



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 27 NOVEMBER 2024

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the "Koreelah Room", 247 Rouse St, Tenterfield NSW 2372 on Wednesday 27 November 2024 commencing at 9.30 am

ATTENDANCE

Councillor Bronwyn Petrie (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Owen Bancroft
Councillor Tim Bonner
Councillor Peter Murphy
Councillor Tom Peters
Councillor Peter Petty
Councillor Greg Purcell
Councillor Kim Rhodes
Councillor Roger Turner

ALSO IN ATTENDANCE

General Manager (Hein Basson)
Acting Executive Assistant & Media (Heather Grasso)
Director Corporate Services (Liz Alley)
Director Infrastructure Services (Matthew Francisco)

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)

Mrs Cheryl Jacques of Liston addressed Council regarding **ITEM GOV99/24 IDENTIFICATION OF CORE FUNCTIONS FOR A FINANCIALLY SUSTAINABLE, CORE-FUNCTIONS LOCAL GOVERNMENT MODEL.**

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

that there were no apologies.

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 MIN14/24) CONFIRMATION OF PREVIOUS MINUTES

172/24 **Resolved**



That the Minutes of the following Meeting of Tenterfield Shire Council:

- **Ordinary Council Meeting – 23 October 2024**

As typed and circulated, be confirmed and signed as a true record of the proceedings of these meetings, with the correction to Resolution 162/24 of Cr Greg Purcell (and not Cr Greg Sauer) being Council's nominated delegate to the Granite Border Landcare Committee

(Kim Rhodes/Owen Bancroft)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil.

MAYOR MINUTE

NIL.

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

173/24 **Resolved**
That:-

- 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.**

(Greg Sauer/Kim Rhodes)

Motion Carried

OPEN COUNCIL REPORTS

174/24 **Resolved**

That Item GOV92/24 PRESENTATION OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024 be brought forward and be dealt with as the first item in the order of business on the Agenda.



(Peter Petty/Greg Sauer)

Motion Carried

Roy Jones, Manager Finance and Technology entered meeting, the time being at 9.35am.

Mr. Furqan Yousuf, Delegate of the Auditor-General for NSW, and Messrs. Ricky Goel and Paul Cornell from Forsyths Auditors joined the meeting (via ZOOM) at 9.35am.

Mr. Yousuf addressed Council on the financial statements and answered questions from Councillors.

The Mayor thanked the Auditors for their work during the year.

(ITEM GOV92/24) PRESENTATION OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

SUMMARY

The purpose of this Report is to present to Council the Audited Financial Statements for the year ended 30 June 2024, in accordance with the provisions of Section 418 of the *Local Government Act 1993*.

175/24 **Resolved**

That Council:

Notes the Audited Annual Financial Statements for the year ended 30 June 2024.

(Kim Rhodes/Peter Murphy)

Motion Carried

The Manager Finance and technology left the meeting, the time being 10.05am.

Messrs. Furqan Yousuf, Ricky Goel and Paul Cornell left the meeting, the time being 10.05am.

OUR COMMUNITY

(ITEM COM12/24) COUNCILLOR EXPENSES AND FACILITIES POLICY

SUMMARY

The purpose of this report is for Council to consider adding a definition to its Councillor and Expenses Policy; describing what "Civic Duties" under this Policy constitutes and for what types of meetings and duties Councillors would get reimbursed for.



Resolved
That Council:

1. Adds the following sub-heading with description into its existing Councillor Expenses and Facilities Policy document (pages 12 and 13), to describe what the term "Civic Duties" means for purposes of the effective and efficient functioning of the elected Councillors within the Tenterfield Shire Council – as a rural council with a large geographic area and a ward system of representation, and to facilitate communication between the community and the governing body:

18.8 Civic Duties: Duties include the attendance at a reasonable frequency of Progress Association or Hall Committee meetings within the particular Ward for which a Councillor has been elected, and at which meetings Council-related business is discussed. In the instance of both elected Councillors for the Ward being unable to attend a meeting where important Council business will be discussed, the Mayor, or another Councillor authorised by the Mayor, may attend this meeting on behalf of the "Ward Councillor/s".

