



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

## **MINUTES OF ORDINARY COUNCIL MEETING FRIDAY 30 JUNE 2023**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the "Koreelah Room", Administration Building, 247 Rouse Street, Tenterfield NSW 2372 on Friday 30 June 2023 commencing at 9.30am

### **ATTENDANCE**

Councillor Bronwyn Petrie (Mayor)  
Councillor John Macnish (Deputy Mayor)  
Councillor Peter Petty  
Councillor Tim Bonner  
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)**

Nil.

## **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 Wahlubul 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.

<b>Name</b>	<b>Type</b>	<b>Item</b>
Nil.		

## **(ITEM MIN5/23) CONFIRMATION OF PREVIOUS MINUTES**

**88/23**

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

- Ordinary Council Meeting – 24 May 2023

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**

**89/23**

**Resolved** that Council accept into the agenda the following tabled documents:

- (1) Summary of Submissions relating to ITEM GOV35/25 OPERATIONAL PLAN 2023/2024 INCLUDING STATEMENT OF REVENUE POLICY 2023/2024 – 43% SPECIAL RATE VARIATION ON YEAR ONLY (RATE PEG 4.2% PLUS PERMANENT INCREASE ABOVE RATE PEG OF 38.80%)
- (2) Summary regarding the Visitor Information Centre from the Ratepayers' Association of Tenterfield Shire Inc's response to ITEM ECO11/23 RECOMMENDATION FOR FUTURE OF VISITOR INFORMATION SERVICES.

(Kim Rhodes/Peter Murphy)

**Motion Carried**

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

**90/23**

**Resolved** that Council accept the following Addendum Agenda Items:

- (1) Addendum – ITEM GOV39/23 PROPOSED AMENDMENTS TO OPERATIONAL PLAN 2023/2024
- (2) ITEM GOV40/23 AFFIXATION OF COUNCIL SEAL ON CORPORATE MARKET LOAN FACILITY
- (3) ITEM COM6/23 CROWN LANDS PLAN OF MANAGEMENT RESERVE R57957

(Geoff Nye/Peter Petty)

**Motion Carried**

## **MAYORAL MINUTE**

*The Mayor spoke of the opening of the Tenterfield Youth Precinct on Saturday 24 June 2023, and how well attended it was.*

*Conveyed her thanks to staff and all involved, including local contractors who worked on the projects. The Grant also funded the upgrades to the Jennings playground area.*

## RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

91/23

**Resolved** that the following items be considered in the Confidential Section of the Meeting:

- (1) ITEM ECO11/23 RECOMMENDATION FOR FUTURE OR VISITOR INFORMATION SERVICES
- (2) ITEM ENV5/23 REPLACEMENT WASTE SIDELOADING TRUCK TENDER EVALUATION AND RECOMMENDATION
- (3) SEWER CCTV AND RE-LINING RFQ – 08-22/23
- (4) REQUEST FOR CONCEALED LEAK WAIVING OF CHARGES
- (5) SALE OF COUNCIL OWNED LAND – LOT 1 DP 613385 (OPPOSITE TAFE), CLARENCE / HIGH STREET, TENTERFIELD
- (6) ITEM ECO13/23 LEASE OF THE TENTERFIELD AIRSTRIP TO LOCAL GROUP – FRIENDS OF TENTERFIELD AIRPORT INC.

(John Macnish/Kim Rhodes)

**Motion Carried**

## OPEN COUNCIL REPORTS

### OUR COMMUNITY

#### **(ITEM COM6/23) CROWN LANDS PLAN OF MANAGEMENT RESERVE R57957**

##### **SUMMARY**

The purpose of this Report is to present Council with the results of public consultation and to obtain a Council Resolution to adopt the Plan of Management for Crown Reserve R57957. The Reserve is over Lot 1 Sec. 28 DP 758959 and Lot 7320 DP 1143501.

92/23

**Resolved** that Council:

Adopt the Plan of Management for Jubilee Park – Crown Reserve R57957 pursuant to Section 40 of the Local Government Act 1993 and in accordance with Section 3.23(6) of the Crown Land Management Act 2016.

