



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 24 AUGUST 2022**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held in the Community Hall, Drake on Wednesday 24 August 2022 commencing at 9:37 am

### **ATTENDANCE**

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

### **ALSO IN ATTENDANCE**

Chief Executive (Daryl Buckingham)  
Executive Assistant & Media (Elizabeth Melling)  
Chief Corporate Officer (Kylie Smith)  
Director Infrastructure (Fiona Keneally)

*Clause 254(b) of the Local Government (General) Regulation 2005 requires that the names of the mover and seconder of the motion or amendment are recorded and shown in the Minutes of the meeting.*

## COMMUNITY CONSULTATION (PUBLIC ACCESS)

### WEBCASTING OF MEETING

*I advise all present that this meeting is being recorded for placement on Council's website for the purposes of broadening knowledge and participation in Council issues, and demonstrating Council's commitment to openness and accountability.*

*All speakers must ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms or mentioning any private information.*

*No other persons are permitted to record the meeting, unless specifically authorised by Council to do so.*

### OPENING AND WELCOME

#### CIVIC PRAYER

*We give thanks for the contribution by our pioneers, early settlers and those who fought in the various wars for the fabric of the Tenterfield Community we have today.*

*May the words of our mouths and the meditation of our hearts be acceptable in thy sight, O Lord.*

#### ACKNOWLEDGEMENT OF COUNTRY

*I would like to acknowledge the traditional custodians of this land that we are meeting on today. I would also like to pay respect to the Elders past, present, and emerging of the Jukembal, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.*

#### APOLOGIES

that there were no apologies.

#### DISCLOSURE & DECLARATIONS OF INTEREST

**169/22** **Resolved** 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>
Cr John Macnish	Non Pecuniary Significant	ENV9/22 - 2022/23 Local Heritage Places Fund Applications.

*Cr Macnish confirmed he would leave the meeting when the item is discussed.  
(Tim Bonner/Geoff Nye)*

#### **Motion Carried**

## **(ITEM MIN8/22) CONFIRMATION OF PREVIOUS MINUTES**

**170/22**

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

- **Ordinary Council Meeting – 27 July 2022**

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**

**171/22**

**Resolved** that Mayor Bronwyn Petrie tabled two (2) documents relating to the LG NSW Motions to its 2022 Oct Conference and an offer from the National Timber Council regarding the Mayors attendance at their 14 September 2022 meeting.

- (1) Email – Call for LG NSW Conference 2022 Motions (closing date 29 August 2022) - Circulated to all Councillors the previous evening by Mayor Petrie.

- (2) Email Offer – National Timber Council – Mayor Petrie to attend at their expense.

(Peter Petty/Tom Peters)

**Motion Carried**

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

**172/22**

**Resolved** that Council accept the following Addendum Agendas:

- (1) Addendum – Item ENV9/22 - 2022/23 Local Heritage Places Fund applications.
- (2) Confidential – COM7/22 Youth Precinct and Mountain Bike Trail Head – Design and Construct Tender

(Peter Petty/Tom Peters)

**Motion Carried**

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

**173/22**

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

- (1) Mayoral Minute (Item MM1/22) Chief Executive Performance Review 2021/22 Annual Review July 2022
- (2) Item ECO11/22 – Sale Of 780 Sugarbag Road, Drake;

- (3) Item ECO12/22 – Airstrip – Lot 1 DP 236737 – 127 Schrodgers Road, Tenterfield.
- (4) Item ECO13/22 Options To Manage 136 Manners Street, Tenterfield
- (5) Item COM17/22 Tenterfield Youth Precinct And Mountain Bike Trail Head – Design And Construct Tender

(Geoff Nye/Kim Rhodes)

**Motion carried**

## **OPEN COUNCIL REPORTS**

### **OUR COMMUNITY**

#### **(ITEM COM15/22) STRONGER COUNTRY COMMUNITIES FUND - ROUND 5**

##### **SUMMARY**

The purpose of this report is to advise that applications for Stronger Country Communities Funding – Round Five (5) are now open and for Council to determine which eligible projects will be applied for based on the funding guidelines and the aspirations of the community as made known to Council.