Expenses that are claimed for reimbursement for attending meetings, must relate to Council business at which the attending Councillor – viewed reasonably from a Council perspective – "needs to be" or is "supposed to be" present as either a participant or representative.

The Ratepayers Association of Tenterfield Shire Inc. (RATEs) is generally attended by Councillors living in Tenterfield town; however, when a substantial and important item is under consideration by Council that attracts significant community and ratepayers' attention across the local government area (e.g. the consideration of a Special Rate Variation), the Mayor and General Manager will take these circumstances into consideration when approving reimbursement requests from Councillors living outside of the Tenterfield township, to also attend RATEs' Meetings during these periods of time.

Notwithstanding the provisions of Clauses 6.16 to 6.19 of this policy, no accommodation and meal costs will be reimbursed to Councillors for attending these above-mentioned types of meetings within the boundaries of the local government area.

These duties do not include the attendance of social events, parties or other meetings or events where Council is not the organiser, or where Council business is not transacted as a main or important part of the meeting or event.

2. Also adds into the existing Policy document the following under the sub-heading "Local Travel" (page 13):



In those instances where Council pool vehicles are considered the most practicable and economical mode of transport, Councillors travelling to fulfil their civic duties as described in clause 18.8 above, are to provide the General Manager with a copy of their valid NSW or Australian driver's licence before the Council vehicle is being driven.

3. Notes and approves the administrative changes of adding the word "Policy" to the title of the Policy, and superseding the term "Chief Executive" with "General Manager", as well as adding the amended titles of the Director Corporate Services and Director Infrastructure Services to the document.
4. Advertises, pursuant to the provisions of Section 253(1) of the *Local Government Act 1993*, the amended Councillor Expenses and Facilities Policy for a minimum period of 28 days for the making of public submissions.
5. Considers, pursuant to the provisions of Section 253(2) of the *Local Government Act 1993*, all submissions received within the prescribed period at a future meeting and make any appropriate changes to the draft policy or amendment.
6. Adopts and implements the additions described in paragraphs one (1), two (2) and three (3) above in the event that no submissions are submitted within the prescribed period.

(Greg Sauer/Peter Petty)

Motion Carried

**(ITEM COM13/24) ACKNOWLEDGEMENT OF TENTERFIELD TOURISM GROUP QUARTERLY REPORT FROM JULY TO SEPTEMBER 2024
SUMMARY**

177/24

Resolved

**That Council:
Acknowledges Report Four (4) from the Tenterfield Tourism Group for the period from 1 July 2024 to 30 September 2024.**

(Peter Petty/Kim Rhodes)

Motion Carried

**OUR ECONOMY
OUR ENVIRONMENT**



(ITEM ENV13/24) NSW GOVERNMENT DEPARTMENT OF PRIMARY INDUSTRIES PUBLICATION "WEEDS AND THE BIOSECURITY ACT - A HANDBOOK FOR LOCAL COUNCILS AND COUNCILLORS IN NSW"

SUMMARY

As part of the induction of Councillors, it is necessary to ensure that all Councillors have received a copy the Department of Primary Industries publication "Weeds and the Biosecurity Act, A handbook for local councils and councillors in NSW".

178/24

Resolved

That Council:

Acknowledges receipt of a copy of the NSW Government Department of Primary Industries publication "Weeds and the Biosecurity Act, A handbook for local councils and councillors in NSW"

(Peter Petty/Tom Peters)

Motion Carried

SUSPENSION OF STANDING ORDERS

179/24

Resolved

That the meeting be suspended for morning tea.

(Tim Bonner/Owen Bancroft)

Motion Carried

The meeting adjourned, the time being 10.53 am.

RESUMPTION OF STANDING ORDERS

180/24

Resolved

That the meeting reconvene.

(Greg Sauer/Tim Bonner)

Motion Carried

The meeting reconvened, the time being 11.22 am.

Roy Jones, Manager Finance and Technology, entered the meeting, the time being 11.22 am.



OUR GOVERNANCE

(ITEM GOV94/24) REPORT ON LOAN BALANCES 30 SEPTEMBER 2024

SUMMARY

The purpose of this Report is to inform Council of its loan balances as at 30 September 2024.