(Kim Rhodes/Peter Petty)

**Motion Carried**

*Bruce Mills, Senior Advisor Communications & Special Projects entered the meeting, the time being 9.40am.*

### OUR ECONOMY

## **(ITEM ECO11/23) RECOMMENDATION FOR FUTURE OF VISITOR INFORMATION SERVICES**

### **SUMMARY**

The purpose of this report is to advise Council of the best course of action for visitor information services and for the future of the Visitors' Information Centre (VIC) at 157 Rouse Street, Tenterfield, including review of two Expressions of Interest (EOIs) from parties interested in taking over Visitor Information Services.

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

#### **That Council:**

- (1) Council defers the appointment of a community group to operate out of the visitor center until it explores further options that have been identified;**
- (2) Cease services at the Visitors' Information Centre (VIC), 157 Rouse St at the close of business, Friday, 14 July 2023 as a component of council's fiscal repair strategy; and**
- (3) Work with the Chamber of Commerce and other interested parties to identify alternative social enterprise models to deliver visitor information services in a sustainable but effective manner.**

(Tom Peters / Kim Rhodes)

### **AMENDMENT**

#### That Council:

- (1) Council defers the appointment of a community group to operate out of the visitor center until it explores further options that have been identified;
- (2) Work with the Chamber of Commerce and other interested parties to identify alternative social enterprise models to deliver visitor information services in a sustainable but effective manner.

(Greg Sauer / Peter Murphy)

### **Amendment carried**

**93/23**

### **Resolved** that Council:

- (1) Council defers the appointment of a community group to operate out of the visitor center until it explores further options that have been identified;and
- (2) Work with the Chamber of Commerce and other interested parties to identify alternative social enterprise models to deliver visitor information services in a sustainable but effective manner.

(Tom Peters/Kim Rhodes)

### **Motion Carried**

*Bruce Mills, Senior Advisor Communications & Special Projects left the meeting, the time being 9.47am.*

## **OUR ENVIRONMENT**

Nil.

## **OUR GOVERNANCE**

### **(ITEM GOV33/23) MONTHLY OPERATIONAL REPORT APRIL 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.

**94/23**

**Resolved** that Council:

Receives and notes the status of the Monthly Operational Report for May 2023.

(Tom Peters/Kim Rhodes)

**Motion Carried**

*Roy Jones, Manager Finance & Technology entered the meeting, the time being 10.06am.*

### **(ITEM GOV34/23) IPART - SPECIAL RATE VARIATION APPLICATION FOR 2023-2024 - DETERMINATION**

#### **SUMMARY**

The purpose of this Report is to inform Council about IPART's decision on Council's Application for a Special Rate Variation of 43% (including rate peg) in 2023/2024 and 43% (including rate peg) in 2024/2025 representing a cumulative increase of 104.49%.

Council's application has not been approved in full. Instead, Council have been approved a one – year permanent Special Rate Variation of 43% (including rate peg).

This Report recommends that Council accept the 43% (including rate peg) as per IPART's decision for the FY 2023/2024 on a permanent basis to be applied on Council's rating structure.

The Special Rate Variation is to ensure council maintains and renews assets, maintains service levels to a satisfactory level and condition, ensures and improves financial sustainability and is all the more urgent in the current uncertain economic and environmental conditions, with significant investments required in Council's transport network.