**174/22**

**Resolved** that Council:

- (1) Nominate and Apply for “Stage 2 – Youth Precinct Project” to the Stronger Country Communities Funding – Round 5 within the total amount of the grant funding that is available to Council being \$905,148.00

(Peter Petty/Greg Sauer)

**Motion Carried**

#### **(ITEM COM16/22) TENTERFIELD PUBLIC LIBRARY BRANCH SERVICES - UPDATE**

##### **SUMMARY**

This report is to provide further information and options for the provision of Tenterfield Public Library services at Drake, Torrington and Urbenville villages.

**175/22**

**Resolved** that Council:

- (1) Implement a 12 month trial of a revised self-managed ‘Library Resource Hub’ model for both Urbenville and Drake locations as outlined in item (a) of this Report.
- (2) Permanent closure of the Torrington Library Branch which includes the return of IT assets and cancellation of lease arrangements. Torrington to retain any existing Library furniture for internal use.

- (3) Lateral transfer of the permanent part-time Library Officer position (Torrington) to Tenterfield Public Library as detailed in item (b) of this report.
- (4) Priority allocation of deleted Tenterfield Public Collection items to the Drake, Torrington and Urbenville Progress Associations ongoing and as part of the current collection management review.
- (5) Priority allocation to Drake, Torrington and Urbenville Progress Associations of de-commissioned library furniture being replaced by the Library refurbishment grant project.
- (6) Council Staff investigate future funding opportunities to establish a mobile Library service to provide a range of services and programs to the broader Tenterfield Shire villages in the future.

(Tim Bonner/Kim Rhodes)

**Motion Carried**

**OUR ECONOMY**

**OUR ENVIRONMENT**

*Councillor John Macnish left the meeting, the time being 10.13am.*

**(ITEM ENV9/22) 2022/23 LOCAL HERITAGE PLACES FUND APPLICATIONS**

**SUMMARY**

The purpose of this report is to present to Council the applications received for the Local Places Heritage Fund for the 2022/23 financial year. This year a total of seven (7) applications were received for maintenance and conservation works across the Shire which have been reviewed by staff, Council's Heritage Advisor and the Heritage Advisory Committee.

**176/22**

**Resolved** that Council:

- (1) Endorses the offers of funding, as detailed in the attachment to this report, and forwards a Letter of Offer to the eligible applicants; and
- (2) Redistribute any funding not accepted, or not claimed by the claim date, amongst completed eligible projects.

(Kim Rhodes/Giana Saccon)

**Motion Carried**

*Councillor John Macnish, re-entered the meeting, the time being 10.16am.*

## **OUR GOVERNANCE**

### **(ITEM GOV67/22) MONTHLY OPERATIONAL REPORT JULY 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.

**177/22** **Resolved** that Council receives and notes the status of the Monthly Operational Report for July 2022.

(Peter Petty/Geoff Nye)

#### **Motion Carried**

**177/23** **SUSPENSION OF STANDING ORDERS**

**Resolved** that Standing Orders be Suspended.

(Peter Petty/Greg Sauer)

#### **Motion Carried**

*The meeting adjourned for morning tea, the time being 10.38 am.*

*The meeting reconvened, the time being 11.30 am.*

### **RESUMPTION OF STANDING ORDERS**

**178/22** **Resolved** that Standing Orders be resumed.

(Peter Petty/Tim Bonner)

#### **Motion Carried**

*Erika Bursford, Manager Customer Service, Governance & Records entered the meeting, the time being 11.31am*

### **(ITEM GOV68/22) TENTERFIELD SHIRE COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER & TENTERFIELD SHIRE COUNCIL INTERNAL AUDIT CHARTER**

#### **SUMMARY**

The objective of the Tenterfield Shire Audit, Risk and Improvement Committee (the Committee) is to provide independent assistance to Tenterfield Shire Council (Council) by monitoring, reviewing and providing advice on risk management, control frameworks, governance processes and external accountability responsibilities.