181/24 **Resolved**

That Council:

Notes the loan balance as at 30 September 2024 was \$19,721,148.40 (\$20,127,922.63 as at 30 June 2024).

(Peter Petty/Owen Bancroft)

Motion Carried

(ITEM GOV90/24) CAPITAL EXPENDITURE REPORT AS AT 30 SEPTEMBER 2024

SUMMARY

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

182/24 **Resolved**

That Council:

Receives and notes the Capital Expenditure Report for the period ended 30 September 2024.

(Kim Rhodes/Gregory Purcell)

Motion Carried

(ITEM GOV91/24) FINANCE & ACCOUNTS - PERIOD ENDED 31 OCTOBER 2024

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 2021* 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.

Addition financial information on Water Leakage, 603 Certificates, and financial business units is presented for Councillor and community information.



183/24 **Resolved**

That Council:
Notes the Finance and Accounts Report for the period ended 31 October 2024.

(Peter Petty/Tim Bonner)

Motion Carried

The Mayor ruled for Item GOV93/24 to be dealt with as the next item on the Agenda.

(ITEM GOV93/24) COUNCILLORS - PROVISION OF SUPERANNUATION 2024-2025

SUMMARY

On 23 February 2022 Council resolved through resolution 30/22 that Council:

- 1) *Notes the Report and Determination of the NSW Parliament; and*
- 2) *Forgo the payment of superannuation for all current term Councillors until the next election of Council – September 2024.*

On 24 February 2024 Council resolved through resolution 21/24 that Council:

- 1) *Forgo the payment of superannuation for all current term Councillors until the next Quarterly Budget Review due in October 2024 and subsequently assess Councillor Superannuation on an annual basis.*

The purpose of this report is to seek Council's direction on Councillor Superannuation payments effective for the Financial Year 2024-2025.

A Council may make a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a Councillor, starting from the financial year commencing 1 July 2022.

OFFICER'S RECOMMENDATION:

That Council:

- 1. Implements superannuation payments for all Councillors post the September 2024 general local government election, under the Commonwealth Superannuation legislation – as if an individual Councillor were an employee of Council; or**
- 2. Forgoes the payment of superannuation for all current term Councillors.**

AMENDMENT

That paragraph two (2) in the recommendation be replaced with:



- 2) *Recognises that individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments and that Councillors must do so in writing.*

(Peter Murphy/Greg Purcell)

Amendment Carried

184/24 Resolved

That Council:

- 1. Implements superannuation payments for all Councillors post the September 2024 general local government election, under the Commonwealth Superannuation legislation – as if an individual Councillor were an employee of Council.**
- 2. Recognises that individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments and that Councillors must do so in writing.**

(Peter Murphy/Gregory Purcell)

Motion Carried

Roy Jones, Manager Finance and Technology left the meeting, the time being 12.52 pm.

(ITEM GOV96/24) ANNUAL REPORT 2023/2024

SUMMARY

The purpose of this Report is for Council to receive the Annual Report, inclusive of the Annual Financial Statements, for the financial year ending 30 June 2024.

185/24 Resolved

That Council:

Adopts the Annual Report for 2023/2024.

(Kim Rhodes/Owen Bancroft)

Motion Carried

(ITEM GOV99/24) IDENTIFICATION OF CORE FUNCTIONS FOR A FINANCIALLY SUSTAINABLE, CORE-FUNCTIONS LOCAL GOVERNMENT MODEL

SUMMARY



The purpose of this report is for Council to, given its particular financial position and partial implementation of its Fiscal Repair Strategy, consider what its core functions should be going forward as a preliminary step before the community consultation sessions for the development of a new suite of Integrated Planning and Reporting documents are embarked upon – in order for these identified functions to provide structure to discussions.

