



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 28 SEPTEMBER 2022**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Koreelah Room, Tenterfield Shire Council Chambers on Wednesday 28 September 2022 commencing at 9:30 am

### **ATTENDANCE**

Councillor Bronwyn Petrie (Mayor)  
Councillor John Macnish (Deputy Mayor)  
Councillor Peter Petty  
Councillor Tim Bonner  
Councillor Tom Peters  
Councillor Kim Rhodes  
Councillor Giana Saccon  
Councillor Greg Sauer  
Councillor Geoff Nye  
Councillor Peter Murphy

### **ALSO IN ATTENDANCE**

Chief Executive (Daryl Buckingham)  
Executive Assistant & Media (Elizabeth Melling)  
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.*

## COMMUNITY CONSULTATION (PUBLIC ACCESS)

### 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. That there were no apologies.

#### DISCLOSURE & DECLARATIONS OF INTEREST

**192/22** **Resolved** that councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

Name	Type	Item
Cr Bronwyn Petrie	Less than Significant Non Pecuniary	ITEM GOV79/22 – Upper Rocky River Road Public Gate Adjustments

(Peter Petty/Kim Rhodes)

#### **Motion Carried**

#### (ITEM MIN9/22) CONFIRMATION OF PREVIOUS MINUTES

**193/22** **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- **Ordinary Council Meeting – 24 August 2022**

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

(Peter Petty/John Macnish)

**Motion Carried**

**TABLING OF DOCUMENTS**

Nil.

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

**194/22** **Resolved** that Council accept the following Addendum Agendas:

- (1) Confidential – ITEM ECO20/22 – Sale of Surplus Plant Items.
- (2) Confidential – ITEM COM25/22 – Commence Negotiations with the current occupier of Reserve R8367 with the intent of entering into a long term Lease.

(Greg Sauer/Tim Bonner)

**Motion Carried**

**MAYORAL MINUTE**

**SUMMARY**

I, Mayor Bronwyn Petrie intend to move the following Mayoral Minute with respect to the three following issues:-

- (1) On behalf of Tenterfield Shire Council and ratepayers, a letter will be sent to Minister for Regional Transport and Roads, expressing our deep concern and disappointment regarding his recent comments in Parliament that he is not think the return of roads to the state government was a burning issue for councils, with copy to the Deputy Premier. The return of the Bruxner Way and Mt Lindesay Road are very much burning issues for Tenterfield Shire Council as has been expressed repeatedly in our Engineering Department applications to the Minister, as well as at Country Mayors Association meetings and the recent State Road Congress. Minister Farraway and Deputy Premier Paul Toole have been directly questioned at these meetings regarding the slow rollout of the return of former highways as per the election commitment to take back 15,000km of road. These two former highways create a considerable burden on our financial statements due to the high depreciation attached to them. Additionally a letter will be sent to the Leader of the Opposition, Chris Minns and our Local Member, Janelle Saffin requesting that the urgent return of these roads be an election commitment from Labor.
- (2) On behalf of Tenterfield Shire Council, ratepayers and residents, correspondence shall be entered into regarding the imminent closure of the Tenterfield Branch of the Commonwealth Bank of Australia, as well as the foreshadowed closure of the Tenterfield Branch of the National Australia Bank, expressing our concern and requesting a change of decision based on finances held within these banks as well as the impost on our local residents and businesses who will be forced to travel to Stanthorpe or Glen Innes to conduct banking in person as is often

required. In additional contact shall also be made with other banks including Heritage Bank, Bendigo Bank, ING and Suncorp Metway for their consideration of opening a branch in Tenterfield. Correspondence shall also be sent to the Regional Australia Bank thanking them for their continued support of our local community. Council will also lobby the Federal Government to support the establishment of the Australia Post Bank so rural communities can be guaranteed access to financial services.

- (3) Following contact from a local resident, Mr Trevor Taylor, regarding the establishment of a Queen Elizabeth II Memorial Avenue of deciduous trees, and a subsequent drive through Tenterfield and the northern and southern approaches, I request support of Council to continue the Liquid Amber tree plantings on the southern side of town in both a southerly and northerly direction resulting in a community project with organisations, businesses, families and individuals donating trees. Liquid Ambers live for around 400 years. If well supported the plantings can continue on the northern side as well. In preparation for the bypass these plantings will enhance the aesthetic approaching town as well as add to our reputation for autumn colour.

**Motion Carried**

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

**195/22** **Resolved** that the following items be considered in the Confidential Section of the Meeting:-

- (1) ITEM ENV11/22 Award of Quotation/Tender RFQ 01-22/23, Bore drilling locations villages (Liston, Legume, Drake, Torrington & Urbenville)
- (2) ITEM ECO18/22 Sale of 780 Sugarbag Road, Drake
- (3) ITEM COM22/22 RFT 08-21/22 Design and Construct tender Tenterfield Youth Precinct and Mountain Bike Trailhead Progress
- (4) ITEM COM23/22 Leasing of Council Owned Property
- (5) ITEM ECO20/22 Sale of Surplus Plant Items
- (6) ITEM COM25/22 Commence Negotiations with the current occupier of Reserve R83670 with the intent of entering into a long term Lease  
(Greg Sauer/Kim Rhodes)

**Motion Carried**

**OPEN COUNCIL REPORTS**

**OUR COMMUNITY**

**SUMMARY**

The NSW Public Spaces Charter was released by the NSW Department of Planning, Industry and Environment in October 2021 and are encouraging Councils to sign up to the charter and to apply the principles in their strategies and planning.