**95/23**

**Resolved** that Council:

- (1) Receive IPART's decision on the Special Rate Variation.
- (2) Council accepts the 43% (including rate peg) as per IPART's decision for the FY 2023/2024 on a permanent basis to be applied in full on Council's rating structure for the purpose of maintaining current service levels, maintenance and renewal of assets and enhancing financial sustainability.
- (3) Request the Chief Executive Officer to implement productivity improvements identified in the application, and if not, provide rationale for not implementing

(Greg Sauer/Kim Rhodes)

**Motion Carried**

*Erika Bursford, Manager Customer Service, Governance & Records entered the meeting, the time being 10.35am.*

**(ITEM GOV35/23) OPERATIONAL PLAN 2023/2024 INCLUDING STATEMENT OF REVENUE POLICY 2023/2024 – 43% SPECIAL RATE VARIATION ONE YEAR ONLY (RATE PEG 4.2% PLUS PERMANENT INCREASE ABOVE RATE PEG OF 38.80%)**

**SUMMARY**

The purpose of this Report is for Council to adopt the Tenterfield Shire Council Operational Plan 2023/2024, including Statement of Revenue Policy and Budget, following the completion of the public exhibition period which took place from 26 April 2023 to 23 May 2023 and for the Operational Plan 2023/2024 to be included within the current Tenterfield Shire Council Delivery Program.

**96/23**

**Resolved** that Council:

- (1) Adopts the Tenterfield Shire Council Operational Plan 2023/2024 as attached.
- (2) Adopts the following documents as part of the Tenterfield Shire Council Operational Plan 2023/2024:
  - (a) Tenterfield Shire Council Budget for 2023/2024
  - (b) Tenterfield Shire Council Statement of Revenue Policy for 2023/2024, and
  - (c) Tenterfield Shire Council Fees and Charges for 2023/2024.
- (3) In accordance with the provisions of Section 355 of the Local Government Act 1993, makes, fixes and levies the rates for the year ending 30 June 2024 for the following rating categories:

Farmland:

A Farmland rate of 0.00221791 cents in the dollar on the current land values of all rateable land in the Local Government Area being Farmland, with a base rate of \$565.00 per annum (the total revenue collected from this base amount represents 24.42% of the total revenue collected from this category of land);

Residential – Tenterfield:

A Residential – Tenterfield rate of 0.00471567 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$429.00 per annum (the total revenue collected from this base amount represents 46.07% of the total revenue collected from this category of land);

Residential – Tenterfield (Urban):

A Residential – Tenterfield rate of 0.00424040 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$429.00 per annum (the total revenue collected from this base amount represents 21.46% of the total revenue collected from this category of land);

Residential – Urbenville:

A Residential – Urbenville rate of 0.00614341 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$380.00 per annum (the total revenue collected from this base amount represents 44.98% of the total revenue collected from this category of land);

Residential – Jennings:

A Residential – Jennings rate of 0.00793143 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$380.00 per annum (the total revenue collected from this base amount represents 45.80% of the total revenue collected from this category of land);

Residential – Drake:

A Residential – Drake rate of 0.00934866 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$380.00 per annum (the total revenue collected from this base amount represents 46.24% of the total revenue collected from this category of land);

Residential – Other:

A Residential – Other rate of 0.00348330 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$186.00 per annum (the total revenue collected from this base amount represents 22.63% of the total revenue collected from this category of land);

Business – Tenterfield:

A Business – Tenterfield rate of 0.01500728 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$769.00 per annum (the total revenue collected from this base amount represents 34.22% of the total revenue collected from this category of land);

Business – Urbenville:

A Business – Urbenville rate of 0.00586185 cents in the dollar of the current land values of all rateable land within this category,



with a base rate of \$344.00 per annum (the total revenue collected from this base amount represents 43.92% of the total revenue collected from this category of land);

Business – Jennings:

A Business – Jennings rate of 0.00450282 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$344.00 per annum (the total revenue collected from this base amount represents 42.68% of the total revenue collected from this category of land);

Business – Drake:

A Business – Drake rate of 0.00876257 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$344.00 per annum (the total revenue collected from this base amount represents 44.77% of the total revenue collected from this category of land);

Business – Other:

A Business – Other rate of 0.00479513 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$371.00 per annum (the total revenue collected from this base amount represents 22.56% of the total revenue collected from this category of land);

Mining:

A Mining rate of 0.02030295 cents in the dollar on the current land values of all rateable land in the Local Government Area where the dominant use is for a coal mine or metalliferous mine, with a base rate of \$614.00 per annum (the total revenue collected from this base amount represents 42.42% of the total revenue collected from this category of land).