OFFICER'S RECOMMENDATION

That Council adopts the following list of core functions for purposes of informing the community consultation sessions associated with the development of a new suite of Integrated Planning and Reporting documents, which suite of documents will direct Council's objectives, strategies and actions over the next four (4) years:

Core Functions (Everyday Doing):

- Infrastructure
 - Transport
 - Roads
 - Bridges
 - Culverts
 - Causeways
 - Stormwater
 - Water
 - Sewerage
 - Waste
 - Plant & Fleet
 - Buildings – including Public Halls & Leases
 - Swimming Pool
 - Sporting Fields
 - Parks & Gardens – including Public Toilets
- Attractive Visitor Economy Environment
 - Parks & Gardens
 - Public Toilets
 - Tourism Signage
 - Parking
 - Traffic Control Assistance & Garbage Removal with Events (captured as donations)
- Regulation
- Governance
- Strategic Planning (IP&R)
- Budgets & Financial Administration
 - Revenue Raising
 - Rates
 - Fees & Charges
 - Non-competitive Grants
 - Competitive Grants (Application & Administration)
 - Expenditure
- Compliance
- Customer Service



- Information Technology
- Library
- Planning & Building
- Crown Lands Management
- School of Arts – Joint Management Committee (Overarching Strategic Management)
- Communications
- Workforce Planning
- Work Health & Safety
- Other Legislative Obligations not mentioned

Non-Core Functions:

Advocacy

- Health
- Connectivity
- Community Safety
- Aerodrome

Facilitation

- School of Arts – School of Arts Tenterfield Inc. (day to day management)

(Greg Sauer/Kim Rhodes)

Motion Carried for discussion

PROPOSED DEFERMENT OF ITEM GOV99/24) IDENTIFICATION OF CORE FUNCTIONS FOR A FINANCIALLY SUSTAINABLE, CORE-FUNCTIONS LOCAL GOVERNMENT MODEL

186/24 Resolved

That Council:

Defers this Item to a Councillor Workshop for further information and for consideration at the 18 December 2024 Ordinary Council Meeting.

(Tim Bonner/Peter Murphy)

Motion Carried

(ITEM GOV95/24) MONTHLY OPERATIONAL REPORT FOR OCTOBER 2024

SUMMARY

The purpose of this Report is to provide a report to the Ordinary Meeting of Council that demonstrates staff accountabilities and actions taken against Council's 2023/2024 Operational Plan.



187/24 **Resolved**

That Council:
Notes the status of the Monthly Operational Report for October 2024.

(Peter Petty/Kim Rhodes)

Motion Carried

(ITEM GOV97/24) FLYING OF FLAGS POLICY

SUMMARY

The purpose of this report is to update the Flying of Flags Policy to align with correct position descriptions.

188/24 **Resolved**

That Council:
Adopts the revised Flying of Flags Policy.

(Tim Bonner/Greg Sauer)

Motion Carried

(ITEM GOV98/24) UPDATING OF SOCIAL MEDIA POLICY

SUMMARY

The purpose of the report is for the Social Media Policy to be reviewed by Council.

189/24 **Resolved**

That Council:

- 1. Notes the information contained in the report.**
- 2. Adopts the updated Social Media Policy as attached as an Annexure to the report.**
- 3. Requests the General Manager to update Council's website and records management system with this updated Policy.**

(Kim Rhodes/Owen Bancroft)

Motion Carried

(ITEM GOV100/24) UPDATING OF MEDIA AND COMMUNICATION POLICY

SUMMARY

The purpose of this report is for Council to review and update its Media and Communications Policy.

190/24

Resolved

That Council:

- 1. Notes the information contained in the report.**
- 2. Adopts the updated Media and Communications Policy as attached as an Annexure to the report.**
- 3. Requests the General Manager to update Council's website and records management system with this updated Policy.**

(Greg Sauer/Kim Rhodes)

Motion Carried

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC11/24) TENTERFIELD SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE MEETING DRAFT MINUTES - THURSDAY 7 NOVEMBER 2024

191/24

Resolved

That Council:

- 1. Receives the report and recommendations from the Tenterfield Shire Local Traffic Committee meeting of 7 November 2024.**
- 2. Adopts the following recommendations from the Local Traffic Committee:**
 - a. MANNERS STREET BUS STOP**
TfNSW representatives to discuss the new location of the Manners Street Bus Stop with Council's Director of Infrastructure and Manager Works.
 - b. NEW ENGLAND HIGHWAY – INTERSECTION OF OLD BALLANDEAN ROAD AND BRUXNER WAY**
Committee provided no objection to Director of Infrastructure Services seeking further funding which may be available for redesign through Transport for NSW.
 - c. REQUEST FOR STOP SIGN OR GIVE WAY SIGN FOR INTERSECTION OF MILES AND SCOTT STREET**
TfNSW and Council will assess the intersection with Council staff on their visit to Tenterfield in early December.