As part of the implementation of the NSW Office of Local Government's Risk Management and Internal Audit Framework for local councils, Council is required to update and adopt both the Audit, Risk and Improvement Committee Charter and the Internal Audit Charter.

179/22

**Resolved** that Council adopt the Tenterfield Shire Council Audit, Risk and Improvement Committee Charter and Tenterfield Shire Council Internal Audit Charter.

(Kim Rhodes/Tim Bonner)

**Motion Carried**

*Erika Bursford, Manager Customer Service, Governance & Records left the meeting, the time being 11.38am*

*Roy Jones, Manager Finance & Technology entered the meeting, the time being 11.38 am.*

**(ITEM GOV69/22) FINANCE & ACCOUNTS - PERIOD ENDED 31 JULY 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.

180/22

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

(Peter Petty/Kim Rhodes)

**Motion Carried**

**(ITEM GOV70/22) CAPITAL EXPENDITURE REPORT AS AT 31 JULY 2022**

**SUMMARY**

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

181/22

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

(Tim Bonner/Peter Petty)

**Motion Carried**

**(ITEM GOV71/22) 2021/2022 FINANCIAL STATEMENTS TO BE REFERRED FOR AUDIT**

**SUMMARY**

The purpose of this report is to comply with statutory requirements in relation to the General Purpose Financial Statements and Special Purpose Financial

Statements for the year ended 30 June 2022. The Financial Statements are to be referred to Council's Auditor, with authorisation from the Mayor, a Councillor, the Chief Executive and the Responsible Accounting Officer.

**182/22**

**Resolved** that Council;

- (1) In relation to the Financial Statements and in accordance with Section 413(2)(c) of the Local Government Act 1993 (as amended):
  - a) Council resolves that in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2022 and Special Schedules are properly drawn up in accordance with the provisions of the Local Government Act 1993, (as amended) and the Regulations there under; and
  - b) That the Financial Statements be approved and signed by the Mayor, the Deputy Mayor, the Chief Executive and the Responsible Accounting Officer.
- (2) That the Financial Statements be referred to Council's Auditor for audit; and
- (3) That the audited Financial Statements be forwarded to the Office of Local Government by 31 October 2022; and
- (4) That the Chief Executive Officer be delegated authority to place the Audited Financial Statements on public exhibition from Tuesday, 1 November 2022 if possible (or the soonest practicable alternative date if not) and that notice be given that Council will present its Audited Financial Statements at the Ordinary Council Meeting to be held on 23 November 2022 if possible (or the soonest practicable alternative date if not); and
- (5) That the audited Financial Statements be presented at the meeting of Council to be held on 23 November 2022 if possible in accordance with Section 419(1) of the Local Government Act 1993 (as amended) or alternatively at the soonest practicable date as determined by the Chief Executive Officer.

(Peter Petty/Geoff Nye)

**Motion Carried**

*Roy Jones, Manager Finance & Technology left the meeting, the time being 11.57 am.*

**(ITEM GOV72/22) MURRAY DARLING ASSOCIATION INC - 78TH NATIONAL CONFERENCE & ANNUAL GENERAL MEETING - ALBURY NSW - 19 - 21 SEPTEMBER 2022**

**SUMMARY**

The purpose of this report is for Council to endorse and approve the attendance of Council delegate on the Murray Darling Association Inc to attend the 78<sup>th</sup>



National Conference and Annual General Meeting at Albury on 19 to 21 September 2022.

**183/22**

**Resolved** that Council approve the attendance of Council's Murray Darling Association Inc delegate and Region 11 Executive Member, Councillor Greg Sauer at the 78<sup>th</sup> National Conference & Annual General Meeting at Albury, 19 to 21 September 2022.

