



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

**BUSINESS PAPER  
EXTRAORDINARY COUNCIL  
MEETING**

**WEDNESDAY, 28 SEPTEMBER 2016**

Notice is hereby given in accordance with the provisions of the *Local Government Act 1993*, and pursuant to Clause 7(1) of Council's Code of Meeting Practice that an **Extraordinary Council Meeting** will be held in the Tenterfield Shire Council Chambers, on **Wednesday, 28 September 2016** commencing at **9.30 am**.

Damien Connor  
**General Manager**

**Community Consultation (Public Access) relating to items on this Agenda can be made between 9.30 am and 10.30 am on the day of the Meeting. Requests for public access should be made to the General Manager no later than COB on the Monday before the Meeting.**

Section 8 of the Business Paper allows a period of up to 30 minutes of Open Council Meetings for members of the Public to address the Council Meeting on matters INCLUDED in the Business Paper for the Meeting.

Members of the public will be permitted a maximum of five (5) minutes to address the Council Meeting. An extension of time may be granted if deemed necessary.

Members of the public seeking to represent or speak on behalf of a third party must satisfy the Council Meeting that he or she has the authority to represent or speak on behalf of the third party.

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone or in person prior to close of business on the Monday prior to the day of the Meeting. Persons not registered to speak will not be able to address Council at the Meeting.

Council will only permit two (2) speakers in support and two (2) speakers in opposition to a recommendation contained in the Business Paper. If there are more than two (2) speakers, Council's Governance division will contact all registered speakers to determine who will address Council. In relation to a Development Application, the applicant will be reserved a position to speak.

Members of the public will not be permitted to raise matters or provide information which involves:

- Personnel matters concerning particular individuals (other than Councillors);
- Personal hardship of any resident or ratepayer;
- Information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
- Commercial information of a confidential nature that would, if disclosed:
  - Prejudice the commercial position of the person who supplied it, or
  - Confer a commercial advantage on a competitor of the Council; or
  - Reveal a trade secret;
- Information that would, if disclosed prejudice the maintenance of law;
- Matters affecting the security of the Council, Councillors, Council staff or Council property;
- Advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
- Information concerning the nature and location of a place or an item of Aboriginal significance on community land;
- Alleged contraventions of any Code of Conduct requirements applicable under Section 440; or
- On balance, be contrary to the public interest.

Members of the public will not be permitted to use Community Consultation to abuse, vilify, insult, threaten, intimidate or harass Councillors, Council staff or other members of the public. Conduct of this nature will be deemed to be an act of disorder and the person engaging in such behaviour will be ruled out of order and may be expelled.

## CONFLICT OF INTERESTS

**What is a "Conflict of Interests"** - A conflict of interests can be of two types:

**Pecuniary** - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non-pecuniary** - a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

### **Remoteness**

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

**Who has a Pecuniary Interest?** - A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below).

### **Relatives, Partners**

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. "Relative", in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

### **No Interest in the Matter**

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

### **Disclosure and participation in meetings**

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
  - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
  - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

**No Knowledge** - A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

### **Participation in Meetings Despite Pecuniary Interest (S 452 Act)**

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

**Non-pecuniary Interests** - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

### **Disclosures to be Recorded (s 453 Act)**

A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

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## ORDER OF BUSINESS

1. Opening & Welcome
2. Civic Prayer & Acknowledgement of Country
3. Apologies
4. Oath and Affirmation for Councillors
5. Election of Mayor for Ensuing Period
6. Election of Deputy Mayor for Ensuing Period
7. Election of Delegates
8. Meeting Date and Time
9. Meeting Close

# AGENDA

## 1. OPENING & WELCOME

### 2. (A) OPENING 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."*

### (B) 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 both past and present of the Jukemba, Kamilaroi and Bundjalung nations and extend that respect to other Aboriginal people present."*

## 3. APOLOGIES

## 4. OATH & AFFIRMATION FOR COUNCILLORS

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## 5. ELECTION OF MAYOR FOR ENSUING YEAR