## FORESHADOWED AMENDMENT

That Council:-

- (1) Do not apply to become a signatory for the NSW Public Spaces Charter, due to the additional work load on limited staff.

(Peter Petty)

### **Amendment Withdrawn**

**Resolved** that Council:

196/22

- (1) Submit the application to become a signatory for the NSW Public Spaces Charter and complete the baseline report when approved.

(Peter Petty/Kim Rhodes)

### **Motion Carried**

*Neville Coonan, Property Specialist entered the meeting, the time being 9.48 am.*

## **(ITEM COM21/22) CROWN LANDS PLAN OF MANAGEMENT RESERVE R22044**

### SUMMARY

The purpose of this report is for Council to consider a draft Plan of Management (PoM) for Crown Land described as Old Power House Reserve R22044. The reserve is over Lot 12 Section 22 DP 758959, Lot 701 DP 1059521 and Lot 7029 DP 1112788.

The reserve is classified as community land. The reserve purpose is for Public Recreation. In accordance with the enactment of the Crown Land Management Act 2016, Council is required to generate a Plan of Management (PoM) for the reserve which is crown land.

### PROCEDURAL MOTION

197/22

**Resolved** that the Officer's Recommendation be put to the vote.

(Greg Sauer/Peter Petty)

### **Motion Carried**

198/22

**Resolved** that Council:

- (1) Endorse the draft Plan of Management Old Power House Reserve – Crown Reserve R22044; and
- (2) Forward to the Crown Lands Minister for approval prior to the compulsory community consultation period.

(Peter Petty/Greg Sauer)

### **Motion Carried**

*Upon being put to the meeting, the motion was declared carried. The record of vote was sought by Cr Giana Saccon and supported by the Chairperson. Recorded*

*under the Model Code of Meeting Practice (Local Government NSW) – Section 11 Point 6.*

*Against the Motion was Cr G Saccon Total (1).*

## **(ITEM COM24/22) UPGRADE OF THE LIONS PARK TOILETS**

### **SUMMARY**

The aim of this report is to provide Council information as to the demolishing, rebuilding and updating access to the Market Square amenities. The Tenterfield Lions Club will be applying for a grant for \$293,038.02 through the Stronger Country Communities Fund- Round 5. If successful, Council will be writing off the old asset and incorporating a new asset.

### **PROCEDURAL MOTION**

**199/22**

**Resolved** that Council:

- (1) Withdraws ITEM COM24/22 – Upgrade of the Lions Park Toilets Officers Report from the meeting.

(Kim Rhodes/Tim Bonner)

**Motion Carried**

*Neville Coonan, Property Specialist left the meeting, the time being 10.07 am.*

*David Counsell, Manager Asset & Program Planning entered the meeting, the time being 10.08 am.*

### **OUR ECONOMY**

## **(ITEM ECO14/22) ACQUISITION OF LAND REQUIRED FOR ROAD WIDENING PURPOSES - SUNNYSIDE PLATFORM ROAD**

### **SUMMARY**

The purpose of this report is to seek Council concurrence to the acquisition of a section of land adjacent to Sunnyside Platform Road to compliment improvement works at the intersection of Bruxner Way.

**200/22**

**Resolved** that Council:

- (1) Agree to the acquisition of land adjacent to Sunnyside Platform Road for road widening purposes at the intersection of Bruxner Way; and
- (2) Delegate the Chief Executive to execute any documents for the acquisition and to authorise payment of any compensation with the landowners.

(Peter Petty/Tom Peters)

**Motion Carried**

## **(ITEM ECO15/22) ACQUISITION OF LAND REQUIRED FOR ROAD REALIGNMENT PURPOSES ON PADDYS FLAT ROAD NORTH**

### **SUMMARY**

The purpose of this report is to seek Council concurrence to the acquisition of a section of land adjacent to Paddys Flat Road North for road realignment and widening at Kangaroo Creek Bridge.

**201/22** **Resolved** that Council:

- (1) Agree to the acquisition of land adjacent to Paddys Flat Road North for road realignment and widening purposes at Kangaroo Creek Bridge; and
- (2) Authorise the Chief Executive to execute any documents for the acquisition and to authorise payment of any compensation with the landowners.

(Peter Petty/Tom Peters)

### **Motion Carried**

## **(ITEM ECO16/22) ACQUISITION OF LAND REQUIRED FOR ROAD WIDENING PURPOSES - MT LINDESAY ROAD BLER PROJECT**

### **SUMMARY**

The purpose of this report is to seek Council concurrence to the acquisition of small sections of land adjacent to Mt Lindesay Road to compliment improvement works being undertaken under the Bushfire Local Economic Recovery Fund.

**202/22** **Resolved** that Council:

- (1) Agree to the acquisition of land adjacent to Mt Lindesay Road for road widening purposes on various curves being widened under the BLER Fund project; and
- (2) Delegate the Chief Executive to execute any documents for the acquisition and to authorise payment of any compensation with the landowners.

