



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 28 OCTOBER 2020

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion, rear Memorial Hall, Molesworth Street, Tenterfield on Wednesday, 28 October 2020 commencing at 9.30 am

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Don Forbes
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)
Acting Executive Assistant & Media (Christie Fitzpatrick)
Chief Corporate Officer (Kylie Smith)
Director Infrastructure (Fiona Keneally)
Tamai Davidson (Manager Planning & Development Services)
Heidi Ford (Manager Property & Buildings)
Paul Della (Manager Finance & Technology)
Harry Bolton (Manager Economic Development & Community Engagement)

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 the bottom right portion of the text block.

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 Jukemba, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

216/20 **Resolved** that the apology of Cr Greg Sauer be received and noted.

(Brian Murray/Michael Petrie)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

217/20 **Resolved** that the following Disclosures and Declaration of Interest be received and noted.

Name	Type	Item
Mayor Peter Petty	Less than Significant Non Pecuniary	COM30/20 – Local Heritage Places Fund 2020/21 Applications
Cr John Macnish	Less than Significant Non Pecuniary	COM30/20 – Local Heritage Places Fund 2020/21 Applications

(Bob Rogan/Gary Verri)

Motion Carried

(ITEM MIN13/20) CONFIRMATION OF PREVIOUS MINUTES

- 218/20** **Resolved** that the Minutes of the following Meetings of Tenterfield Shire Council:
- Ordinary Council Meeting – 23 September 2020
 - Extraordinary Council Meeting – 1 October 2020
 - Extraordinary Council Meeting – 14 October 2020

as typed and circulated, be confirmed and signed as a true record of the proceedings of these meetings.

(Gary Verri/Michael Petrie)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

(ITEM RC27/20) REPORTS OF COMMITTEES & DELEGATES - TOURISM ADVISORY COMMITTEE - MEETING OF 30 SEPTEMBER 2020

- 219/20** **Resolved** that the Addendum Agenda –Item RC27/20 – Report of Committees & Delegates – Tourism Advisory Committee – Meeting of 30 September 2020 be accepted and considered by the meeting.

(Bob Rogan/Brian Murray)

Motion Carried

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

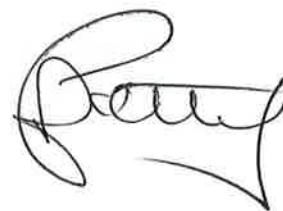
Nil.

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

- 220/20** **Resolved** that the following items be considered in the Confidential Section
- Item COM31/20 Purchase Of Land For Operational Purposes
 - Item ECO15/20 Offer To Purchase Lot 13 - Tenterfield Industrial Park

(Michael Petrie/Tom Peters)

Motion Carried



OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM28/20) 2021 AUSTRALIA DAY AWARDS & AUSTRALIA DAY EVENT

SUMMARY

The purpose of this report is for Council to endorse arrangements for judging of Australia Day Awards as per Council's Australia Day Awards & Citizenship Ceremonies Policy (attached) and outline recommended arrangements for the 2021 Australia Day event.

RECOMMENDATION:

That Council approves:

- (1) The calling of nominations for 2021 Australia Day Awards in the following categories:
 - Citizen of the Year;
 - Young Citizen of the Year;
 - Sportsperson of the Year;
 - Emergency Services Volunteer of the Year or Group;
 - Community Event of the Year.
- (2) That nominations for the 2021 Australia Day Awards open Thursday, 5 November 2020 and close at COB on Friday, 11 December 2020.
- (3) That judging by the Australia Day Selection Panel be undertaken in the Council Chamber at 10.00 am on Wednesday, 6 January 2021.
- (4) Arrangements for the 2021 Australia Day event as outlined in this report in consideration of the current COVID restrictions continuing into 2021.
- (5) Apply for grant funding through both the *\$7.5 million Australia Day 2021 COVIDsafe Events Grants* and the *\$500,000 Australia Day 2021 Event Branding Grants*. Closing date for both grants is Monday, 9 November 2020.