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## 9. MEETING CLOSE

|                      |                                             |
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| <b>Department:</b>   | <b>General Managers Office</b>              |
| <b>Submitted by:</b> | General Manager                             |
| <b>Reference:</b>    | <b>ITEM GOV1/16</b>                         |
| <b>Subject:</b>      | <b>OATH AND AFFIRMATION FOR COUNCILLORS</b> |

|                                                               |                                                                                            |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                            |
| <b>Goal:</b>                                                  | Council achieves excellence in corporate governance                                        |
| <b>Strategy:</b>                                              | Implement strategies, policies and practices to achieve excellence in corporate governance |
| <b>Action:</b>                                                | Undertake all legislative requirements of Local Government                                 |

## SUMMARY

The purpose of this report is to inform Councillors of the new requirements under section 233A of the NSW *Local Government Act 1993* (as amended), being that all Councillors must take an Oath of Office or make an Affirmation of Office at or before the first meeting of the Council after the Councillor is elected.

## OFFICER'S RECOMMENDATION:

**That each Councillor now take an Oath of Office or make an Affirmation of Office at this meeting.**

## BACKGROUND

Following recent amendments to the NSW *Local Government Act 1993*, section 233A of the *Act* reads as follows (Tenterfield Shire Council references inserted):

### 233A Oath and Affirmation for Councillors

- (1) A Councillor must take an Oath of Office or make an Affirmation of Office at or before the first meeting of the Council after the Councillor is elected.
- (2) The oath or affirmation may be taken or made before the General Manager of the Council, an Australian legal practitioner or a Justice of the Peace and is to be in the following form:

#### Oath

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of the Tenterfield Shire area and the Tenterfield Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

#### Affirmation

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Tenterfield Shire area and the Tenterfield Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

- (3) A Councillor who fails, without a reasonable excuse, to take the Oath of Office or make an Affirmation of Office in accordance with this section is not entitled to attend a meeting as a Councillor (other than the first meeting of

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the Council after the Councillor is elected to the office or a meeting at which the Councillor takes the Oath or makes the Affirmation) until the Councillor has taken the oath or made the affirmation.

- (4) Any absence of a Councillor from an ordinary meeting of the Council that the Councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the Council.
- (5) Failure to take an Oath of Office or make an Affirmation of Office does not affect the validity of anything done by a Councillor in the exercise of the Councillor's functions.
- (6) The General Manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the Council meeting or otherwise).

### **COUNCIL IMPLICATIONS:**

**1. Community Engagement / Communication (per engagement strategy)**

N/A

**2. Policy and Regulation**

- NSW Local Government Act 1993.

**3. Financial (Annual Budget & LTFFP)**

N/A

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

N/A

**7. Performance Measures**

N/A

**8. Project Management**

N/A

**Damien Connor**  
**General Manager**

Prepared by staff member: Damien Connor, General Manager  
 Approved/Reviewed by Manager: Damien Connor, General Manager  
 Department: General Managers Office  
 Attachments: There are no attachments for this report.

|                      |                                |
|----------------------|--------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b> |
| <b>Submitted by:</b> | General Manager                |
| <b>Reference:</b>    | <b>ITEM GOV2/16</b>            |
| <b>Subject:</b>      | <b>ELECTION OF THE MAYOR</b>   |

|                                                               |                                                                                           |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                           |
| <b>Goal:</b>                                                  | Council achieves excellence in corporate governance                                       |
| <b>Strategy:</b>                                              | Implement strategies, policies and practice to achieve excellence in corporate governance |
| <b>Action:</b>                                                | Undertake all legislative requirements of Local Government                                |

## SUMMARY

The purpose of this report is for Council to elect the Mayor for the proceeding term, being from September 2016 to September 2018.

## OFFICER'S RECOMMENDATION:

**That the General Manager, as Returning Officer, call for nominations for the election of Mayor and Council determine the form of ballot to be used if so required.**

## BACKGROUND

The *Local Government Amendment (Governance and Planning) Bill 2016* was recently passed by the NSW Parliament, to amend the *Local Government Act 1993*.

One of the amendments to the Act is to change the term of Mayors elected by their Councillor peers to be extended from 1 year to 2 year terms (s230(1) LGA). Following the aforementioned changes to the Act, the upcoming Mayoral term will run from September 2016 to September 2018.