(4) In accordance with the provisions of Section 552 of the Local Government Act 1993, Council makes, fixes and levies a Water Supply Availability Charge on all land rateable to the Water Supply Charge and other water charges for the year ending June 2024, as follows:

- (a) Residential - \$711.00 per property and/or connection per annum;
- (b) Residential Strata - \$534.00 per property and/or connection per annum;
- (c) Mt Lindesay Private Line - \$886.00 per property and/or connection per annum;
- (d) Rural Other - \$711.00 per property and/or connection per annum;
- (e) Non Residential - Meter connection: 20mm - \$711.00 per property and/or connection per annum;
- (f) Non Residential - Meter connection: 25mm - \$711.00 per property and/or connection per annum;
- (g) Non Residential - Meter connection: 32mm - \$711.00 per property and/or connection per annum;

- (h) Non Residential - Meter connection: 40mm - \$1,070.00 per property and/or connection per annum
  - (i) Non Residential - Meter connection: 50mm - \$1,665.00 per property and/or connection per annum;
  - (j) Non Residential - Meter connection: 80mm - \$4,275.00 per property and/or connection per annum;
  - (k) Non Residential - Meter connection: 100mm - \$6,680.00 per property and/or connection per annum;
  - (l) Non Residential - Meter connection: 150mm - \$15,020.00 per property and/or connection per annum;
  - (m) Voluntary & Charitable Organisations - \$136.50 per property and/or connection per annum;
  - (n) Services installed solely for the purpose of firefighting – No Charge.
- (5) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Residential customers (to be by measure of metered water consumption) at the rate of \$5.90 per kilolitre for water consumption between nil (0) and 450 kiloliters per annum, and \$9.20 per kilolitre for water consumed over 450 kilolitres per annum.
- (6) In accordance with Section 502 of the Local Government Act, that Council makes, fixes and levies a stepped tariff for the charge for water consumed by Rural/Mt Lindesay customers (to be by measure of metered water consumption) at the rate of \$5.90 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum, and \$9.20 per kilolitre for water consumed over 450 kilolitres per annum.
- (7) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Non-Residential customers (to be by measure of metered water consumption) at the rate of \$5.90 per kilolitre for water consumption between nil (0) and 1,000 kilolitres per annum, and \$9.20 per kilolitre for water consumed over 1,000 kilolitres per annum.
- (8) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a minimum water consumption account charge of \$25.00 for each of the six (6) monthly billing periods. Further, that if at the time of reading a water meter it is found to be damaged or has stopped, an account will be issued based on the previous two corresponding water bills.
- (9) In accordance with the provisions of Section 501(1) and 502 of the Local Government Act 1993, makes, fixes and levies a Sewerage Service Availability Charge of \$1,390.00 on all Residential land in the Tenterfield and Urbenville Town Areas and is:
- (a) connected to the Council's sewer main, or

- (b) not connected to the Council's sewer main but any part of the property is no more than 75 metres from the Council's sewer main; and
- (c) land from which sewerage can be discharged into the sewers of Council for the year ending June 2024.

Further, that in respect of Residential Flat Buildings a Sewerage Availability Charge will be made equal to the number of residential flats multiplied by the service charge for a single connection

- (11) In accordance with the provisions of Sections 501(1) and 552 of the Local Government Act 1993, Council makes, fixes and levies Annual Access Charges for Commercial and Non-Residential Sewerage for the year ending June 2024, as follows:

A Sewerage Access Charge will be incurred proportional to the customer's water connection diameter plus a pay-for-use charge based on the water used, calculated in accordance with the following connection options and the formula following subparagraph "k" below:

