

UNCONFIRMED



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MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 24 MARCH 2021

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion, rear Memorial Hall, Molesworth Street, Tenterfield on Wednesday, 24 March 2021 commencing at 9.35 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 (via Zoom)

ALSO IN ATTENDANCE

Acting Chief Executive (Kylie Smith)
Executive Assistant & Media (Noelene Hyde)
Acting Chief Corporate Officer (Paul Della)
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.

An additional prayer was offered for those affected by the current flooding throughout NSW and for the safety of Council staff when out working in these conditions.

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

Advice received from Cr Bronwyn Petrie that she would be a late attendance.

DISCLOSURE & DECLARATIONS OF INTEREST

54/21

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

Name	Type	Item
Deputy Mayor Greg Sauer	Less than Significant Non Pecuniary – will remain in the meeting and vote. <i>Chair of the Tenterfield National Monument Assoc Inc.</i>	Development Application 2021.021 – Reconstruction of the Original Timber Frame Verandah and Façade Repair – Old Tenterfield Star Building,

		325 Rouse Street, Tenterfield
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(Bob Rogan/Michael Petrie)

Motion Carried

(ITEM MIN2/21) CONFIRMATION OF PREVIOUS MINUTES

55/21 **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting – 24 February 2021

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

(Tom Peters/Brian Murray)

Motion Carried

TABLING OF DOCUMENTS

Nil

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil

MAYORAL MINUTE

Nil

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

Nil

Councillor Bronwyn Petrie entered the Meeting, the time being 9.40 am.

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM7/21) ANZAC DAY ARRANGEMENTS - SUNDAY, 25 APRIL 2021

SUMMARY

The purpose of this report is to provide information for Council's consideration regarding arrangements for Anzac Day, Sunday, 25 April 2021.

56/21 **Resolved** that:

- (1) In accordance with Council Minute 208/04, Council's representative at Anzac Day Ceremonies throughout the Shire will lay a wreath or present a book as per the requirements of the local organisers; and
- (2) Councillors be allocated to attend the Anzac Day services and events around the Shire as follows:
 - (a) Mayor, Cr Peter Petty at the Tenterfield Dawn Service and Morning Service;
 - (b) Councillor Tom Peters at the Dawn Service in Torrington (if held);
 - (c) Councillor Gary Verri/Mayor Peter Petty at the Legume Service;
 - (d) No service being held at Urbenville;
 - (e) Councillor Brian Murray at the Jennings Service;
 - (f) Councillors John Macnish/Bronwyn Petrie at the Drake Service;
 - (g) Councillors Gary Verri/Don Forbes at the Liston Service; and
 - (h) Mayor Peter Petty at the Mingoola Service.

(Greg Sauer/John Macnish)

Motion Carried

Acting Manager Economic Development & Community Engagement, Rebekah Kelly, entered the meeting, the time being 9.45 am.

(ITEM COM8/21) TENTERFIELD SCULPTURE WALK

SUMMARY

To confirm plans and locations for the Tenterfield Sculpture Walk installation within Tenterfield central business district.

57/21 **Resolved** that Council adopt the report and approve installation and locations of all the proposed sculptures.

(Bronwyn Petrie/Bob Rogan)

Motion Carried

OUR ECONOMY

(ITEM ECO6/21) SALE OF LAND - TENTERFIELD INDUSTRIAL ESTATE - LOTS 14 & 15

SUMMARY

The purpose of this report is to advise that Council has received increased offers on Lots 14 & 15 of the Tenterfield Industrial Park from Harold Curry Real Estate, Tenterfield.

The Officer's Recommendation was amended to show correct details.

58/21 **Resolved** that Council accept the revised offers as submitted by Harold Curry Real Estate and authorise the Chief Executive to execute the documents to transfer the land in the Tenterfield Industrial Estate as follows:

- Lot 14, DP 1155323 – Duff Superannuation Fund and Mr Bruce Lyons and Mrs Marisa Christelle Lyons as Trustees for BML Superannuation Fund – \$55,260.00;
- Lot 15, DP 1155323 – Emma Lee Page - \$42,000.00.

(Bronwyn Petrie/Greg Sauer)

Motion Carried

(ITEM ECO7/21) SALE OF LAND - TENTERFIELD INDUSTRIAL ESTATE - CHANGE OF PURCHASER LOT 8

SUMMARY

This report is to advise Council of a change in purchaser for Lot 8 of the Tenterfield Industrial Estate from Grant Townes Haulage to R.P's Total Assessments and Driver Training Pty Ltd.