(John Macnish/Peter Petty)

**Motion Carried**

## **REPORTS OF DELEGATES & COMMITTEES**

*Mayor Bronwyn Petrie advised that the National Timber Council Association had invited her to attend their meeting of 14 September 2022, which she declined due to austerity measures.*

*The Council recontacted Mayor Petrie and offered to pay for Mayor Petrie's travel and accommodation enabling her to attend the 14 September meeting, which she gratefully accepted. (See tabled items)*

*Mayor Petrie will bring back a Delegates Report to a future Ordinary Council Meeting.*

## **NOTICES OF MOTION**

Nil.

## **RESOLUTION REGISTER**

### **(ITEM RES8/22) COUNCIL RESOLUTION REGISTER - JULY 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.

**184/22**

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

(Tom Peters/Giana Saccon)

**Motion Carried**

## **CONFIDENTIAL BUSINESS**

### **SUSPENSION OF STANDING ORDERS – CONFIDENTIAL BUSINESS**

**185/22**

**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, person matters, trade secrets or matters which cannot be lawfully disclosed.

(Geoff Nye/Peter Petty)

### **Motion Carried**

*The recording device was turned off and the meeting moved into Closed Committee, the time being 12.06pm.*

### **(ITEM MM1/22) CHIEF EXECUTIVE PERFORMANCE REVIEW 2021/22 ANNUAL REVIEW JULY 2022**

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

### **Background**

The Chief Executive, Daryl Buckingham commenced in the role on 19 July 2021.

With the 12 month period of service occurring in July 2022 the Councillors met in a workshop 27 July 2022 to review the performance of the Chief Executive and it was also noted that the review was effectively a review of performance of the organisation as well as the governing body in partnership with the Chief Executive and staff. The Committee was assisted by Wes Hoffman Manager HR Workforce Development & Safety.

### **Workshop Outcomes**

The Chief Executives review was based against key performance actions in line with the following:

- The Standard Contract of Employment for General Managers of Local Councils in NSW - Schedule B- Duties and Functions
- Office of Local Government - Guidelines for the Appointment & Oversight of General Managers
- Local Government NSW Capability Framework – Workforce Leadership

This included all twenty-eight (28) elements under the following Contractual performance measures:

- Contractual Duties and Functions - Works with Council
- Contractual Duties and Functions - Manages the Organisation
- Contractual Duties and Functions - Manages the Administration's Dealings with The Community and Government Bodies

Some specific aspects arising from the presentation were:

- Operational Plan being achieved effectively and efficiently and reported four times a year – **Within weather constraints**
- The program adopted through the budget is achieved, and cost effectiveness and productivity are demonstrated - **Within weather constraints**
- Staff are motivated to achieve stated objectives – **Need to bolster morale. Be honest about council’s financial situation but inspire the staff to maintain productivity**
- Media reports cover all major Council initiatives – **As required, mostly Mayors responsibility**
- Councils achievements are publicised – **Increase media presence on Councils achievements.**

### **Committee Assessment**

The Committee made the following general assessment of Mr Buckingham’s performance:

- The organisation had a number of challenges facing the new Chief Executive at his commencement in the role in July 2022 and by any measure Mr Buckingham continues to address every challenge with energy and expertise.
- Daryl’s efforts are greatly appreciated, and he has the confidence of all councillors.
- Daryl’s performance has been assessed as meeting requirements.
- Mr Buckingham’s has demonstrated an open door with Councillors, staff and the community and is willing to consult with Councillors and others before making decisions
- Overall, the Committee considers Mr Buckingham has performed at the highest level and the Councillors are deeply appreciative of his commitment and dedication to the organisation and Tenterfield community.
- Mr Buckingham achieved a very positive review.

It was noted that for 2022/2023 the top priorities are:

- Councils financial sustainability
- Application for a Special Rates Variation
- The continual pursuit of efficiencies through improved productivity, cost savings and alternative funding arrangements.

It was also noted that Mr Buckingham chose to forgo the opportunity to request a remuneration increase to his TRP due to Councils current financial situation. This was in contradiction to Council having a high regard for the very high performance of Mr Buckingham’s since commencing in the position since July 2022.