(Bronwyn Petrie/Gary Verri)

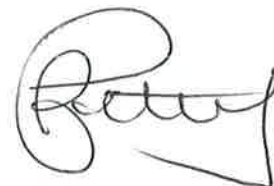
SUSPENSION OF STANDING ORDERS

221/20 **Resolved** that Standing Orders be suspended.

(Gary Verri/Bob Rogan)

Motion Carried

Standing Orders were suspended for Councillors to discuss local personalities to assist with the Australia Day Event, the time being 9.40 am.



RESUMPTION OF STANDING ORDERS

222/20 **Resolved** that Standing Orders be resumed.

(Brian Murray/Gary Verri)

Motion Carried

Standing Orders were resumed with the same members present, the time being 9.52 am.

RESUMED - (ITEM COM28/20) 2021 AUSTRALIA DAY AWARDS & AUSTRALIA DAY EVENT

AMENDMENT

Item (6) to be added as follows:

(6) Local identities be approached to assist with the event.

(Bronwyn Petrie/Gary Verri)

Amendment Carried

223/20 **Resolved** that Council approves:

(1) The calling of nominations for 2021 Australia Day Awards in the following categories:

- Citizen of the Year;
- Young Citizen of the Year;
- Sportsperson of the Year;
- Emergency Services Volunteer of the Year or Group;
- Community Event of the Year.

(2) That nominations for the 2021 Australia Day Awards open Thursday, 5 November 2020 and close at COB on Friday, 11 December 2020.

(3) That judging by the Australia Day Selection Panel be undertaken in the Council Chamber at 10.00 am on Wednesday, 6 January 2021.

(4) Arrangements for the 2021 Australia Day event as outlined in this report in consideration of the current COVID restrictions continuing into 2021.

(5) Apply for grant funding through both the \$7.5 million Australia Day 2021 COVIDsafe Events Grants and the \$500,000 Australia Day 2021 Event Branding Grants. Closing date for both grants is Monday, 9 November 2020.

(6) Local identities be approached to assist with the event.

(Bronwyn Petrie/Gary Verri)

Motion Carried

(ITEM COM29/20) EXPRESSION OF INTEREST TO REMOVE THE BAND HALL



SUMMARY

The purpose of this report is to provide Council with the two (2) expression of interest (EOI) received to acquire and remove the Band Hall in accordance with the Council Resolution. The EOI were advertised for two (2) weeks and we are now seeking Councils clarification on how to proceed.

RECOMMENDATION: That Council:

- (1) Acknowledge the receipt of two (2) Expressions of Interest;
- (2) Not accept either Expression of Interests;
- (3) Proactively lobby for funding to undertake upgrades to the Band Hall.

AMENDMENT

Item (2) to be amended as follows:

- (2) Call for Expressions of Interest in February 2021

(Gary Verri/Not Seconded)

Amendment Lapses

AMENDMENT

Items (2) and (3) to be amended as follows:

- (2) Not accept either Expressions of Interest;

(3) Approach the Showground Trust to see if they are interested in having the building relocated to the Showground with a further report to Council after negotiations.

(Bronwyn Petrie/Bob Rogan)

Amendment Carried

224/20 **Resolved** that Council:

- (1) Acknowledge the receipt of two (2) Expressions of Interest;

- (2) Not accept either Expressions of Interest;

(3) Approach the Showground Trust to see if they are interested in having the building relocated to the Showground with a further report to Council after negotiations.

(Gary Verri/Michael Petrie)

Motion Carried

SUSPENSION OF STANDING ORDERS

225/20 **Resolved** that Standing Orders be suspended.



(Brian Murray/Donald Forbes)

Motion Carried

Manager Property & Buildings, Heidi Ford left the meeting, the time being 10.47 am.

Standing Orders were suspended and the meeting adjourned for morning tea, the time being 10.48 am.

