



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 26 APRIL 2023

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the "Koreelah Room", Administration Building, 247 Rouse St, Tenterfield. on Wednesday 26 April 2023 commencing at 9.30 am

ATTENDANCE

Councillor Bronwyn Petrie (Mayor)
Councillor John Macnish (Deputy Mayor)
Councillor Peter Petty
Councillor Tim Bonner (Zoom)
Councillor Tom Peters
Councillor Kim Rhodes
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)

Community Consultation opened at 9.10 am, with the Mayor welcoming:

- 1) Gerry Hayes – General Manager, National Trust of Australia (NSW)
Speaking "Against" ITEM COM4/23 ARTS, CULTURE AND COMMUNITY DEVELOPMENT – REVISED OPERATIONAL MODEL.
- 2) Cheryl Jaques - Community Member
Speaking "Against" ITEM GOV22/23 OPERATIONAL PLAN 2023 – 2024

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

"Tenterfield Shire Council would like to acknowledge the Ngarabal people, the traditional custodians of this land that we are meeting on today, and also pay our respect to the Jukemba, Bundjalung, Kamilaroi, Githabul and Wahluwal people of our Shire, and extend our respect to all people."

APOLOGIES

Nil.

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.		

(ITEM MIN3/23) CONFIRMATION OF PREVIOUS MINUTES

45/23

Resolved that the Minutes of the following Meetings of Tenterfield Shire Council:

- **Ordinary Council Meeting – 22 March 2023**

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

(Peter Petty/Kim Rhodes)

Motion Carried

TABLING OF DOCUMENTS

46/23

Resolved that the letter from the National Trust - Executive Director - Debbie Mills, regarding Sir Henry Parkes Memorial School of Arts – Report to Council meeting of 26 April 2023 to Daryl Buckingham, dated 24 April 2023 which was emailed to all Councillors on 24 April 2023.

(Peter Petty/Kim Rhodes)

Motion Carried

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

ADDENDUM REPORT

47/23

Resolved that Council accepts into the agenda the following item:

- 1) ITEM COM4/23 ARTS, CULTURE AND COMMUNITY DEVELOPMENT – REVISED OPERATIONAL MODEL.

(Peter Petty/Kim Rhodes)

Motion Carried

Lee Mathers, Manager Arts, Culture and Library Services entered the meeting, the time being 9.34 am.

(ITEM COM4/23) ARTS, CULTURE AND COMMUNITY DEVELOPMENT - REVISED OPERATIONAL MODEL

SUMMARY

The purpose of this report is to present a revised operational model for Council's provision of arts, culture and community development activities that is both financially sustainable, reduces cost to ratepayers and provides increased community and economic benefit across the Tenterfield Shire. (ROI)

OFFICER'S RECOMMENDATION:

That Council:

- 1) Authorises the Chief Executive to negotiate returning management of and responsibility for the Sir Henry Parkes Memorial School of Arts (SHPMSoA) to the actual property owner, The National Trust of Australia (NSW) through a notice to surrender and terminate the lease as per Clause 3.1 of the lease agreement.

(John Macnish / Peter Petty)

AMENDMENT

That Council defer a decision on (ITEM COM4/23) ARTS, CULTURE AND COMMUNITY DEVELOPMENT - REVISED OPERATIONAL MODEL to a future meeting.

(John Macnish/ Kim Rhodes)

Amendment Lapsed

AMENDMENT

That Council endorse the Chief Executive Officer, Mayor and Deputy Mayor to enter into open discussions and negotiations with the National Trust of NSW as to how the facility may continue in operation in a financially sustainable way, for the benefit of Tenterfield residents and the broader community and to have a Report back to the June 2023 Ordinary Council meeting.

(Peter Petty/Peter Murphy)

Amendment Carried

(ITEM COM4/23) ARTS, CULTURE AND COMMUNITY DEVELOPMENT - REVISED OPERATIONAL MODEL

48/23

Resolved that Council endorse the Chief Executive, Mayor and Deputy Mayor to enter into open discussions and negotiations with the National Trust of NSW as to how the facility may continue in operation in a financially sustainable way, for the benefit of Tenterfield residents and the broader community and to have a Report back to the June 2023 Ordinary Council meeting.

(Peter Petty/Peter Murphy)

Motion Carried Unanimously

Lee Mathers, Manager Arts, Culture and Library Services left the meeting, the time being 9.54 am.

MAYOR MINUTE

Nil.

OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

Bruce Mills, Senior Advisor Communications & Economic Development entered the meeting, the time being 9.54 am.

OUR ECONOMY

(ITEM ECO5/23) SALE OF COUNCIL - OWNED LAND - "BENDALL'S" 8933 NEW ENGLAND HIGHWAY, TENTERFIELD. SUMMARY

The purpose of this report is to advise Council of the outcome of post auction negotiations for sale of Council-owned land – "Bendall's" 8933 New England Highway – Lot 2 DP 1037068.

49/23

LOST MOTION

That Council:

That Council accepts the \$1,000,000 (one million) offer from Shun Hung Pty Ltd, subject to finance. Settlement 60 days from exchange of contracts, Deposit \$100,000.

(John Macnish/Kim Rhodes)

Motion Lost

Cr John Macnish, requested his vote "for" the recommendation be recorded.

Offer not accepted

Bruce Mills, Senior Advisor Communications & Economic Development left the meeting, the time being 10.04 am.

OUR ENVIRONMENT

Nil.