(Peter Petty/Tom Peters)

### **Motion Carried**

## **(ITEM ECO17/22) ACQUISITION OF LAND REQUIRED FOR ROAD ALIGNING PURPOSES ALONG KILDARE ROAD**

### **SUMMARY**

The purpose of this report is to seek Council concurrence to the acquisition of a section of land along the existing formation of Kildare Road for road improvement works.

**203/22** **Resolved** that Council:

- (1) Agree to the acquisition of land along Kildare Road for road aligning purposes; and

- (2) Authorise the Chief Executive to execute any documents for the acquisition and to authorise payment of any compensation with the landowners in consideration to close an existing road reserve in exchange.

(Peter Petty/Tom Peters)

**Motion Carried**

*David Counsell, Manager Asset & Program Planning left the meeting, the time being 10.22 am.*

*Gillian, Marchant, Manager Water & Waste entered the meeting, the time being 10.22 am.*

**OUR ENVIRONMENT**

**(ITEM ENV10/22) ADOPTION & UPDATE TO POLICIES INCLUDING ADOPTION OF CONTAMINATED RECYCLING BIN POLICY AND BACKFLOW PREVENTION POLICY & UPDATE TO WATER QUALITY & SAFETY POLICY**

**SUMMARY**

The purpose of this report is for Council to review and adopt the New Contaminated Recycling Bin Policy and the New Backflow Prevention Policy and the updated Water Quality and Safety Policy aligned with Water & Waste.

**204/22**

**Resolved** that Council:

- (1) Adopts the new Backflow Prevention Policy;
- (2) Adopts the new Contaminated Recycling Bin Policy, and
- (3) Adopts the updated Water quality and Safety Policy.

(Kim Rhodes/Geoff Nye)

**Motion Carried**

*Gillian Marchant, Manager Water & Waste left the meeting, the time being 10.45 am.*

**SUSPENSION OF STANDING ORDERS**

**205/22**

**Resolved** that Standing Orders be suspended.

(Peter Petty/Kim Rhodes)

**Motion Carried**

*The meeting adjourned for morning tea, the time being 10.46 am.*

*The meeting reconvened, the time being 11.07 am.*



## RESUMPTION OF STANDING ORDERS

**206/22** **Resolved** that Standing Orders be resumed.

(Peter Petty/Giana Saccon)

**Motion Carried**

## OUR GOVERNANCE

### (ITEM GOV73/22) MONTHLY OPERATIONAL REPORT AUGUST 2022

#### 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 2022/2023 Operational Plan.

**207/22** **Resolved** that Council receives and notes the status of the Monthly Operational Report for August 2022.

(Peter Petty/Geoff Nye)

**Motion Carried**

### (ITEM GOV74/22) CHRISTMAS/NEW YEAR CLOSEDOWN - 2022/2023

#### SUMMARY

The purpose of this report is to advise Council of proposed Christmas/New Year close down arrangements for Council staff.

#### PROCEDURAL MOTION

**208/22** **Resolved** that the Officer's Recommendation be put to the vote.

(Greg Sauer/Peter Petty)

**Motion Carried**

**209/22** **Resolved** that Council endorse the closedown periods for the Christmas/New Year 2022/2023 period as follows:

- Indoor staff – close of business Wednesday, 21 December 2022, reopening Monday, 9 January 2023;
- Outdoor staff – close of business Wednesday, 21 December 2022 reopening Monday, 9 January 2023.

(Tim Bonner/Greg Sauer)

**Motion Carried**

*Upon being put to the meeting, the motion was declared carried. The record of vote was sought by Cr Giana Saccon and supported by the Chairperson. Recorded under the Model Code of Meeting Practice (Local Government NSW) – Section 11 Point 6.*

*Against the Motion was Cr G Saccon Total (1).*

# **(ITEM GOV75/22) COUNCIL DELEGATES ON COMMITTEES, EXTERNAL BOARDS & ASSOCIATIONS - PERIOD SEPTEMBER 2022 TO SEPTEMBER 2023**

## **SUMMARY**

The purpose of this report is for Council to resolve the Councillors who are to be the Council delegates and sit on the Council and Community Committees for the two remaining years of Councils term of office, ending September 2024.

## **OFFICER'S RECOMMENDATION:**

**(1) That Council determine the representation on external bodies, specific purpose committees and other associations as listed below for the proceeding twelve (12) month period, 24 September 2022 to September 2023;**