RESUMPTION OF STANDING ORDERS

226/20 **Resolved** that Standing Orders be resumed.

(Donald Forbes/Michael Petrie)

Motion Carried

The meeting resumed with the same members present, the time being 11.06 am.

(ITEM COM30/20) LOCAL HERITAGE PLACES FUND 2020/21 APPLICATIONS

SUMMARY

The purpose of this report is to provide a summary and recommendations on community applications made under the Local Heritage Places Fund for 2020/21 for maintenance and conservation works of heritage items, within heritage conservation areas and with the support of Council's Heritage Advisor and Heritage Committee.

A total of fifteen (15) applications were received.

227/20 **Resolved** that Council:

- (1) Endorses the offers of funding, as detailed in the attachment to this report, and forwards a Letter of Offer to the eligible applicants; and
- (2) Redistribute any funding not accepted, or not claimed by the claim date, amongst completed projects.

(Gary Verri/Bronwyn Petrie)

Motion Carried

OUR ECONOMY

Nil.

OUR ENVIRONMENT

(ITEM ENV21/20) DEVELOPMENT APPLICATION 2019.078 - BED & BREAKFAST & PART-TIME FUNCTION CENTRE - 2 YEARS, 141 MILES STREET, TENTERFIELD

SUMMARY



The application seeks Council consent for the use of the existing dwelling as a Bed & Breakfast and part-time temporary use of the land for functions including weddings, open gardens and gatherings for up to ten (10) times per year.

The application was notified to adjoining owners and submissions by way of objection were received raising concerns in relation to the function centre component of the application including noise associated with functions, patrons' vehicles arriving and leaving, car parking in the street.

The application is presented to Council in accordance with part 3 of Council's Policy "Limit of Delegated Authority in Dealing with Development Applications and Complying Development Certificates", whereby three (3) or more submissions are received objecting to the development. Taking in to consideration the concerns raised and the small number of events proposed per year, it is considered that a time limited consent can be issued for the function centre component of the DA and be reviewed in consultation with neighbours at the end of this period.

The application is recommended for approval subject to conditions.

228/20 **Resolved** that Council approve Development Application 2019.078 for the Bed & Breakfast and part-time Function Centre (2 years) subject to the Conditions contained in the Draft Development Consent at Attachment 2 (Attachment Booklet 1).

(Brian Murray/Michael Petrie)

Motion Carried Unanimously

Planning Matter –requires votes to be recorded:

- *Voting in favour of the Motion: Councillors Peter Petty, Gary Verri, John Macnish, Tom Peters, Bronwyn Petrie, Don Forbes, Brian Murray, Michael Petrie, Bob Rogan*
- *Absent: Councillor Greg Sauer*

Manager Planning & Development Services, Tamai Davidson left the meeting, the time being 11.18am.

(ITEM ENV22/20) APEX PARK BORE

SUMMARY

The purpose of this report is to provide Council with information to make an informed decision on the operation of Apex Park Bore as a stock water bore into the future.

RECOMMENDATION:

That Council:

- (1) Consider turning on Apex Park Bore for stock use from level 2 water restrictions, with activation at level 3 water restrictions and implement a payment (dispenser) system;



- (2) Consider turning on Apex Park Bore for stock use from level 2 water restrictions, with activation at level 3 water restrictions and approve the water free of charge;
- (3) Turn the Apex Park Bore on outside of drought conditions and implement a payment (dispenser) system;
- (4) Update Council's 2020/2021 Fees & Charges to include a water charge for Apex Park Bore at \$3.25/KL.

AMENDMENT

Remove items (1) and (2). Item (3) becomes item (1) with the following amendment:

- (1) Turn the Apex Park Bore on and implement a payment (dispenser) system, signed for Stock Use Only and with a sign saying camera surveillance.
- (2) Update Council's 2020/2021 Fees & Charges to include a water charge for Apex Park Bore at \$3.25/KL.