Council is required to undertake a Mayoral election at the commencement of a new Council term in accordance with s290 of the NSW *Local Government Act 1993*.

The Local Government Elections Regulations stipulates the General Manager (or a person appointed by the General Manager) is the Returning Officer.

## REPORT:

In accordance with the *Local Government Act 1993 and Regulations*, nominations for Mayor must be in writing, signed by two (2) Councillors and the nominee must consent in writing. The nomination and acceptance can be made prior to the meeting.

A brief summary of the regulation follows.

Any nominations prepared prior to the meeting must be handed to the General Manager in his capacity as Returning Officer for the election. A Nomination form is included as an attachment to this report.

If there is more than one (1) candidate nominated, an election is necessary and Council must decide whether the election will be by:

- A Ordinary Ballot
- B Preferential Ballot, or
- C Open Voting

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The form of ballot should be determined after the calling of nominations, and the General Manager will call for a motion accordingly.

An Ordinary Ballot is a secret ballot. If there are two (2) candidates, the person receiving the higher number of votes is declared elected. Should there be three (3) or more candidates, the candidate receiving the lowest number of votes is excluded and fresh votes are taken until one candidate remains. A cross (X) against the candidate whose nomination is being supported is all that is required when voting.

A Preferential Ballot is a secret ballot and the system can only be adopted if there are more than two (2) candidates. Voting is in order of preference, with votes being marked 1,2,3,4 etc. If a candidate receives more than half of the total votes, that person is declared elected. If not, the person with the lowest number of votes is excluded and their preferences are distributed. This procedure is followed until one candidate receives more than half of the total votes. They are then declared elected.

Open Voting is by a show of hands. If there are two (2) candidates, the person receiving the higher number of votes is declared elected. If there are more than two (2) candidates, the person with the lowest number of votes is excluded and this procedure is repeated until one candidate receives a simple majority of the votes.

#### **COUNCIL IMPLICATIONS:**

**1. Community Engagement / Communication (per engagement strategy)**

N/A

**2. Policy and Regulation**

- NSW Local Government Act 1993;
- NSW Local Government (General) Regulations 2005; and
- Tenterfield Shire Council Code of Meeting Practice.

**3. Financial (Annual Budget & LTFFP)**

N/A

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

N/A

**7. Performance Measures**

N/A

**8. Project Management**

N/A

**Damien Connor**  
**General Manager**

Our Governance No. 2 Cont...

|                               |                                                                                  |        |
|-------------------------------|----------------------------------------------------------------------------------|--------|
| Prepared by staff member:     | Damien Connor, General Manager                                                   |        |
| Approved/Reviewed by Manager: | Damien Connor, General Manager                                                   |        |
| Department:                   | General Managers Office                                                          |        |
| Attachments:                  | <b>1</b> Nomination Form for Election of Mayor and Deputy Mayor - September 2016 | 1 Page |

| MAYORAL NOMINATION FORM SEPTEMBER 2016                                                                                                      |                  |            |
|---------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|
| I hereby nominate the following Councillor for the position of Mayor of Tenterfield Shire Council for the period commencing September 2016: |                  |            |
| Nominee _____                                                                                                                               | Acceptance _____ | Date _____ |
| Nominated By _____                                                                                                                          | Signed _____     | Date _____ |
| Seconded By _____                                                                                                                           | Signed _____     | Date _____ |

| DEPUTY MAYOR NOMINATION FORM SEPTEMBER 2016                                                                                                   |                  |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|
| I hereby nominate the following Councillor for the position of Deputy Mayor of Tenterfield Shire Council for the period commencing Sept 2016: |                  |            |
| Nominee _____                                                                                                                                 | Acceptance _____ | Date _____ |
| Nominated By _____                                                                                                                            | Signed _____     | Date _____ |
| Seconded By _____                                                                                                                             | Signed _____     | Date _____ |

|                      |                                     |
|----------------------|-------------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b>      |
| <b>Submitted by:</b> | General Manager                     |
| <b>Reference:</b>    | <b>ITEM GOV3/16</b>                 |
| <b>Subject:</b>      | <b>ELECTION OF THE DEPUTY MAYOR</b> |

|                                                               |                                                                                            |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                            |
| <b>Goal:</b>                                                  | Council achieves excellence in corporate governance                                        |
| <b>Strategy:</b>                                              | Implement strategies, policies and practices to achieve excellence in corporate governance |
| <b>Action:</b>                                                | Undertake all legislative requirements of Local Government                                 |