<b>Specific Purpose Committees</b>	<b>Representation</b>	<b>Delegate/s January to September 2022</b>
Audit & Risk Committee	Mayor	Mayor (observer)
Contributions/Donations Assessment Panel	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr Greg Sauer, Cr Peter Murphy, Cr John Macnish, Reserve Cr Giana Saccon
Australia Day Awards Committee	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr Peter Petty, Cr John Macnish, Cr Greg Sauer, Reserve Cr Kim Rhodes
Sir Henry Parkes Memorial School of Arts Joint Management Committee	Mayor + 1 Councillor	Mayor, Cr Kim Rhodes
Tenterfield Saleyards Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Peter Petty, Cr Tim Bonner
Aboriginal Advisory Group	Mayor + 1 Councillor	Mayor, Cr Giana Saccon
Heritage Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Kim Rhodes, Cr Tim Bonner
Disability, Inclusion & Access Advisory Committee	1 Councillor + 1 Alt Councillor	Cr Giana Saccon, Cr John Macnish (alt)
Parks, Gardens & Cultural Advisory Committee	3 Councillors	Cr Giana Saccon, Cr Geoffrey Nye, Cr Peter Murphy.
Tourism Advisory Committee	Mayor + 2 Councillor	Mayor, Cr Kim Rhodes, Cr Tim Bonner
Youth Advisory Group	Mayor + 2 Councillor	Mayor, Cr Greg Sauer, Cr Giana Saccon
<b>External Boards, Committees &amp; Organisations</b>		
Country Mayors Association	Mayor	Mayor
Arts North West	1 Councillor	Cr Kim Rhodes
Border Region Organisation of Councils (BROC)	Mayor + 1 Councillor	Mayor, Cr John Macnish
Northern Inland Regional Waste	Mayor	Mayor
North West Weight of Loads Group	1 Councillor	Cr Tim Bonner.
Local Health Advisory Committee	Mayor	Mayor
Tenterfield Shire Local Traffic Committee	Mayor + 2 Councillors	Mayor, Cr Tom Peters & Cr Tim Bonner
Local Emergency Management Committee	Mayor + 1 Councillor	Mayor, Cr Tom Peters
Bushfire Management Committee	1 Councillor	Cr Tom Peters
NSW RFS Service Level Agreement Liaison Committee	Mayor +1 Councillor	Mayor, Cr Tom Peters
Tenterfield Liquor Accord + <i>seeking clarification from Licensing Sergeant</i>	1 Councillor	Cr Kim Rhodes

<i>regarding devolving responsibility.</i>		
NSW Public Libraries Association	1 Councillor	Cr John Macnish
Granite Borders Landcare Committee Inc	1 Councillor	Cr Giana Saccon
Northern Tablelands Regional Weeds Committee	1 Councillor	Cr Tom Peters
Murray Darling Association	Executive Member + Mayor/and or Deputy Mayor	Cr Greg Sauer, Mayor, Deputy Mayor
Tenterfield FM Radio Association	1 Councillor	Cr Tom Peters
Community Safety Precinct Committee	Mayor	Mayor
Bruxner Way Joint Committee	Mayor	Mayor
Joint Regional Planning Panels	Mayor + 1 Councillor as alternative	Mayor + Cr Greg Sauer + Cr Peter Petty
National Timber Councils'	1 Councillors	Cr Bronwyn Petrie
Tenterfield Heavy Vehicle Bypass Economic Enhancement Advisory Group – <i>This group is "parked" until further notice due to no funding being currently provided.</i>	All Councillors	All Councillors
<b>Community Engagement Forums</b>		
Our Community	Mayor + 3 Councillors	Mayor, Cr Greg Sauer, Cr Kim Rhodes & Cr Giana Saccon
Our Economy	Mayor + 3 Councillors	Mayor, Cr Greg Sauer, Cr Kim Rhodes & Cr Giana Saccon
Our Environment	Mayor + 3 Councillors	Mayor, Cr Peter Petty, Cr Giana Saccon & Cr Tom Peters

## AMENDMENT

That Council:

- (1) Adopts the amended Committee Register below; and
- (2) Notes that there will be no further Councillor representation on the "North West Weight of Loads Group", only staff.

(Greg Sauer/Kim Rhodes)

## **Amendment Carried**

<b>Specific Purpose Committees</b>	<b>Representation</b>	<b>Delegate/s September to September 2023</b>
Audit & Risk Committee	Mayor	Mayor (observer)
Contributions/Donations Assessment Panel	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr Greg Sauer, Cr Peter Murphy, Cr John Macnish, Reserve Cr Giana Saccon
Australia Day Awards Committee	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr Peter Petty, Cr John Macnish, Cr Greg Sauer, Reserve Cr Kim Rhodes
Sir Henry Parkes Memorial School of Arts Joint Management Committee	Mayor + 1 Councillor	Mayor, Cr Kim Rhodes
Tenterfield Saleyards Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Peter Petty, Cr Tim Bonner
Aboriginal Advisory Group	Mayor + 1 Councillor	Mayor, Cr Giana Saccon
Heritage Advisory Committee	Mayor + 2	Mayor, Cr Kim Rhodes, Cr Tim Bonner