- (a) Non Residential - Meter connection: 20mm - \$1,390.00 per occupancy per property per annum;
- (b) Non Residential - Meter connection: 25mm - \$1,390.00 per occupancy per property per annum;
- (c) Non Residential - Meter connection: 32mm - \$1,800.00 per occupancy per property per annum;
- (d) Non Residential - Meter connection: 40mm - \$2,800.00 per occupancy per property per annum;
- (e) Non Residential - Meter connection: 50mm - \$4,366.00 per occupancy per property per annum;
- (f) Non Residential - Meter connection: 80mm - \$11,175.00 per occupancy per property per annum;
- (g) Non Residential - Meter connection: 100mm - \$17,460.00 per occupancy per property per annum;
- (h) Non Residential - Meter connection: 150mm - \$39,295.00 per occupancy per property per annum;
- (i) Voluntary & Charitable Organisations - \$268.00 per occupancy per property per annum;
- (j) Services installed solely for the purpose of firefighting – No Charge.

- (k) The formula to calculate Non-Residential Sewerage Charges is:

$$AC + SDF \times (C + UC)$$

Where:

AC = Access Charge

SDF = Sewerage Discharge Factor (determined by type/use)

C = Customers Annual Water Consumption in kilolitres

UC = Sewerage Usage Charge

- (12) Makes, fixes and levies a Sewerage Usage Charge of \$3.35 per kilolitre in 2023/2024.
- (13) Makes, fixes and levies Trade Waste Annual Charges for the year ending June 2024, as follows:
- (a) Non-Residential Trade Waste Fee: Category 1 - \$194.00 per property per annum
  - (b) Non-Residential Trade Waste Fee: Category 2 - \$194.00 per property per annum
  - (c) Non-Residential Trade Waste Fee: Category 3 - \$927.00 per property per annum
- (14) Makes, fixes and levies Trade Waste Usage Charges for the year ending June 2024, as follows:
- (a) Non-Residential Trade Waste Usage Charge: Compliant - \$2.20 per kilolitre
  - (b) Non-Residential Trade Waste Usage Charge: Non-Compliant - \$22.00 per kilolitre
- (15) In accordance with section 501 of the Local Government Act 1993 makes, fixes and levies the Waste Management Facility Charge of \$305.00 per property per annum for the year ending June 2024.
- (16) In accordance with sections 496 and 501 of the Local Government Act 1993 makes, fixes and levies Waste Collection Charges for the year ending June 2024, as follows:
- (a) Residential Waste Collection: 120L Bin - \$483.00 per service per annum
  - (b) Residential Waste Collection: 240L Bin - \$621.00 per service per annum
  - (c) Non-Residential Waste Collection: 120L Bin - \$483.00 per service per annum
  - (d) Non-Residential Waste Collection: 240L Bin - \$621.00 per service per annum
- (17) In accordance with sections 496 and 501 of the Local Government Act 1993 makes, fixes and levies Recycling Collection Charges for the year ending June 2024, as follows.
- (a) Residential Recycling Collection - \$93.50 per service per annum
  - (b) Non-Residential Recycling Collection - \$93.50 per service per annum
- (18) In accordance with section 496A of the Local Government Act 1993 makes, fixes and levies Stormwater Management Charges for the year ending June 2024, for properties within the Tenterfield, Urbenville and Jennings town areas where there is a structure.
- (a) Residential – \$25.00 per annum
  - (b) Residential Strata Title Per Unit - \$12.50 per annum

- (c) Non-Residential: <350m square - \$25.00 per annum
- (d) Non-Residential: 350m square-1200m square - \$50.00 per annum
- (e) Non-Residential: 1200m square-5000m square - \$221.00 per annum
- (f) Non-Residential: >5000m square - \$357.00 per annum

(19) Provides three (3) waste vouchers per annum to be issued with the annual rates notice and that the value of these vouchers be equivalent to the fee for a small box trailer of \$33.00 each.

(20) Borrowings:  
Nil borrowings – subject to service level reductions and further amendments proposed in the amended Operational Plan for 2023/2024.

(21) In accordance with the provisions of Section 566(3) of the Local Government Act 1993, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2024.

(22) In accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan 2023/2024 on its website within 28 days.

