



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 21 DECEMBER 2022

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the "Koreelah Room" Administration Building, 247 Rouse St, Tenterfield NSW on Wednesday 21 December 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 (Via Zoom – partial attendance)
Councillor Giana Saccon
Councillor Greg Sauer
Councillor Geoff Nye (Via Zoom)
Councillor Peter Murphy

ALSO IN ATTENDANCE

Chief Executive (Daryl Buckingham)
Executive Assistant & Media (Elizabeth Melling)
Acting Chief Corporate Officer (Erika Bursford)

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)

Nil.

WEBCASTING OF MEETING

I advise all present that this meeting is being recorded for placement on Council's website and livestreamed on Council's YouTube Channel 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 until 10.21 am – then Cr Kim Rhodes left the meeting. (Partial attendance via Zoom)

DISCLOSURE & DECLARATIONS OF INTEREST

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
Nil.		

PROCEDURAL MOTION

235/22 **Resolved** that Addendum ITEM MIN13/22 Confirmation of Previous Extraordinary Minutes be added to ITEM MIN12/22 Confirmation of previous minutes.

(Peter Petty/Tim Bonner)

Motion Carried

(ITEM MIN12/22) CONFIRMATION OF PREVIOUS MINUTES

236/22 **Resolved** that the Minutes of the following Meetings of Tenterfield Shire Council:

- Ordinary Council Meeting – 23 November 2022
- Extraordinary Council Meeting – 7 December 2022

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

(Peter Petty/Greg Sauer)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

ADDENDUM REPORT

237/22 **Resolved** that following addendum agenda items be accepted:

- 1) (ITEM MIN13/22) Confirmation of previous Extraordinary Minutes
- 2) (ITEM GOV109/22) 2024 Conduct of Local Government Elections

(Peter Petty/Greg Sauer)

Motion Carried

MAYOR MINUTE

Nil.

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

238/22 **Resolved** that the following item be considered in the Confidential Section of the meeting:-

- 1) (ITEM ECO22/22) - Tenterfield aerodrome sale by tender

(Peter Petty/John Macnish)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

OUR ECONOMY

Nil.

OUR ENVIRONMENT

Nil.

Chris Harper (Audit Office NSW) entered the meeting via zoom, the time being 9.34 am

Roy Jones, Manager Finance & Technology entered the meeting via zoom, the time being 9.34 am

OUR GOVERNANCE

(ITEM GOV102/22) PRESENTATION OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

SUMMARY

The purpose of this Report is to present to Council the Audited Financial Statements for the year ended 30 June 2022, in accordance with the provisions of Section 418 of the *Local Government Act 1993*.

239/22

Resolved that Council notes the Audited Annual Financial Statements for the year ended 30 June 2022.

(Peter Petty/Greg Sauer)

Motion Carried

Chris Harper (Audit Office NSW) left the meeting, the time being 10.12 am

(ITEM GOV107/22) FINANCE & ACCOUNTS - PERIOD ENDED 30 NOVEMBER 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.

240/22

Resolved that Council receive and note the Finance and Accounts Report for the period ended 30 November 2022.

(Greg Sauer/John Macnish)

Motion Carried

(ITEM GOV104/22) CAPITAL EXPENDITURE REPORT AS AT 30 NOVEMBER 2022

SUMMARY

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

241/22

Resolved that Council receive and note the Capital Expenditure Report for the period ended 30 November 2022.

(John Macnish/Greg Sauer)

Motion Carried

Councillor Kim Rhodes (Zoom) left the meeting, the time being 10.21 am.

Roy Jones, Manager Finance & Technology, left the meeting, the time being 10.30 am.

(ITEM GOV103/22) MONTHLY OPERATIONAL REPORT NOVEMBER 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.

OFFICER'S RECOMMENDATION:

That Council receives and notes the status of the Monthly Operational Report for November 2022.