**d. MOUNT LINDESAY ROAD AND OLD BALLANDEAN ROAD,
BOUNDARY ROAD INTERSECTION**

Director of Infrastructure Services, Works Manager and TfNSW to meet onsite and discuss in further detail the options for traffic calming considerations for this intersection and the intersection of Mount Lindesay and Leeches Gully Road, Council to pursue funding opportunities with TfNSW.

e. HYNES BRIDGE AND BRUXNER WAY INTERSECTION

Council accepts recommendations by TfNSW on a safe alternative to convex mirrors, accept the modified signage by TfNSW and explore future funding for an intersection redesign.

(Peter Petty/Tim Bonner)

Motion Carried

NOTICES OF MOTION

NIL.

CONFIDENTIAL BUSINESS

SUSPENSION OF STANDING ORDERS

192/24 Resolved

That the meeting moves into Closed Council.

(Greg Sauer/Gregory Purcell)

Motion Carried

The recording device was turned off and the meeting moved into Closed Council, the time being 1.34 pm.

(ITEM COM14/24) TENDER EVALUATION FOR THE DESIGN & CONSTRUCTION OF EMBANKMENT RESTORATION - AGRN1012 - PLAINS STATION RD SLIPS (RFT 2 24/25)

That the 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 summarise and present the outcomes of the tender assessment from Infrastructure's recent Design & Construction of Embankment Restoration - AGRN1012 - Plains Station Road Slips (PSR) request for tender (RFT 2 24/25). One Tenderer was concluded to offer a best value for money proposal suitable for Council's needs and is recommended for engagement under the prepared Schedule of Rates contract.

193/24 Resolved

That Council:

- 1. Awards Civil Mining & Construction Pty Ltd the Contract for the Design & Construction of Embankment Restoration AGRN1012- Plains Station Road slips RFT 2 24/25 for \$7,231,230 excluding GST.**
- 2. Authorises the General Manager to negotiate and execute commercial mechanisms according to the Contract up to the value stated in the report.**

(Kim Rhodes/Gregory Purcell)

Motion Carried

(ITEM COM15/24) EVALUATION OF RFQ SUBMISSIONS FOR THE SUPPLY AND DELIVERY OF GRAVEL UNDER RFT 02-21/22 SUPPLY OF QUARRY MATERIALS FOR THE PADDYS FLAT ROAD AND TORRINGTON ROAD PROJECTS

That the 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 details of the request for quotation from suppliers listed under Council's Supplier panel for RFT02-21-22 Supply of Quarry Materials. Council has various funded projects requiring high volumes of road base material, therefore, allowing suppliers to submit more competitive pricing based on higher volumes to be supplied.

194/24 Resolved

That Council:

Engages the following Quarry Suppliers for the supply and delivery to the nominated site for Class 2 DGB 20 Gravel (TfNSW Specification 3051):



1. Graham's Quarries Pty Ltd to the value of \$1,131,000 for the Paddys Flat Road project.
2. A.M Bulmer & K.L Bulmer trading as AB Contracting to the value of \$573,000 for the Torrington Road project.

(Tom Peters/Owen Bancroft)

Motion Carried

RESUMPTION OF STANDING ORDERS

195/24

Resolved

That the meeting moves into Open Council again.

(Peter Petty/Kim Rhodes)

Motion Carried

The meeting returned to Open Council, the time being 2.02pm.

The Mayor read the Resolutions adopted out loud, after the recording device had been turned on again.

MEETING CLOSED

There being no further business, the Mayor declared the meeting closed at 2.04 pm.



.....
Councillor Bronwyn Petrie
Mayor/Chairperson