(Peter Petty/Kim Rhodes)

**Motion Carried**

*Erika Bursford, Manager Customer Service, Governance & Records left the meeting, the time being 10.43am.*

**(ITEM GOV36/23) FINANCE & ACCOUNTS - PERIOD ENDED 31 MAY 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.

**97/23**

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

(Geoff Nye/Kim Rhodes)

**Motion Carried**

**(ITEM GOV37/23) CAPITAL EXPENDITURE REPORT AS AT 31 MAY 2023**

**SUMMARY**

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

**98/23** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 May 2023.

(Peter Petty/Kim Rhodes)

**Motion Carried**

*Roy Jones, Manager Finance & Technology, left the meeting, the time being 11.08am.*

### **SUSPENSION OF STANDING ORDERS**

**99/23** **Resolved** that Council suspend Standing Orders.

(Peter Petty/Tom Peters)

**Motion Carried**

*The meeting adjourned for morning tea, the time being 11.08am.*

*The meeting reconvened, the time being 11.53am.*

### **RESUMPTION OF STANDING ORDERS**

**100/23** **Resolved** that Council will resume Standing Orders.

(Peter Petty/Tom Peters)

**Motion Carried**

### **(ITEM GOV38/23) UPDATE - NEGOTIATIONS WITH NATIONAL TRUST REGARDING SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS**

#### **SUMMARY**

The purpose of this Report is to provide an update on negotiations with the National Trust Australia (NSW) with regards to the future operations of the Sir Henry Parkes Memorial School of Arts (SHPMSoA).

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

**That Council:**

**(1) Temporarily ceases operations of the following services on 30 July 2023:**

- (a) Cinema,**
- (b) Theatre and**
- (c) Sir Henry Parkes Museum.**

(Geoff Nye / Peter Petty)

## AMENDMENT

That council:

- (1) Cease operations of the following services on 30 July 2023:
  - (a) Cinema
  - (b) Theatre and
  - (c) Sir Henry Parkes Museum.

(Peter Murphy / Greg Sauer)

### Amendment Carried

101/23

**Resolved** that Council:

- (1) Cease operations of the following services on 30 July 2023:
  - (a) Cinema
  - (b) Theatre and
  - (c) Sir Henry Parkes Museum.

(Peter Murphy/Greg Sauer)

### Motion Carried

*Erika Bursford, Manager Customer Service, Governance & Records, entered the meeting, the time being 11.56am*

*Roy Jones, Manager Finance & Technology, entered the meeting, the time being 11.56am.*

## **(ITEM GOV39/23) PROPOSED AMENDMENTS TO OPERATIONAL PLAN 2023/2024**

### **SUMMARY**

The purpose of this Report is to advise Council of proposed amendments to the Tenterfield Shire Council Operational Plan 2023/2024, including amended financial budget, following IPART advice of 16 June 2023, and to place on public exhibition the proposed amendments, from 30 June 2023 to 28 July 2023.

102/23

**Resolved** that Council:

- (1) Place the proposed amendments to the Tenterfield Shire Council Operational Plan 2023/2024 on public exhibition on Council's website for 28 days from 30 June 2023 to 28 July 2023 for community review and comment, and
- (2) Consider a further Report after 28 July 2023 to be brought back to Council for adoption of the amendments to the Tenterfield Shire Operational Plan 2023/2024.

(Greg Sauer/Kim Rhodes)

### Motion Carried

*Erika Bursford, Manager Customer Service, Governance & Records, left the meeting, the time being 12.16pm*

## **(ITEM GOV40/23) AFFIXATION OF COUNCIL SEAL ON CORPORATE MARKET LOAN FACILITY**

### **SUMMARY**

The purpose of this Report is to inform Council that the Council Seal was used to complete the documentation associated with the establishment of the Corporate Market Loan for \$5,000,000.00 from the National Australia Bank (NAB) through Council Resolution 14/22.

**103/23**

**Resolved** that Council:

- (1) Retrospectively resolve to apply the Council Seal solely for documentation purposes to establish the Corporate Market Loan in accordance with resolution 14/22.