59/21

Resolved that Council note the change in purchaser for Lot 8 DP 1155323 of the Tenterfield Industrial Estate from Grant Townes Haulage to R.P's Total Assessments & Driver Training Pty Ltd.

(Brian Murray/Michael Petrie)

Motion Carried

Acting Manager Economic Development & Community Engagement, Rebekah Kelly left the meeting, the time being 9.53 am.

Engineering Officer, Jessica Gibbins entered the meeting, the time being 9.53 am.

(ITEM ECO8/21) SNAKE CREEK ROAD - ROAD RESERVE UPDATE

SUMMARY

The purpose of this report is to provide an update to Council on how the formalisation of Snake Creek Road reserve process is progressing and the requirements for Council to proceed with compulsory acquiring part of the Crown Land known as Lot 7301 DP 1145839 being (part of TSR No 224) for the purpose of dedicating a road to the public as public road.

60/21

Resolved that Council:

- (1) Proceed with the compulsory acquisition of the land described as part of Lot 7301 DP 1145839 for the purpose of dedicating a road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;
- (2) Make an application to the Minister and the Governor for approval to acquire part of Lot 7301 DP 1145839 by compulsory process under section 177 (2)(b) of the Roads Act 1993.

(Greg Sauer/Bronwyn Petrie)

Motion Carried

Engineering Officer, Jessica Gibbins left the meeting, the time being 9.57 am.

OUR ENVIRONMENT

Nil

OUR GOVERNANCE

(ITEM GOV17/21) MONTHLY OPERATIONAL REPORT - FEBRUARY 2021

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.

61/21

Resolved that Council receives and notes the status of the Monthly Operational Report for February 2021.

(Brian Murray/Michael Petrie)

Motion Carried

(ITEM GOV18/21) NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2021- MOTIONS FOR DEBATE

SUMMARY

The purpose of this report is for Council to consider motions that have been submitted for the National General Assembly of Local Government 2021 in Canberra, 20-23 June 2021.

RECOMMENDATION

That Council approve the submission of the following motions for the National General Assembly of Local Government 2021:

- (i) This National General Assembly again calls on the Australian Government to increase funding for local government Financial Assistance Grants to a level of at least 1% of Commonwealth taxation revenue by the 2022/23 Financial Year.
- (ii) This National General Assembly calls on the Australian Government to either cease the practice of expecting Council co-contributions when applying for Federal Government Grants or allow Council's in kind contributions to be eligible as the co-contribution from Councils.
- (iii) This National General Assembly calls on the Australian Government to allow Councils to use new Grant Funding opportunities for projects already contained within their operational plan that would have otherwise been funded from loans (currently they are excluded).
- (iv) This National General Assembly call on the Australian Government to provide grant funding in advance to Regional and Rural Councils and not in arrears so as to avoid impacting unfavorably on such Council's cash flow.

(Greg Sauer/Bob Rogan)

AMENDMENT

Add additional item (v):

This National General Assembly calls on the Australian Government to provide grant funding to assist Councils deal with the costs incurred in correcting historical errors in mapping of actual roads so that ratepayers do not have to meet these costs.

(Greg Sauer/Michael Petrie)

Amendment Carried

62/21

Resolved that Council approve the submission of the following motions for the National General Assembly of Local Government 2021:

- (i) This National General Assembly again calls on the Australian Government to increase funding for local government Financial Assistance Grants to a level of at least 1% of Commonwealth taxation revenue by the 2022/23 Financial Year.
- (ii) This National General Assembly calls on the Australian Government to either cease the practice of expecting Council co-contributions when applying for Federal Government Grants or allow Council's in kind contributions to be eligible as the co-contribution from Councils.
- (iii) This National General Assembly calls on the Australian Government to allow Councils to use new Grant Funding opportunities for projects already contained within their operational plan that would have otherwise been funded from loans (currently they are excluded).
- (iv) This National General Assembly call on the Australian Government to provide grant funding in advance to Regional and Rural Councils and not in arrears so as to avoid impacting unfavorably on such Council's cash flow.
- (v) This National General Assembly calls on the Australian Government to provide grant funding to assist Councils deal with the costs incurred in correcting historical errors in mapping of actual roads so that ratepayers do not have to meet these costs.

(Greg Sauer/Bob Rogan)

Motion Carried

(ITEM GOV19/21) DESTINATION & VISITOR ECONOMY CONFERENCE - PORT MACQUARIE - 26 TO 28 MAY 2021

SUMMARY

The purpose of this report is for Council to endorse and approve the attendance of Council delegates to the Destination & Visitor Economy Conference 2021 to be held at Port Macquarie from Wednesday, 26 May 2021 to Friday, 28 May 2021.