Mr Buckingham’s only request was an additional discretionary benefit, in accordance with the provisions of the Guidelines for the Appointment & Oversight of General Managers be provided. That being a request for a nine (9) day fortnight.

## Summary

The Committee is now in a position to report to the Council on the Chief Executive Officer's progress for the 12-month period ending July 2022.

That Council note the Mayoral Minute and support the findings of the Committee on the Chief Executive Officer's high level of performance for the 12 month period to July 2022, and endorse the three (3) specific priorities for the Chief Executive in the next review period:

- Councils financial sustainability
- Application for a Special Rates Variation
- The continual pursuit of efficiencies through improved productivity, cost savings and alternative funding arrangements.

and having regard for the high level of performance of the Chief Executive to award the ability to take two days of special leave each month with pay to enable a break from the office and to recognise the out of hours worked. In accordance with Clause 9.8 of the Contract under Schedule A – Council policies, Special Leave effective from his anniversary of service being 19 July 2021.

Due to the fact that Mr Buckingham has not taken the opportunity to request a cash increase to his TRP and to ensure there is no loss of remuneration, it has been determined that the rental of the Council house at 53 Welburn lane Tenterfield be the same value as the Statutory and Other Officer's Remuneration Tribunal 2022 determination for the next twelve (12) months. That determination was 2% equating to \$5,400.00.

**186/22**

**Resolved** that I, Mayor Bronwyn Petrie hereby move the following Mayoral Minute at the Ordinary Meeting held on Wednesday, 24 August 2022.

That Council:

- (1) Note the Mayoral Minute; and
- (2) Support the findings of the Committee on the Chief Executive Officer's high level of performance for the 12 month period to July 2022; and
- (3) Endorse the three (3) specific priorities for the Chief Executive in the next review period:
  - Councils financial sustainability
  - Application for a Special Rates Variation
  - The continual pursuit of efficiencies through improved productivity, cost savings and alternative funding arrangements; and
- (4) Having regard for the high level of performance of the Chief Executive to award the ability to take two days of special leave each month in recognition of out of hours worked; and
- (5) Due to the fact that Mr Buckingham has not taken the opportunity to request a cash increase to his TRP and to ensure there is no loss of remuneration, it has been determined that the rental of the Council

house to be the same value as the Statutory and Other Officer's Remuneration Tribunal 2022 determination for the next twelve (12) months.

(Bronwyn Petrie/Geoff Nye)

**Motion Carried**

*Bruce Mills, Manager Economic Development & Special Projects entered the meeting, the time being 12.38 pm.*

**(ITEM ECO11/22) SALE OF 780 SUGARBAG ROAD, DRAKE.**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**SUMMARY**

The purpose of this report is to advise Tenterfield Shire Council of an offer to buy 780 Sugarbag Road West, Drake 2469 – Lot 26 DP 735029. The offer is \$235,000 cash, settlement 12 weeks.

**OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) Receive and note the Report;
- (2) Consider the sale offer of \$235,000, by either
  - a) Accepting the \$235,000 sale offer; or
  - b) Declining the \$235,000 sale offer.

(Peter Petty/Tim Bonner)

**AMENDMENT**

**That Council:**

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

(Peter Petty/Tim Bonner)

**Amendment Carried**

**Resolved** that Council:

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

(John Macnish/Geoff Nye)

**Motion Carried**

**(ITEM ECO12/22) AIRSTRIP - LOT 1 DP236737 - 127 SCHRODERS ROAD, TENTERFIELD**

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**

Council owns the Tenterfield airstrip – Lot 1/DP236737 – 127 Schrodgers Rd, which could be sold to raise funds for Council operations/service delivery.

**Recommendation:**

That Council:

- (1) Receive and note the report; and
- (2) Delegate the Chief Executive authority to arrange sale of Lot 1 DP236737 – 127 Schrodgers Rd, Tenterfield by Tender, with a request for tenderers to provide their aspirations for the site.