(Greg Sauer/Kim Rhodes)

**Motion Carried**

*Roy Jones, Manager Finance & Technology, left the meeting, the time being 12.23pm.*

## **REPORTS OF DELEGATES & COMMITTEES**

### **(ITEM RC6/23) REPORT OF COMMITTEE & DELEGATES - BORDER REGIONAL ORGANISATIONS OF COUNCILS - MINUTES FRIDAY 19 MAY 2023**

**104/23**

**Resolved** that the report of the Border Regional Organisation of Councils and associated papers from 19 May 2023 be received and noted.

(Peter Petty/Kim Rhodes)

**Motion Carried**

### **(ITEM RC7/23) REPORT OF COMMITTEES & DELEGATES - COUNTRY MAYORS ASSOCIATION - FRIDAY 26 MAY 2023**

**105/23**

**Resolved** that the report of the Country Mayors Association of NSW and associated papers from 26 May 2023 be received and noted.

(Greg Sauer/Peter Petty)

**Motion Carried**

## **NOTICES OF MOTION**

Nil.

## **RESOLUTION REGISTER**

### **(ITEM RES5/23) COUNCIL RESOLUTION REGISTER - MAY 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.

**106/23** **Resolved** that Council notes the status of the Council Resolution Register to May 2023.

(Kim Rhodes/Greg Sauer)

**Motion Carried**

*Gillian Marchant, Manager Water & Waste entered the meeting, the time being 12.35pm and gave a verbal update on the Water Treatment Plant.*

*Gillian Marchant, Manager Water & Waste left the meeting, the time being 12.40pm.*

**CONFIDENTIAL BUSINESS**

**SUSPENSION OF STANDING ORDERS**

**107/23** **Resolved** that Council suspend Standing Orders.

(Tim Bonner/Peter Petty)

**Motion Carried**

*The recording device was turned off and the meeting moved into Closed Committee, the time being 12.42pm.*

*Gillian Marchant, Manager Water & Waste entered the meeting, the time being 12.42pm.*

**(ITEM ENV5/23) REPLACEMENT WASTE SIDELOADING TRUCK TENDER EVALUATION AND RECOMMANTATION**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) (d(ii)) (d(iii)) 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; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed (iii) reveal a trade secret. (Tender Assement )

**SUMMARY**

The purpose of this report is to provide Council with a report and recommendation on the tender evaluation associated with RFT 03-22/23 Purchase of Side Loading Waste Truck (replacement of existing plant item number 26).

**108/23**

**Resolved** that Council:

- (1) Accept the tender from Superior Pak for the purchase of the new IVECO side loader at an Upper limit fee of \$486,470 (Inclusive of GST)

(Kim Rhodes/John Macnish)

**Motion Carried**

**(ITEM ENV6/23) SEWER CCTV AND RE-LINING RFQ - 08-22/23**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) (d(ii)) (d(iii)) 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; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed (iii) reveal a trade secret.

**SUMMARY**

The purpose of this Report is to provide Council with a report and recommendation on the tender evaluation associated with RFQ - 08-22/23 CCTV (undertake the sewer re-lining and CCTV contract).

**109/23**

**Resolved** that Council:

- (1) Accept the tender Interflow Pty Ltd as outlined in the Report to undertake the sewer main re-lining and CCTV works.

(Kim Rhodes/John Macnish)

**Motion Carried**

**(ITEM ENV7/23) REQUEST FOR CONCEALED LEAK WAIVING OF CHARGES**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) (b) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals; AND discussion in relation to the personal hardship of a resident or ratepayer.

**SUMMARY**

An extraordinarily high water meter reading was discovered at 549 Rouse Street, this was reported to the owners.

The owners have written to Council requesting the waiving and adjustment to their water bill.

**OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) Waive the current \$48,213.30 excess water bill for the period to June 2023, and**
- (2) Adjust the water bill as an average consumption for the June 2023 period.**

(Kim Rhodes / John Macnish)

**AMENDMENT**

That Council:

- (1) Waive the current \$48,213.30 excess water bill for the period to June 2023, and
- (2) Adjust the water bill as an average consumption for the June 2023 subject to satisfactory inspection by staff that remediation works have been carried out.

(Peter Murphy / Greg Sauer)

**Amendment Carried**

**Resolved** that Council:

**110/23**

- (1) Waive the current \$48,213.30 excess water bill for the period to June 2023, and
- (2) Adjust the water bill as an average consumption for the June 2023 period subject to satisfactory inspection by staff that remediation works have been carried out

(Peter Murphy/Greg Sauer)

**Motion Carried**

**PROCEDURAL MOTION**

**111/23** **Resolved** that Council bring forward in the agenda:-

- (1) ITEM ENV8/23 COMPULSORY ACQUISITION 100M EXCLUSION ZONE

(Peter Petty/Greg Sauer)

**Motion Carried**

**(ITEM ENV8/23) COMPULSORY AQUISITION 100M EXCLUSION ZONE**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) (c) (d(i)) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals; AND 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. (Compulsory Acquisition )

### **SUMMARY**

The purpose of this Report is to attain Council concurrence to commence compulsory acquisition of 100m of the neighbouring property at the Boonoo Boonoo Landfill.

**112/23**

**Resolved** That Council:

- (1) Agree to continue actions for the formalisation of a 100m Exclusion Zone with associated fencing easement, and
- (2) Undertake necessary searches, survey and plan preparation for the compulsory acquisition of the 100m Exclusion Zone in Lot 2 DP 842666.

(Greg Sauer/Peter Petty)

### **Motion Carried**

*Gillian Marchant, Manager Water & Waste left the meeting, the time being 1.16pm.*

*Bruce Mills, Manager Economic Development & Special Projects and Tamai Davidson, Manager Planning, Property & Development entered the meeting, the time being 1.16pm.*

### **(ITEM ECO12/23) SALE OF COUNCIL OWNED LAND - LOT 1 DP 613385 (OPPOSITE TAFE), CLARENCE / HIGH STREET, TENTERFIELD**

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 provide Council options for the sale of Council-owned land, being Lot 1 DP 613385 (opposite TAFE), fronting Clarence/High Streets, Tenterfield.

**113/23**

**Resolved** that Council:

Sell the land known as:

- (1) Lot 1 DP 613385 as one lot;and
- (2) Authorise the Chief Executive to invite all local agents to list the property for sale by private treaty, at asking price of \$380,000.

(Kim Rhodes/Geoff Nye)

**Motion Carried**

*Tamai Davidson, Manager Planning, Property & Development left the meeting, the time being 1.24pm.*

**(ITEM ECO13/23) LEASE OF THE TENTERFIELD AIRSTRIP TO LOCAL GROUP - FRIENDS OF TENTERFIELD AIRPORT INC.**

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 a recommendation for decision on the two Expressions of Interest (EOIs) received for leasing Tenterfield airstrip.

**114/23** **Resolved** that Council:

- (1) Accept the Expression of Interest from Friends of Tenterfield Aerodrome Inc (FOTA) to lease the airstrip, and
- (2) Authorise the Chief Executive to enter into a 10 x 10 x 10-year lease with FOTA Inc as per FOTA's latest EOI letter of 22 June 2023 (attached) with terms, conditions, rights, and obligations of each party clearly set-out; and execute the lease at earliest convenience to both parties.

(Kim Rhodes/Tom Peters)

**Motion Carried**

*Bruce Mill, Senior Advisor Economic Development & Special Projects, left the meeting the time being 1.33pm.*

**RESUMPTION OF STANDING ORDERS**

**115/23** **Resolved** that Council resume Standing Orders.

(Geoff Nye/Kim Rhodes)

**Motion Carried**

*The meeting moved out of Closed Committee and the recording device was turned on, the time being 1.35pm.*

*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 1.40pm.

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Councillor Bronwyn Petrie  
Mayor/Chairperson