RECOMMENDATION

That Council:

- (1) Approve the attendance of Council's Tourism Advisory Committee delegates, Mayor Peter Petty, Councillor Bob Rogan and Councillor Gary Verri at the Destination & Visitor Economy Conference 2021 at Port Macquarie, 26 to 28 May 2021; and further
 - (2) Invite attendance from other interested Councillors to the Destination & Visitor Economy Conference 2021.
- (Bronwyn Petrie/Bob Rogan)

AMENDMENT

Add new item (3):

Move the Ordinary Council Meeting forward one (1) week to Wednesday, 19 May 2021 due to the attendance of delegates at the Destination & Visitor Economy Conference.

(Don Forbes/Bronwyn Petrie)

Amendment Carried

Deputy Mayor Greg Sauer registered a vote against the amendment.

AMENDMENT

That item (2) be deleted.

(Greg Sauer/Not Seconded)

Amendment Lapses

63/21

Resolved that Council:

- (1) Approve the attendance of Council's Tourism Advisory Committee delegates, Mayor Peter Petty, Councillor Bob Rogan and Councillor Gary Verri at the Destination & Visitor Economy Conference 2021 at Port Macquarie, 26 to 28 May 2021; and further
- (2) Invite attendance from other interested Councillors to the Destination & Visitor Economy Conference 2021.
- (3) Move the Ordinary Council Meeting forward one (1) week to Wednesday, 19 May 2021 due to the attendance of delegates at the Destination & Visitor Economy Conference.

(Bronwyn Petrie/Bob Rogan)

Motion Carried

Noted: Cr Bronwyn Petrie expressed interest in attending the Conference.

(ITEM GOV21/21) LIBRARY SERVICES - UPDATE OF POLICY NO. 1.120

SUMMARY

The purpose of this report is to update Council's Library Services Policy.

64/21

Resolved that Council adopt the updated Library Services Policy No 1.120.

(Brian Murray/Michael Petrie)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford entered the meeting, the time being 10.23 am.

(ITEM GOV22/21) BUY LOCAL POLICY – DRAFT NEW POLICY NO. 3.023

SUMMARY

Propose a new Buy Local Policy which incorporates a Local Benefits advantage rather than an advantage based on price alone for suppliers of Goods and Services to Tenterfield Shire Council in circumstances as described in the Policy.

65/21 **Resolved** that Council:

- (1) Place the new Draft Buy Local Policy No 3.023 on Public Exhibition for 14 days, from 24 March 2021 to 7 April 2021 and either;
- (2) Review submissions received during the Public Exhibition Period at the April 2021 Ordinary Council Meeting, or;
- (3) If no submissions are received during the Public Exhibition period, adopt the Buy Local Policy No. 3.023 as at 7 April 2021.

(Bronwyn Petrie/Tom Peters)

Motion Carried

SUSPENSION OF STANDING ORDERS

66/21 **Resolved** that Standing Orders be suspended.

(Michael Petrie/Brian Murray)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.44 am.

The Meeting reconvened with the same members present, the time being 11.04 am.

RESUMPTION OF STANDING ORDERS

67/21 **Resolved** that Standing Orders be resumed.

(Bob Rogan/Greg Sauer)

Motion Carried

(ITEM GOV23/21) CUSTOMER SERVICE, GOVERNANCE & RECORDS - UPDATE OF PROCUREMENT POLICY NO. 1.164

SUMMARY

The purpose of this report is to update Council's Procurement Policy No. 1.164.

68/21 **Resolved** that Council:

- (1) Place the Draft Procurement Policy No. 1.164 on Public Exhibition for 14 days, from 24 March 2021 to 7 April 2021 and either

- (2) Review submissions received during the Public Exhibition Period at the April Ordinary Council Meeting, or
- (3) If no submissions are received during the Public Exhibition period, adopt the Procurement Policy No. 1.164 as at 7 April 2021.

(Bronwyn Petrie/Brian Murray)

Motion Carried

(ITEM GOV24/21) CUSTOMER SERVICE, GOVERNANCE & RECORDS - NEW POLICY – LEGISLATIVE COMPLIANCE POLICY NO. 3.110

SUMMARY

The purpose of this report is to adopt a Legislative Compliance Policy, in line with recommendations by the NSW Audit Office.

69/21

Resolved that Council:

- (1) Place the new Draft Legislative Compliance Policy No. 3.110 on Public Exhibition for 14 days, from 24 March 2021 to 7 April 2021; and either
- (2) Review submissions received during the Public Exhibition Period at the April Ordinary Council Meeting; or
- (3) If no submissions are received during the Public Exhibition period, adopt the Legislative Compliance Policy No. 3.110 as at 7 April 2021.