	Councillors	
Disability, Inclusion & Access Advisory Committee	1 Councillor + 1 Alt Councillor	Cr Giana Saccon, Cr John Macnish (alt)
Parks, Gardens & Cultural Advisory Committee	3 Councillors	Cr Kim Rhodes, Cr Geoffrey Nye, Cr Peter Murphy.
Tourism Advisory Committee	Mayor + 2 Councillor	Mayor, Cr Kim Rhodes, Cr Tim Bonner
Youth Advisory Group	Mayor + 2 Councillor	Mayor, Cr Greg Sauer, Cr Giana Saccon
<b>External Boards, Committees &amp; Organisations</b>		
Country Mayors Association	Mayor	Mayor
Arts North West	1 Councillor	Cr Kim Rhodes
Border Region Organisation of Councils (BROC)	Mayor + 1 Councillor	Mayor, Cr John Macnish
Northern Inland Regional Waste	Mayor	Mayor
North West Weight of Loads Group	Staff	No Councillor representation.
Local Health Advisory Committee	Mayor	Mayor
Tenterfield Shire Local Traffic Committee	Mayor + 2 Councillors	Mayor, Cr Tom Peters & Cr Tim Bonner
Local Emergency Management Committee	Mayor + 1 Councillor	Mayor, Cr Tom Peters
Bushfire Management Committee	1 Councillor	Cr Tom Peters
NSW RFS Service Level Agreement Liaison Committee	Mayor + 1 Councillor	Mayor, Cr Tom Peters
Tenterfield Liquor Accord + <i>seeking clarification from Licensing Sergeant regarding devolving responsibility.</i>	1 Councillor	Cr Kim Rhodes
NSW Public Libraries Association	1 Councillor	Cr John Macnish
Granite Borders Landcare Committee Inc	1 Councillor	Cr Giana Saccon
Northern Tablelands Regional Weeds Committee	1 Councillor	Cr Tom Peters
Murray Darling Association	Executive Member + Mayor/and or Deputy Mayor	Cr Greg Sauer, Mayor, Deputy Mayor
Tenterfield FM Radio Association	1 Councillor	Cr Tom Peters
Community Safety Precinct Committee	Mayor	Mayor
Bruxner Way Joint Committee	Mayor	Mayor
Joint Regional Planning Panels	2 Councillor	Cr Peter Petty & Cr Greg Sauer
National Timber Councils'	1 Councillors	Cr Bronwyn Petrie
Tenterfield Heavy Vehicle Bypass Economic Enhancement Advisory Group	All Councillors	All Councillors – <i>This group is "parked" until further notice due to no funding being currently provided.</i>
<b>Community Engagement Forums</b>		
Our Community	Mayor + 3 Councillors	Mayor, Cr Greg Sauer, Cr Kim Rhodes, & Cr Giana Saccon
Our Economy	Mayor + 3 Councillors	Mayor, Cr Greg Sauer, Cr Kim Rhodes & Cr Giana Saccon
Our Environment	Mayor + 3 Councillors	Mayor, Cr Peter Petty, Cr Giana Saccon & Cr Tom Peters

**Resolved** that Council:

- (1) Adopts the amended Committee Register below; and
- (2) Notes that there will be no further Councillor representation on the "North West Weight of Loads Group", only staff.

(Greg Sauer/Kim Rhodes)

**Motion Carried**

<b>Specific Purpose Committees</b>	<b>Representation</b>	<b>Delegate/s September to September 2023</b>
Audit & Risk Committee	Mayor	Mayor (observer)
Contributions/Donations Assessment Panel	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr Greg Sauer, Cr Peter Murphy, Cr John Macnish, Reserve Cr Giana Saccon
Australia Day Awards Committee	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr Peter Petty, Cr John Macnish, Cr Greg Sauer, Reserve Cr Kim Rhodes
Sir Henry Parkes Memorial School of Arts Joint Management Committee	Mayor + 1 Councillor	Mayor, Cr Kim Rhodes
Tenterfield Saleyards Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Peter Petty, Cr Tim Bonner
Aboriginal Advisory Group	Mayor + 1 Councillor	Mayor, Cr Giana Saccon
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Tourism Advisory Committee	Mayor + 2 Councillor	Mayor, Cr Kim Rhodes, Cr Tim Bonner
Youth Advisory Group	Mayor + 2 Councillor	Mayor, Cr Greg Sauer, Cr Giana Saccon
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Country Mayors Association	Mayor	Mayor
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Northern Inland Regional Waste	Mayor	Mayor
North West Weight of Loads Group	Staff	No Councillor representation.
Local Health Advisory Committee	Mayor	Mayor
Tenterfield Shire Local Traffic Committee	Mayor + 2 Councillors	Mayor, Cr Tom Peters & Cr Tim Bonner
Local Emergency Management Committee	Mayor + 1 Councillor	Mayor, Cr Tom Peters
Bushfire Management Committee	1 Councillor	Cr Tom Peters
NSW RFS Service Level Agreement Liaison Committee	Mayor +1 Councillor	Mayor, Cr Tom Peters
Tenterfield Liquor Accord + seeking clarification from Licensing Sergeant regarding devolving responsibility.	1 Councillor	Cr Kim Rhodes
NSW Public Libraries Association	1 Councillor	Cr John Macnish
Granite Borders Landcare Committee Inc	1 Councillor	Cr Giana Saccon