(Bronwyn Petrie/Gary Verri)

Amendment Carried

229/20 **Resolved** that Council:

- (1) Turn the Apex Park Bore on and implement a payment (dispenser) system, signed for Stock Use Only and with a sign saying camera surveillance.
- (2) Update Council's 2020/2021 Fees & Charges to include a water charge for Apex Park Bore at \$3.25/KL.

(John Macnish/Brian Murray)

Motion Carried

OUR GOVERNANCE

(ITEM GOV76/20) MONTHLY OPERATIONAL REPORT - SEPTEMBER 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 2020/2021 Operational Plan.

230/20 **Resolved** that Council receives and notes the status of the Monthly Operational Report for September 2020.

(Gary Verri/Michael Petrie)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford, entered the meeting, the time being 11.40 am.



PROCEDURAL MOTION

231/20 **Resolved** that Item GOV/20 - Governance - Fraud and Corruption Prevention Policy - New Policy, Item GOV68/20 - Governance - Update of Policy and Item GOV78/20 - Finance - Update of Policies be adopted together.

(Gary Verri/Bob Rogan)

Motion Carried

(ITEM GOV77/20) GOVERNANCE - FRAUD AND CORRUPTION PREVENTION POLICY - NEW POLICY

SUMMARY

The purpose of this report is to present to Council a new Fraud and Corruption Prevention Policy for adoption.

231/20 **Resolved** that Council

- (1) Adopt the Draft Fraud and Corruption Prevention Policy; and
- (2) Place the Draft on public exhibition from 28 October 2020 to 11 November 2020; and
- (3) If no comments are received through the public exhibition period, adopt the attached draft Policy.

(Gary Verri/Bob Rogan)

Motion Carried

(ITEM GOV68/20) GOVERNANCE - UPDATE OF POLICY

SUMMARY

The purpose of this report is to update the listed policy aligned with Governance.

231/20 **Resolved** that Council adopt the updated Records Management Policy 1.187.

(Gary Verri/Bob Rogan)

Motion Carried

(ITEM GOV78/20) FINANCE - UPDATE OF POLICIES

SUMMARY

The purpose of this report is to update the listed policies aligned with the Finance Department.

231/20 **Resolved** that Council:

- (1) Adopts the updated Borrowing Policy;
- (2) Adopts the updated Rates Hardship Policy;
- (3) Adopts the updated Debt Recovery Policy;



- (4) Adopts the updated Granting of Pensioner Rate Concessions Policy; and
- (5) Adopts the updated Transfer of Land in Payment of Rates Policy.

(Gary Verri/Bob Rogan)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford, left the meeting, the time being 11.44 am.

PROCEDURAL MOTION

- 232/20** **Resolved** that Item GOV79/20 - Finance & Accounts - Period Ended 30 September 2020, Item GOV80/20 - Capital Expenditure Report As At 30 September 2020 and Item GOV81/20 - Report On Loan Balances be adopted together

(Gary Verri/Brian Murray)

Motion Carried

Revenue Officers, Penny Robertson and Penny Chisholm entered the meeting, the time being 11.45 am.

(ITEM GOV79/20) FINANCE & ACCOUNTS - PERIOD ENDED 30 SEPTEMBER 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.

- 232/20** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 30 September 2020.

(Gary Verri/Brian Murray)

Motion Carried

(ITEM GOV80/20) CAPITAL EXPENDITURE REPORT AS AT 30 SEPTEMBER 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.

- 232/20** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 30 September 2020.

(Gary Verri/Brian Murray)

Motion Carried



(ITEM GOV81/20) REPORT ON LOAN BALANCES

SUMMARY

The purpose of this report is to inform Council of its loan balances as at 30 September 2020.

- 232/20** **Resolved** that Council notes the loan balance as at 30 September 2020 was \$10,207,684.52 (\$10,309,615.28 as at 30 June 2020).