(Greg Sauer/Peter Petty)

AMENDMENT

- 1)** In the interests of improved Council Community relations and of reduced Council operating expenditure, Councillors will consider the development of a staged transition from a Council controlled, funded and staffed Visitors Information Centre to a Community controlled, funded and staffed Visitors Information Centre.
- 2)** In order to achieve a properly investigated strategy for this Transition, this issue will be included on the Agenda for the Workshop in February 2023

(Greg Sauer/Peter Murphy)

Amendment Carried

242/22 **Resolved** that:

- 1)** Council receives and notes the status of the Monthly Operational Report for November 2022; and
- 2)** In the interests of improved Council Community relations and of reduced Council operating expenditure, Councillors will consider the development of a staged transition from a Council controlled, funded and staffed Visitors Information Centre to a Community controlled, funded and staffed Visitors Information Centre; and
- 3)** In order to achieve a properly investigated strategy for this Transition, this issue will be included on the Agenda for the Workshop in February 2023.

(Greg Sauer/Peter Murphy)

Motion Carried

SUSPENSION OF STANDING ORDERS

243/22 **Resolved** that Standing Orders be suspended.

(Peter Petty/Tim Bonner)

Motion Carried

The meeting adjourned for morning tea, the time being 11.09 am.

The meeting reconvened, the time being 11.39 am.

RESUMPTION OF STANDING ORDERS

244/22 **Resolved** that Standing Orders be resumed.

(Peter Murphy/Peter Petty)

Motion Carried

Kerri Swain, Solicitor Jennings & Kneipp entered the meeting to act as "Returning Officer", the time being 11.41 am.

SUSPENSION OF ITEM GOV105/22 TILL LATER IN THE AGENDA

245/22 **Resolved** that ITEM GOV105/22 – Election of Deputy Mayor be suspended until further information received from Councillor Kim Rhodes regarding her attendance and participation.

(Peter Petty/Greg Sauer)

Motion Carried

MOTION

246/22 **Resolved** that Council accepts Councillor Kim Rhodes apology and reinstates ITEM GOV105/22 – Election of Deputy Mayor into the agenda.

(Peter Petty/Peter Murphy)

Motion Carried

(ITEM GOV105/22) ELECTION OF THE DEPUTY MAYOR

SUMMARY

The purpose of this report is for Council to elect the Deputy Mayor for the period of 12 January 2023 to 11 January 2024.

247/22 **Resolved** that:-

- 1) Ms Kerrie Swain, as Returning Officer, call for nominations for the election of Deputy Mayor for the one (1) year term 12 January 2023 to January 2024; and
- 2) that the Deputy Mayor be elected by Open Vote (show of hands), as Cr Geoff Nye attending via Zoom; and
- 3) Following the election, the Returning Officer declared Cr John Macnish elected as Deputy Mayor for the period 12 January 2023 to 12 January 2024.

(Peter Petty/Peter Murphy)

Motion Carried

In her capacity as Returning Officer, Ms Kerri Swain – Solicitor called for the election of Deputy Mayor for the next twelve month period.

The Returning Officer advised that two (2) nomination for the position of Deputy Mayor were received. These being Cr John Macnish and Cr Greg Sauer.

The Returning Officer called for a show of hands for the candidates in alphabetical order. Following the vote, the Returning Officer advised that Cr John Macnish had received a majority vote of five (5) votes to Cr Greg Sauer's four (4) votes.

The Returning Officer declared Cr John Macnish elected as Deputy Mayor for the period January 2023 to January 2024.

The Mayor and Chief Executive congratulated the newly elected Deputy Mayor and thanked Ms Kerrie Swain for her time and assistance.

(ITEM GOV106/22) READOPTION OF LOCAL POLICIES

SUMMARY

The purpose of this report is to advise Council of the requirement to re-adopt Council's local policies within twelve months of a new term of Council, under the NSW *Local Government Act 1993*.

248/22

Resolved that Council re-adopt those Council local policies not already re-adopted since the commencement of the new term of Council on 12 January 2022.

(Peter Murphy/Peter Petty)

Motion Carried

(ITEM GOV108/22) RURAL & REGIONAL SUMMIT - MONDAY 20 FEBRUARY 2023

SUMMARY

The purpose of this report is for Council to endorse and approve the attendance of Mayor Bronwyn Petrie to the inaugural Rural & Regional Summit at Sydney Monday 20 February 2023.

249/22

Resolved that Council approve the attendance of Mayor Bronwyn Petrie to the inaugural Rural & Regional Summit at Sydney, Monday 20 February 2023.