Northern Tablelands Regional Weeds Committee	1 Councillor	Cr Tom Peters
Murray Darling Association	Executive Member + Mayor/and or Deputy Mayor	Cr Greg Sauer, Mayor, Deputy Mayor
Tenterfield FM Radio Association	1 Councillor	Cr Tom Peters
Community Safety Precinct Committee	Mayor	Mayor
Bruxner Way Joint Committee	Mayor	Mayor
Joint Regional Planning Panels	2 Councillor	Cr Peter Petty & Cr Greg Sauer
National Timber Councils'	1 Councillors	Cr Bronwyn Petrie
Tenterfield Heavy Vehicle Bypass Economic Enhancement Advisory Group – <i>This group is "parked" until further notice due to no funding being currently provided.</i>	All Councillors	All Councillors
<b>Community Engagement Forums</b>		
Our Community	Mayor + 3 Councillors	Mayor, Cr Greg Sauer, Cr Kim Rhodes, & Cr Giana Saccon
Our Economy	Mayor + 3 Councillors	Mayor, Cr Greg Sauer, Cr Kim Rhodes & Cr Giana Saccon
Our Environment	Mayor + 3 Councillors	Mayor, Cr Peter Petty, Cr Giana Saccon & Cr Tom Peters

*Roy Jones, Manager Finance & Technology entered the meeting via zoom, the time being 11.54 am.*

*Gillian Marchant, Manager Water & Waste entered the meeting, the time being 12.02 pm.*

## **(ITEM GOV76/22) FINANCE & ACCOUNTS - PERIOD ENDED 31 AUGUST 2022**

### **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.

**199/22**

**Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 August 2022.

That Council write off \$1050.38 for Urbenville Showground water account.

(John Macnish/Greg Sauer)

### **Motion Carried**

*Gillian Marchant, Manager Water & Waste left the meeting, the time being 12.06 pm*

## **(ITEM GOV77/22) CAPITAL EXPENDITURE REPORT AS AT 31 AUGUST 2022**

### **SUMMARY**

The purpose of this report is to show the Year-to-date (YTD) financial progress of Capital Works projects against the budget.

**200/22**

**Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 August 2022.

(Kim Rhodes/Geoff Nye)

### **Motion Carried**

*Roy Jones, Manager Finance & Technology left the meeting via zoom, the time being 12.09 pm.*

*Erika Bursford, Manager Customer Service, Governance & Records entered the meeting, the time being 12.09 pm.*

## **(ITEM GOV78/22) TRIAL CLOSURE OF MAIN ADMINISTRATION BUILDING CUSTOMER SERVICE COUNTER DURING LUNCH BREAKS AND FRIDAYS**

### **SUMMARY**

The purpose of this report is to propose a six-month trial, from Monday 3 October 2022 to Monday 3 April 2023, to close the Tenterfield Shire Council main administration building's customer service counter from 1pm to 2pm on Mondays to Thursdays, and remain closed all day on Fridays.

### **OFFICER'S RECOMMENDATION:**

**That Council undertake a six-month trial, from Monday 3 October 2022 to Monday 3 April 2023, of reduced face to face and telephone customer services by:**

- (1) Closing the main administration building customer service counter on days of business, from 1pm to 2pm, for the purpose of staff lunch breaks, and**
- (2) Closing the main administration building customer service counter on Fridays.**

**A customer feedback survey on the trial closures is to be conducted in February 2023, with results to be provided to Council's Ordinary Meeting of 22 March 2023.**

### **AMENDMENT**

That Council undertake a trial, from Monday 17 October 2022 to Monday 3 April 2023, of reduced face to face and telephone customer services by:

- (1) Closing the main administration building customer service counter on days of business, from 1pm to 2pm, for the purpose of staff lunch breaks, and
- (2) Closing the main administration building customer service counter on Fridays, authorising the CE to take any action required to adjust service due to community feedback.

A customer feedback survey on the trial closures is to be conducted in February 2023, with results to be provided to Council's Ordinary Meeting of 22 March 2023.

(John Macnish/Peter Murphy)

**Amendment Carried**

**201/22**

**Resolved** that Council undertake a trial, from Monday 17 October 2022 to Monday 3 April 2023, of reduced face to face and telephone customer services by:

- (1) Closing the main administration building customer service counter on days of business, from 1pm to 2pm, for the purpose of staff lunch breaks, and
- (2) Closing the main administration building customer service counter on Fridays, authorising the CE to take any action required to adjust service due to community feedback.

A customer feedback survey on the trial closures is to be conducted in February 2023, with results to be provided to Council's Ordinary Meeting of 22 March 2023.

(John Macnish/Peter Murphy)

**Motion Carried**

*Erika Bursford, Manager Customer Service, Governance & Records left the meeting, the time being 12.31 pm.*

*David Counsell, Manager Asset & Program Planning entered the meeting, the time being 12.31 pm*

**(ITEM GOV79/22) UPPER ROCKY RIVER ROAD PUBLIC GATE ADJUSTMENTS**

**SUMMARY**

The purpose of this report is to seek Council concurrence for adjustments to public gates located within Lot 50 DP 820213 on Upper Rocky River Road.

**202/22**

**Resolved** that Council:

- (1) Agree to the replacement of existing gates with cattle grids on the northern and southern boundary of Lot 50 DP 820213; and



- (2) Agree to the installation of a further cattle grid internally within Lot 50 DP 820213.

(Peter Petty/Geoff Nye)

**Motion Carried**

**REPORTS OF DELEGATES & COMMITTEES**

*Nil.*

**NOTICES OF MOTION**

*Nil.*

**RESOLUTION REGISTER**

**(ITEM RES9/22) COUNCIL RESOLUTION REGISTER - AUGUST 2022**

**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.

- 203/22** **Resolved** that Council notes the status of the Council Resolution Register to August 2022.