## SUMMARY

The purpose of this report is for Council to elect the Deputy Mayor for the proceeding term, being from September 2016 to September 2018.

## OFFICER'S RECOMMENDATION:

**That the General Manager, as Returning Officer, call for nominations for the election of Deputy Mayor and Council determine the form of ballot to be used if so required.**

## BACKGROUND

Council is required to undertake a Mayoral election in September each year in accordance with s290 of the NSW *Local Government Act 1993* and whilst the Local Government Act does not include the position of Deputy Mayor as being mandatory, Tenterfield Shire Council has traditionally elected a Deputy Mayor.

In keeping with the recent amendments to the Local Government Act with regard to the Mayoral Term, it is proposed that the elected term of the Deputy Mayor also run for a period of two (2) years, being from September 2016 to September 2018. However, If Council so chooses, the term for the Deputy Mayor could remain at a period of 12 months.

The Local Government Elections Regulations stipulates the General Manager (or a person appointed by the General Manager) is the Returning Officer.

## REPORT:

The Local Government Act does not specify the method of voting for the election of the Deputy Mayor. Council may, therefore, fix its own procedure. For the sake of simplicity and consistency, it is recommended that Council adopt the same procedure that was adopted for the election of the Mayor.

## COUNCIL IMPLICATIONS:

### 1. Community Engagement / Communication (per engagement strategy)

N/A

### 2. Policy and Regulation

- NSW *Local Government Act 1993*;
- NSW *Local Government (General) Regulations 2005*; and
- Tenterfield Shire Council Code of Meeting Practice.

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**3. Financial (Annual Budget & LTFF)**

N/A

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

N/A

**7. Performance Measures**

N/A

**8. Project Management**

N/A

**Damien Connor  
General Manager**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | Damien Connor, General Manager            |
| Approved/Reviewed by Manager: | Damien Connor, General Manager            |
| Department:                   | General Managers Office                   |
| Attachments:                  | There are no attachments for this report. |

|                      |                                                                          |
|----------------------|--------------------------------------------------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b>                                           |
| <b>Submitted by:</b> | General Manager                                                          |
| <b>Reference:</b>    | <b>ITEM GOV5/16</b>                                                      |
| <b>Subject:</b>      | <b>COUNCIL DELEGATES ON COMMITTEES, EXTERNAL BOARDS AND ASSOCIATIONS</b> |

|                                                               |                                                                                            |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                            |
| <b>Goal:</b>                                                  | Council achieves excellence in corporate governance                                        |
| <b>Strategy:</b>                                              | Implement strategies, policies and practices to achieve excellence in corporate governance |
| <b>Action:</b>                                                | Undertake all legislative requirements of Local Government                                 |

## SUMMARY

The purpose of this report is to outline the specific purpose committees, external boards and organisations on which Council has representation so that the delegate/s to represent Council on these committees or boards for the year September 2016 to September 2017 can be determined.

This report also addresses the need to review Councils current s355 Advisory Committees in-line with the recent Office of Local Government Circular 16-24 and feed-back received from a number of the Committees.

## OFFICER'S RECOMMENDATION:

### That:

- (a) Council determine the representation on external bodies, specific purpose committees and other associations as listed in this report for the proceeding twelve (12) months;
- (b) A review of all of Council's s355 Advisory Committees be undertaken in-line with recent Office of Local Government Circular 16-24;
- (c) A subsequent report be presented to Council on the proposed structure of Council's Committees following the review; and
- (d) Council determine the interim representation on the current s355 Advisory Committee as listed in this report for a period of two (2) months whilst the Committee review is undertaken.