OUR GOVERNANCE

(ITEM GOV16/23) MONTHLY OPERATIONAL REPORT MARCH 2023

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.

49/23

Resolved that Council receives and notes the status of the Monthly Operational Report for March 2023.

(Peter Petty/Greg Sauer)

Motion Carried

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

(ITEM GOV21/23) TENTERFIELD SHIRE COUNCIL SOCIAL MEDIA POLICY 2023

SUMMARY

The purpose of this report is to present an adapted version of the NSW Office of Local Government Model Social Media Policy, for application to Tenterfield Shire Council councillors, staff, contractors and volunteers.

50/23

Resolved that Council adopt the Tenterfield Shire Council Social Media Policy, based on the NSW Office of Local Government Model Social Media Policy, pending 28-day public exhibition period for community comment.

(Kim Rhodes/John Macnish)

Motion Carried

Erika Bursford, Manager Customer Service, Governance & Records, left the meeting, the time being 10.28 am

Roy Jones, Manager Finance & Technology, entered the meeting, the time being 10.28 am

(ITEM GOV17/23) FINANCE & ACCOUNTS - PERIOD ENDED 31 MARCH 2023

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.

51/23

Resolved that Council receive and note the Finance and Accounts Report for the period ended 31 March 2023.

(Greg Sauer/Kim Rhodes)

Motion Carried

(ITEM GOV18/23) CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 2023

SUMMARY

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

52/23

Resolved that Council receive and note the Capital Expenditure Report for the period ended 31 March 2023.

(Peter Petty/Kim Rhodes)

Motion Carried

Roy Jones, Manager Finance & Technology, left the meeting, the time being 10.36am

SUSPENSION OF STANDING ORDERS

53/23 **Resolved** that Standing Order be suspended.

(Kim Rhodes/Geoff Nye)

Motion Carried

The meeting adjourned for morning tea, the time being 10.36 am.

The meeting reconvened, the time being 11.06 am.

RESUMPTION OF STANDING ORDERS

54/23 **Resolved** that Standing Orders are resumed.

(Kim Rhodes/Tom Peters)

Motion Carried

Roy Jones, Manager Finance & Technology, entered the meeting, the time being 11.06 am.

Erika Bursford, Manager Customer Service, Governance & Records, entered the meeting, the time being 11.06 am

(ITEM GOV22/23) OPERATIONAL PLAN 2023/2024

SUMMARY

The purpose of this report is for Council to place on public exhibition the draft Tenterfield Shire Council Operational Plan 2023/2024, from 26 April 2023 to 23 May 2023.

55/23 **Resolved** that Council:

- (1) Place the draft Tenterfield Shire Council Operational Plan 2023/2024 on public exhibition on Council's website for 28 days for community review and comment, and
- (2) That a further report be brought back to Council for adoption of the Tenterfield Shire Operational Plan 2023/2024.

(Peter Petty/Geoff Nye)

Motion Carried

Erika Bursford, Manager Customer Service, Governance & Records, left the meeting, the time being 11.47 am.

Roy Jones, Manager Finance & Technology, left the meeting, the time being 11.06 am.

(ITEM GOV19/23) DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD

SUMMARY

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

56/23

Resolved that Council approve the retrospective, temporary appointment of Chief Corporate Officer, Kylie Smith to the position of Acting Chief Executive for the period Thursday 6 April 2023 to Sunday, 16 April 2023 inclusive.

(Peter Petty/Kim Rhodes)

Motion Carried

(ITEM GOV20/23) DESTINATION & VISITOR ECONOMY CONFERENCE - MANLY, SYDNEY - 29 - 31 MAY 2023

SUMMARY

The purpose of this report is for Council to endorse and approve the attendance of Council delegates to the Destination & Visitor Economy Conference 2023 to be held at Manly, Sydney from Monday, 29 May 2023 to Wednesday, 31 May 2023.

57/23

Resolved that Council:

- (1) Approve the attendance of Council's Tourism Advisory Committee delegates, Councillor Kim Rhodes and Councillor Tim Bonner at the Destination & Visitor Economy Conference 2023 at Manly, Sydney, 29 to 31 May 2023.

(Peter Murphy/Greg Sauer)

Motion Carried

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC5/23) TENTERFIELD SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE MEETING MINUTES THURSDAY 6 APRIL 2023

58/23

Resolved that Council:

Receive and note the minutes of the Tenterfield Shire Council Local Traffic Committee meeting of 6 April 2023;

- (1) And adopt the following recommendations from General Business a) thru c);

- (a) UNTAMED BORDER RUN – That Council offer no objection to the Killarney Show and Rodeo Society Inc to hold the Untamed Border Run event subject to Police approval and standard conditions;
- (b) CBD LOADING ZONE – That Council not install any further loading zone in the main CBD area along Rouse Street;
- (c) LIGHT HORSE DRIVE – Council noted that maintenance of Light Horse Drive is not Council responsibility and that the issue be raised with Crown Lands to request road maintenance be undertaken for the benefit of Police vehicles and therefore the community.

(Tom Peters/John Macnish)

Motion Carried

Cr Tim Bonner (Via Zoom), left the meeting, the time being 11.54 am.

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES3/23) COUNCIL RESOLUTION REGISTER - MARCH 2023

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.

59/23

Resolved that Council notes the status of the Council Resolution Register to March 2023.

(Kim Rhodes/Peter Murphy)

Motion Carried

CONFIDENTIAL BUSINESS

Nil.

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 11.57 am.

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Councillor Bronwyn Petrie
Mayor/Chairperson