(Peter Murphy/Tom Peters)

**Motion Carried**

**CONFIDENTIAL BUSINESS**

**SUSPENSION OF STANDING ORDERS**

- 204/22** **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.

(Peter Petty/Kim Rhodes)

**Motion Carried**

*The recording device was turned off and the meeting moved into Closed Committee, the time being 12.38 pm.*

*Gillian Marchant, Manager Water & Waste entered the meeting, the time being 12.39pm.*

**(ITEM ENV11/22) AWARD OF QUOTATION/TENDER RFQ 01-22/23, BORE DRILLING LOCATIONS VILLAGES (LISTON, LEGUME, DRAKE, TORRINGTON & URBENVILLE)**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) (d(i)) 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; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

**SUMMARY**

The purpose of this report is to provide Council with the assessment of the Village Bore Drilling Quotation, RFQ 01-22/23 for approval.

**205/22**

**Resolved** that Council:

- (1) Approve the recommendation to engage Slade PTY LTD to undertake drilling of bores at the villages of Liston, Legume, Drake, Torrington & Urbenville

(Peter Petty/Tim Bonner)

**Motion Carried**

*Gillian Marchant, Manager Waste & Water left the meeting, the time being 12.53pm.*

**(ITEM ECO18/22) SALE OF 780 SUGARBAG ROAD, DRAKE.**

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 advise Tenterfield Shire Council that the original offer as accepted and resolved by council at the pervious council meeting was rescinded, however there has been a second offer to buy 780 Sugarbag Road West, Drake 2469 – Lot 26 DP 735029 from a different agent and purchaser. The offer is \$235,000 cash, 42 days on exchange settlement.

**OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) Receive and note the Report;
- (2) Consider the sale offer of \$235,000, by either

**a) Accepting the \$235,000 sale offer; or**

**b) Declining the \$235,000 sale offer.**

#### **AMENDMENT**

That Council:

- (1) Receive and note the Report;
- (2) Accept the \$235,000 sale offer.

(Geoff Nye/Greg Sauer)

#### **Amendment Carried**

**206/22** **Resolved** that Council:

- (1) Receive and note the Report;
- (2) Accept the \$235,000 sale offer.

(Geoff Nye/Greg Sauer)

#### **Motion Carried**

*Neville Coonan, Property Specialist entered the meeting, the time being 12.54 pm.*

#### **(ITEM ECO19/22) OPTIONS TO MANAGE 142 MANNERS STREET, TENTERFIELD.**

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 present options to Council for the future use and management of 142 Manners Street, Tenterfield (Lot 2 DP 576164 and Lot 2 DP 577696). 142 Manners Street is subject to a lease to Tenterfield & District Community FM Radio Association Inc (Ten FM). It commenced from 1 October 2019 and expires at the end of this month (30 September 2022). The lease was based on a Financial Contribution Agreement (FCA) which was also executed for the same term. The FCA provided Ten FM with exclusive use of a Council array and shared use of an equipment shed at the Digital Tower at Mt Mackenzie. The digital tower is erected on Lot 5 DP 1007389.

All land is Council owned, operational land.

142 Manners Street and the facilities at Mt Mackenzie Digital Tower occupied or used by Ten FM are referred to as 'The Property' in this report

### **OFFICER'S RECOMMENDATION:**

**That Council delegate authority to the Chief Executive to:**

- 1. Leave the current lessee in occupation of 'The Property' on a month to month basis at the same rent or;**
- 2. Commence negotiations for new commercial agreement(s) over 'The Property' with the existing tenant at market rents or;**
- 3. Commence negotiations for new commercial agreement(s) over 'The Property' with the existing tenant at a concessional annual payment or rent or;**
- 4. Investigate putting 'The Property' to the market for lease or;**
- 5. Investigate the sale of 142 Manners Street with vacant possession or subject to a lease at a market rent.**

### **AMENDMENT:**

That Council delegate authority to the Chief Executive to:

1. Leave the current lessee in occupation of 'the property' on a month to month basis at the same rent until June 2023 and commence negotiations for the new commercial agreement with the existing tenant at a concessional rate for consideration of council

(Peter Petty/Tim Bonner)

### **Amendment Lost**

### **AMENDMENT:**

That Council delegate authority the Chief Executive to:

1. Leave the current lessee in occupation of 'the property' on a month to month basis at the same rent until June 2023.

(Greg Sauer/John Macnish)

### **Amendment Carried**

*Councillor John Macnish left the meeting, the time being 1.15 pm.*

*Councillor John Macnish re-entered the meeting, the time being 1.17 pm.*

**207/22    Resolved that Council delegate authority the Chief Executive to:**

1. Leave the current lessee in occupation of 'the property' on a month to month basis at the same rent until June 2023.

(Greg Sauer/John Macnish)

### **Motion Carried**

**(ITEM COM22/22) RFT 08-21/22 DESIGN AND CONSTRUCT TENDER  
TENTERFIELD YOUTH PRECINCT AND MOUNTAIN BIKE TRAILHEAD  
PROGRESS**

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

**SUMMARY**

The purpose of this report is to provide an update on the progress of award of RFT 08-21/22 – Design and Construct Tender – Tenterfield Youth Precinct and Mountain Bike Trailhead and to recommend actions to expedite the delivery of the Project.

**OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) Receive and note Collaborative Construction Professionals' tender withdrawal from RFT 08-21/22; and**
- (2) Note that market testing has been undertaken to ensure fairness, accountability and transparency and that substantial time has been consumed in tendering procedures and undertakings; and**
- (3) Procure the project works in accordance with Local Government (General) Regulation 2021-178(3)(e) and (f) as detailed in the report; and**
- (4) Delegate the Chief Executive authority to negotiate and award subcontract packages of work to deliver the Youth Precinct and Mountain Bike Trailhead project within the approved budgeted funding allocations.**

**PROCEDURAL MOTION**

**208/22** **Resolved** that the Officer's Recommendation be put to the vote.

(Peter Murphy/Greg Sauer)

**Motion Carried**

**(ITEM COM22/22) RFT 08-21/22 DESIGN AND CONSTRUCT TENDER  
TENTERFIELD YOUTH PRECINCT AND MOUNTAIN BIKE TRAILHEAD  
PROGRESS**

**209/22** **Resolved** that Council:

- (1) Receive and note Collaborative Construction Professionals' tender withdrawal from RFT 08-21/22; and
- (2) Note that market testing has been undertaken to ensure fairness, accountability and transparency and that substantial time has been consumed in tendering procedures and undertakings; and
- (3) Procure the project works in accordance with Local Government (General) Regulation 2021-178(3)(e) and (f) as detailed in the report; and
- (4) Delegate the Chief Executive authority to negotiate and award subcontract packages of work to deliver the Youth Precinct and Mountain Bike Trailhead project within the approved budgeted funding allocations.

(Kim Rhodes/John Macnish)

### **Motion Carried**

*Neville Coonan, Property Specialist entered the meeting, the time being 1.57 pm.*

### **(ITEM COM23/22) LEASING OF COUNCIL OWNED PROPERTY**

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 approval for the proposed Licence to BackTrack over part of Lot 1 Section 37 DP 758959 to allow the construction of permanent buildings such as a shed.

### **210/22 Resolved that Council:**

- (1) Delegate authority to the Chief Executive to enter into a new License over part of Lot 1 Section 37 DP 758959 which allows BackTrack to erect permanent structures on the land; and
- (2) Authorises the License to be signed under the Seal of Council by the Mayor and Chief Executive.

(Kim Rhodes/Geoff Nye)

### **Motion Carried**

*Neville Coonan, Property Specialist left the meeting, the time being 2.02 pm.*

## **(ITEM ECO20/22) SALE OF SURPLUS PLANT ITEMS**

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 advise Council of several items of plant assets that are surplus to current and future predicted operational requirements and to determine their suitability for disposal by public auction.

**211/22**

**Resolved** that Council:

- (1) Delegate the Chief Executive the authority to arrange for sale of the surplus items of plant identified in the report by public auction with a reserve price to be set by the Chief Executive.

(Greg Sauer/Geoff Nye)

**Motion Carried**

*Neville Coonan, Property Specialist entered the meeting, the time being 2.07 pm.*

## **(ITEM COM25/22) COMMENCE NEGOTIATIONS WITH THE CURRENT OCCUPIER OF RESERVE R83670 WITH THE INTENT OF ENTERING INTO A LONG TERM LEASE.**

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 provide information to assist in determining an appropriate path forward for the management of Crown Land Reserve R83670 and contiguous Council owned land with the intent of issuing each of the occupants with long term leases over the section of the reserve they occupy.

### **OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) **Ratify the Letter of Support (Attachment A) to current occupier to apply for a grant to revitalise the clubhouse by extending the kiosk function area and construct amenities, noting that any additional asset cost will be on Councils Asset Register until a Lease is effected;**

- (2) Prepare and have approved a Plan of Management (PoM) for the Reserve (Reserve R83670 - Lot 599 DP 704008) in consultation with the occupiers, and
- (3) Provide 'in principle' approval for the Chief Executive to commence negotiations for a long-term Lease over the Reserve. The 'in principle' approval is provided subject to the satisfactory resolution of community consultation processes, necessary Crown Land approvals, satisfactory site analysis, Lease negotiation and development approval process.

## PROCEDURAL MOTION

**212/22** **Resolved** that the Officer's Recommendation be put to the vote.

(Greg Sauer/Peter Murphy)

### **Motion Carried**

*Upon being put to the meeting, the motion was declared carried. The record of vote was sought by Cr Giana Saccon and supported by the Chairperson. Recorded under the Model Code of Meeting Practice (Local Government NSW) – Section 11 Point 6.*

*Against the Motion was Cr G Saccon Total (1).*

*Neville Coonan, Property Specialist left the meeting, the time being 2.21pm.*

## RESUMPTION OF STANDING ORDERS

**213/22** **Resolved** that Standing Orders be resumed.

(Peter Petty/Kim Rhodes)

### **Motion Carried**

*The meeting moved out of Closed Committee and the recording device was turned on, the time being 2.22 pm.*

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

## MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 2.27pm.

.....  
Councillor Bronwyn Petrie  
Mayor/Chairperson