(Peter Petty/John Macnish)

Motion Carried

(ITEM GOV109/22) 2024 CONDUCT OF LOCAL GOVERNMENT ELECTIONS

SUMMARY

The purpose of this report is to advise Council that staff have advertised for Expressions of Interest for the conduct of the 2024 Local Government elections as per Council's Resolution #231/22.

Council is required to advise the Electoral Commission of NSW (ECNSW) whether it requires them (ECNSW) to conduct the upcoming Local Government Elections in September 2024 by 13 March 2023.

No suitably, qualified, or experienced individuals / businesses have been forthcoming, therefore Council is required to resolve to appoint the NSW Electoral Commission of its intent to proceed with the conduct of the 2024 Local Government Elections/By-elections for Tenterfield Shire.

250/22

Resolved that Council:

- (1) Note that Council did not receive any suitably qualified Contractor/s to conduct the September 2024 Local Government Elections from its advertising: and

(2) The Tenterfield Shire Council (“the Council”) resolves:

a) Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.

(Peter Murphy/John Macnish)

Motion Carried

Recording a vote against the Motion were Councillors Greg Sauer & Tim Bonner.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC16/22) TENTERFIELD SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE MEETING - THURSDAY 1 DECEMBER 2022

251/22

Resolved that Council:

(1) Receive and note the report of the Tenterfield Shire Council Local Traffic Committee meeting of 1 December 2022;

(2) Adopt the recommendations from the meeting as follows:-

a) Traffic Accident - Tooloom Street, Urbenville

TfNSW recommends a traffic signage review of the area and applying for Fatal Crash Response funding if upgrades are required.

b) Manners Street, Tenterfield – request for pedestrian crossing.

Transport for NSW to assess the site in respect to the request for a pedestrian crossing given the close proximity to the New England Highway. Council to send a letter to TfNSW requesting assessment.

c) Rouse Street Telstra Driveway.

All line marking of the parking bays be reviewed and renewed in CBD.

d) Cycle Event.

That Committee note the application and recommend the event be approved subject to any requirements of Transport for NSW and NSW Police in liaison with The Saddlers Mountain Bike Club Tenterfield Inc. prior to event.

e) Manners Street Bus Stop.

That the Committee note the request and prior to considering any change to the existing bus stop in Manners Street, seek comments from Transport for NSW Traffic Section in respect to any traffic impacts to the Rouse Street (New England Highway) traffic and parking arrangement implications.

f) Proposed meeting dates for 2023

Committee accept meeting dates as presented.

(Tom Peters/Tim Bonner)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES12/22) COUNCIL RESOLUTION REGISTER - NOVEMBER 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.

252/22

Resolved that Council notes the status of the Council Resolution Register to November 2022.

(John Macnish/Peter Petty)

Motion Carried

SUSPENSION OF STANDING ORDERS

253/22

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/Peter Murphy)

Motion Carried

The recording device was turned off and the meeting moved into closed committee, the time being 12.15 pm.

Bruce Mills, Senior Advisor Communications & Economic Development entered the meeting the time being 12.15 pm.

CONFIDENTIAL BUSINESS

(ITEM ECO22/22) TENTERFIELD AERODROME SALE BY TENDER

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 Council of the results of the tender process to sell the Council-owned airstrip – Lot 1/DP236737 – 127 Schrodgers Rd – as resolved by Tenterfield Shire Council at its Ordinary Meeting held Wednesday 24th August 2022 – Resolution # 188/22.

254/22

Resolved that Council: Does not accept either tender due to non-compliance as identified in the Tender evaluation report.

(Greg Sauer/Tim Bonner)

Motion Carried

RESUMPTION OF STANDING ORDERS

255/22

Resolved that Standing Orders be resumed.

(Geoff Nye/Giana Saccon)

Motion Carried

Bruce Mills, Senior Advisor Communications & Economic Development left the meeting the time being 12.29 pm.

The meeting moved out of Closed Committee and the recording device was turned on, the time being 12.30 pm.

In accordance with Section 253 of the 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 12.30 pm.

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Councillor Bronwyn Petrie
Mayor/Chairperson