**AMENDMENT**

That Council:

Delay ITEM ECO12/22 AIRSTRIP – LOT 1 DP236737 – 127 SCHRODERS ROAD, TENTERFIELD until the September 2022 Ordinary Council Meeting to allow for workshopping all issues and information.

(Peter Murphy/Kim Rhodes)

**Amendment Lost**

**188/22**

**Resolved** that Council:

- (1) Receive and note the report; and
- (2) Delegate the Chief Executive authority to arrange sale of Lot 1 DP236737 – 127 Schrodgers Rd, Tenterfield by Tender, with a request for tenderers to provide their aspirations for the site.

(Greg Sauer/Peter Petty)

**Motion Carried**

**RECORDING OF A DIVISION**

**189/22** **Resolved** that the voting be recorded for ITEM ECO12/22 Airstrip – Lot 1 DP236737 – 127 Schrodgers Road, Tenterfield

(Giana Saccon/Kim Rhodes)

**Motion Carried**

*For the Motion were Crs Greg Sauer, Peter Petty, Tin Bonner, Geoff Nye, John Macnish, Tom Peters and Bronwyn Petrie. Total (7)*

*Against the Motion were Crs Peter Murphy, Kim Rhodes and Giana Saccon. Total (3)*

**(ITEM ECO13/22) OPTIONS TO MANAGE 136 MANNERS STREET, TENTERFIELD.**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) (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 present options to Council for the future use and management of the property at 136 Manners Street, Tenterfield (Lot 1 DP 561371)

Once Council has resolved a position, a further report may need to be presented providing more detailed investigations based on the preferred action.

**OFFICER'S RECOMMENDATION:**

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

- 1. Leave the current lessee in occupation on a month to month basis at the same rent or;**
- 2. Commence negotiations for a new commercial lease over the property with the existing tenant at a market rent or;**
- 3. Commence negotiations for a new commercial lease over the property with the existing tenant at a concessional rent or;**
- 4. Investigate putting the property to the market for lease or;**
- 5. Investigate the sale of the property with vacant possession or subject to a lease at a market rent.**

**AMENDMENT**

That Council delegate authority to the Chief Executive to:

1. Leave the current lessee in occupation on a month to month basis for six months; and
2. Commence negotiations for a new commercial lease over the property with the existing tenant at a market rent.

(Peter Petty/Greg Sauer)

**Amendment Carried**

**190/22**

**Resolved** that Council delegate authority the Chief Executive to:

1. Leave the current lessee in occupation on a month to month basis for six months; and
2. Commence negotiations for a new commercial lease over the property with the existing tenant at a market rent.

(Peter Petty/Greg Sauer)

**Motion Carried**

*Bruce Mills Manager Economic Development & Special Projects left the meeting, the time being 1.12 pm.*



Fiona Keneally, Director Infrastructure entered the meeting, the time being 1.12 pm.

**(ITEM COM17/22) TENTERFIELD YOUTH PRECINCT AND MOUNTAIN BIKE TRAILHEAD - DESIGN AND CONSTRUCT 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 for Council to approve and endorse awarding of RFT08 - 21/22 - Design and Construct Tender - Tenterfield Youth Precinct and Mountain Bike Trailhead.

**191/22**

**Resolved** that Council:

Accept the tender of Collaborative Construction Professionals for RFT 08-21/22 - Design and Construct of the Tenterfield Youth Precinct and Mountain Bike Trailhead for a contract total of \$2,181,198.29 inclusive of GST and provisional items.

(Greg Sauer/Peter Petty)

**Motion Carried**

*Upon being put the meeting, the motion was declared carried.*

*Cr Giana Saccon, asked that her "vote against the motion" be recorded.*

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

*The meeting moved out of Closed Committee and the recording device was turned on, the time being 1.20 pm.*

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

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 1.30 pm.

.....  
Councillor Bronwyn Petrie  
Mayor/Chairperson