(Gary Verri/Brian Murray)

Motion Carried

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC23/20) REPORTS OF COMMITTEES & DELEGATES - BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - 14 AUGUST 2020

- 233/20** **Resolved** that the report of the Border Regional Organisation of Councils (BROC) meeting Friday, 14 August 2020 be received and noted.

(Peter Petty/Brian Murray)

Motion Carried

(ITEM RC24/20) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING - 10 SEPTEMBER 2020

- 234/20** **Resolved** that the report of the Tenterfield Shire Local Traffic Committee meeting of Thursday, 10 September 2020 be received and noted.

(Peter Petty/Gary Verri)

Motion Carried

(ITEM RC25/20) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC

- 235/20** **Resolved** that Council receive and note the minutes and Delegates Report for the Murray Darling Association Inc. for September 2020.

(Donald Forbes/Bronwyn Petrie)

Motion Carried

(ITEM RC26/20) REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACES - 24 SEPTEMBER 2020

- 236/20** **Resolved** that the report of the Parks, Gardens & Open Spaces Advisory Committee meeting of 24 September 2020 be received and noted.

(Brian Murray/Gary Verri)

Motion Carried



(ITEM RC27/20) REPORTS OF COMMITTEES & DELEGATES - TOURISM ADVISORY COMMITTEE - MEETING OF 30 SEPTEMBER 2020

237/20 **Resolved** that the report of the Tourism Advisory Committee meeting of 30 September 2020 be received and noted.

(Bob Rogan/Brian Murray)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES9/20) COUNCIL RESOLUTION REGISTER - OCTOBER 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.

238/20 **Resolved** that Council notes the status of the Council Resolution Register to October 2020.

(Michael Petrie/Brian Murray)

Motion Carried

CONFIDENTIAL BUSINESS – SUSSPENSION OF STANDING ORDERS

239/20 **Resolved** that

- a) Standing orders be suspended and the meeting be closed to the public and members of 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/Gary Verri)

Motion Carried

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

(ITEM COM31/20) PURCHASE OF LAND FOR OPERATIONAL PURPOSES

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(ii)) of the Local Government



Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.

SUMMARY

The purpose of this report is to seek Council approval to bid for and purchase two parcels of land at the auction to be held on 20 November 2020 for the sale of land for unpaid rates.

240/20 **Resolved** that Council:

- (1) Authorise the Director Infrastructure or their delegate to bid for Lot 15 Section 44 DP758359 Allison Street, Drake, up to an amount in the report, at the auction being held on 20 November 2020 for the Sale of Land for Unpaid Rates;
- (2) Authorise the Director Infrastructure or their delegate to bid for Lot 4 Section 40 DP758359 Bruxner Highway, Drake, up to an amount in the report, at the auction being held on 20 November 2020 for the Sale of Land for Unpaid Rates;
- (3) Authorise the Chief Executive Officer to negotiate any outstanding or minor conditions in relation to the above purchases, and to be authorised to execute any documents in relation to these matters.

(Gary Verri/Bob Rogan)

Motion Carried

Revenue Officers, Penny Robertson and Penny Chisholm left the meeting, the time being 1.09 pm.

(ITEM ECO15/20) OFFER TO PURCHASE LOT 13 - TENTERFIELD INDUSTRIAL PARK

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 inform Council of an offer to purchase Lot 13 of the Tenterfield Industrial Estate.

241/20 **Resolved** that Council agree to proceed with the sale of Lot 13 of the Tenterfield Industrial Park as stated in the report.

(Michael Petrie/Brian Murray)

Motion Carried



RESUMPTION OF STANDING ORDERS

242/20 Resolved that Standing Orders be resumed.

(Brian Murray/Michael Petrie)

Motion Carried

The meeting moved out of Closed Committee and the recording device was turned on, the time being 1.13 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 1.14 pm.



Councillor Peter Petty
Mayor/Chairperson