisions of the Roads Act 1993.

**206/20** **Resolved** that Council approve and endorse the Recommended Action as outlined in the report.

(Greg Sauer/Gary Verri)

**Motion Carried**

**(ITEM COM25/20) MCLEODS CREEK ROAD, SANDY HILL**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) (e) (g) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals; AND information that would, if disclosed, prejudice the maintenance of law; AND 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 advise Council of various road issues at McLeods Creek Road, Sandy Hill where there is no road reserve for an approximate distance of 2.7 km currently maintained by Council; and a further section of track in use which deviates in multiple locations for a distance of approximately 2.1 kms where it adjoins the road reserve to the east of this property. Council approval is sought to commence action to formalise the status of these sections of Road.

**207/20** **Resolved** that Council approve the action required as detailed in this report.

(Bronwyn Petrie/Gary Verri)

**Motion Carried**

*Engineering Officer, Jessica Gibbins left the meeting, and the time being 12.58 pm.*

## **(ITEM ENV20/20) APPLICATION OF NEW DEVELOPMENT ECONOMIC DEVELOPMENT STIMULUS PACKAGE**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals.

### **SUMMARY**

The adoption of Council "New Development Economic Development and Stimulus Package" (adopted 22 July 2020) indicates that Council will provide a 75% discount on Section 64 Water and Sewer contributions in the RU5 zone for development consents issued in the last 5 years where a Subdivision Certificate has not been issued. Staff have now been charged with implementing this policy and wish to provide an update and information on the first request received.

**208/20** **Resolved** that Council receive and note the report.

(Michael Petrie/Gary Verri)

### **Motion Carried**

*Manager Economic Development & Community Development, Harry Bolton entered the meeting, the time being 1.02 pm.*

## **(ITEM ECO14/20) INDUSTRIAL ESTATE - REDUCTION IN SALE PRICE**

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**

This report outlines the current methodology used to promote the sale of Industrial Land at the Tenterfield Industrial Park and proposed changes to generate further development of the Park.

**209/20** **Resolved** that Council:

- (1) Remove all reference to negotiated and reduced price in relation to sale of industrial lots;
- (2) Adopt the proposed pricing structure (approximately 60% reduction) for the Tenterfield Industrial Park and that all LOTS be placed on the open market and be sold without caveats;
- (3) Engage Ray White Rural Real Estate, First National Real Estate, Harold Curry Real Estate and Nutrien Harcourts (Landmark) Real Estate agencies to promote and sell listed Lots of the Industrial Park on behalf of the Tenterfield Shire Council.

(Michael Petrie/Tom Peters)

**Motion Carried**

**RESUMPTION OF STANDING ORDERS**

**210/20** **Resolved** that Standing Orders be resumed.

(Gary Verri/Bob Rogan)

**Motion Carried**

*The meeting moved out of Closed Committee and the recording device was turned on, the time being 1.34 pm.*

*In accordance with Section 253 of Local Government Regulations (General) 2005, the Mayor read the resolutions as resolved while in Closed Committee.*

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 1.36 pm.

.....  
Councillor Peter Petty  
Mayor/Chairperson