(Greg Sauer/Michael Petrie)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford left the meeting, the time being 11.09 am.

Manager Open Space, Regulatory & Utilities, Mark Cooper entered the meeting, the time being 11.09 am.

(ITEM GOV25/21) LOCAL ORDERS FOR THE KEEPING OF ANIMALS IN URBAN AREAS OF TENTERFIELD SHIRE POLICY - 3.120 - REVIEW OF SUBMISSIONS

SUMMARY

The purpose of this report is to provide Council with a submission received by a member of the public raising an objection to the proposed changes and some additional amendments for consideration, and to adopt the Policy 3.120 - Local Orders for Keeping of Animals in Urban Areas of Tenterfield Shire.

70/21

Resolved that Council:

- (1) Notes the receipt of the attached submission; and
- (2) Adopts the Local Orders for Keeping of Animals in Urban Areas of Tenterfield Shire Policy 3.120 as per Attachment 10 (Attachment Booklet 3).

(Bob Rogan/Bronwyn Petrie)

Motion Carried

Manager Open Space, Regulatory & Utilities, Mark Cooper left the meeting, the time being 11.10 am.

Acting Manager Finance & Technology, Jessica Wild entered the meeting, the time being 11.10 am.

(ITEM GOV26/21) FINANCE & ACCOUNTS - PERIOD ENDED 28 FEBRUARY 2021

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.

71/21 **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 28 February 2021.

(Brian Murray/Michael Petrie)

Motion Carried

(ITEM GOV27/21) CAPITAL EXPENDITURE REPORT AS AT 28 FEBRUARY 2021

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.

72/21 **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 28 February 2021.

(Bob Rogan/Tom Peters)

Motion Carried

(ITEM GOV28/21) CHANGES TO PROPOSED BORROWINGS 2020-21 FINANCIAL YEAR

SUMMARY

The purpose of this report is to increase the level of proposed borrowings for the 2020-2021 Financial Year.

73/21 **Resolved** that Council:

- (1) Approves an increase to the proposed borrowings for the 2020-2021 Financial Year from \$3,664,071 to a maximum of \$4,048,952. An increase of \$384,881.

- (2) Approves a loan of \$4,048,952 for a fixed term of 20 years at the lowest interest rate of the three quotes being obtained (to be tabled at the meeting and subject to variation on the day the loan is effected).
- (3) That Council's Proposed Borrowings Return be updated with the Office of Local Government.

(Greg Sauer/Brian Murray)

Motion Carried

Acting Manager Finance & Technology, Jessica Wild left the meeting, the time being 11.18 am.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC6/21) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC

SUMMARY

MDA's Delegate's Report provided for the information of Council.

74/21

Resolved that Council receive and note the Delegate's Report for the Murray Darling Association Inc for February 2021.

(Greg Sauer/Tom Peters)

Motion Carried

(ITEM RC7/21) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING - 11 FEBRUARY 2021

SUMMARY

A Meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 11 February 2021.

75/21

Resolved that the report of the Tenterfield Shire Local Traffic Committee meeting of Thursday, 11 February 2021 be received and noted.

(Peter Petty/Bronwyn Petrie)

Motion Carried

(ITEM RC8/21) REPORTS OF COMMITTEES & DELEGATES - BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - 12 FEBRUARY 2021

SUMMARY

A Meeting of the Border Regional Organisation of Councils (BROC) was held on Friday, 12 February 2021 at Inverell Shire Council.

76/21

Resolved that the report of the Border Regional Organisation of Councils (BROC) meeting of Friday, 12 February 2021 be received and noted.

(Peter Petty/Brian Murray)

Motion Carried

(ITEM RC9/21) REPORTS OF COMMITTEES & DELEGATES - COUNTRY MAYORS' ASSOCIATION OF NSW - 5 MARCH 2021

SUMMARY

A Meeting of the Country Mayors' Association of NSW was held in Sydney on Friday, 5 March 2021.

77/21

Resolved that the report from the Country Mayors' Association of NSW General Meeting of Friday, 5 March 2021 be received and noted.

(Peter Petty/Bronwyn Petrie)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES2/21) COUNCIL RESOLUTION REGISTER - MARCH 2021

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.

78/21

Resolved that Council notes the status of the Council Resolution Register to March 2021.

(Greg Sauer/Michael Petrie)

Motion Carried

CONFIDENTIAL BUSINESS

Nil.

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 11.35 am.

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Councillor Peter Petty
Mayor/Chairperson