## BACKGROUND

Council is required annually to determine the delegate/s that are to represent Council on external bodies and other community committees and panels.

Council currently has a number of Specific Purpose Committees; External Boards and Associations and s355 Advisory Committees that have Councillor Delegates on them. The current catalogue of committees and other bodies is listed further into this report.

The Office of Local Government recently released a Circular (16-24) to all Councils to review committees established under section 355 of the NSW Local Government Act.

## Our Governance No. 5 Cont...

**REPORT:**

Listed below is a table of all of the committees and external bodies that currently have Councillor representation, including the Councillor/s that were delegates in the previous year. Council now needs to determine the representatives for each of these for the year September 2016 to September 2017.

|                                                        | Representation               | Previous Delegate/s                                          | Delegate/s 2016-17 |
|--------------------------------------------------------|------------------------------|--------------------------------------------------------------|--------------------|
| <b>Specific Purpose Committees</b>                     |                              |                                                              |                    |
| 1. Audit & Risk Committee                              | Mayor + One (1) Councillor   | Clr Leahy, Clr Petrie                                        |                    |
| 2. Donations Assessment Panel                          | Three (3) Councillors        | Clr Petty, Clr Schiffman, Clr Petrie                         |                    |
| 4. Australia Day Awards Committee                      | Mayor + Three (3) Clrs + Res | Mayor, Clr Schiffmann, Clr Hull, Clr Murray, Clr Leahy (Res) |                    |
| <b>External Boards, Committees &amp; Organisations</b> |                              |                                                              |                    |
| 1. Country Mayors Association                          | Mayor                        | Mayor                                                        | Mayor              |
| 2. Arts North West                                     | Nil                          | Nil - Clr Verri (Board Member)                               |                    |
| 3. Border Region Organisation of Councils              | Mayor + One (1) Councillor   | Mayor, Clr Murray                                            |                    |
| 4. Northern Inland Regional Waste                      | Mayor + One (1) Councillor   | Mayor, Clr Leahy                                             |                    |
| 5. North East Weight of Loads                          | One (1) Councillor           | Clr Verri                                                    |                    |
| 6. Local Health Advisory Committee                     | Mayor                        | Mayor                                                        | Mayor              |
| 7. Local Traffic Committee                             | Mayor + Two (2) Councillors  | Mayor, Clr Murray, Clr Verri                                 |                    |
| 8. Local Emergency Management Committee                | Mayor + One (1) Councillor   | Mayor, Clr Petrie                                            |                    |
| 10. Bushfire Management Committee                      | One (1) Councillor           | Clr Peters                                                   |                    |
| 11. NSW RFS Service Level Agreement Liaison Cmtte      | Mayor + One (1) Councillor   | Mayor, Clr Peters                                            |                    |
| 12. Australian Rural Roads Group                       | Nil                          | Mayor                                                        |                    |
| 13. Tenterfield Liquor Accord                          | One (1) Councillor           | Clr Forbes                                                   |                    |
| 14. Country Public Libraries Assoc of NSW              | One (1) Councillor           | Clr Hull                                                     |                    |
| 15. Granit Borders Landcare Committee Inc              | One (1) Councillor           | Clr Leahy                                                    |                    |
| 16. Northern Inland Regional Weeds Committee           | One (1) Councillor           | Clr Peters                                                   |                    |
| 17. Border Rivers Environmental Water Network          | Mayor + One (1) Councillor   | Mayor, Clr Peters                                            |                    |
| 18. Tenterfield FM Radio Association                   | One (1) Councillor           | Clr Peters                                                   |                    |
| 19. Community Safety Precinct Committee                | Mayor                        | Mayor                                                        | Mayor              |
| <b>S335 Advisory Committees</b>                        |                              |                                                              |                    |
| 1. Parks & Gardens Committee                           | Two (2) Councillors          | Clr Hull, Clr Murray                                         |                    |
| 2. Legume to Woodenbong Road Alliance                  | Mayor + One (1) Councillor   | Mayor, Clr Verri                                             |                    |
| 3. International Town Partnership Cultural Cmtte       | Mayor + Two (2) Councillors  | Mayor, Clr Schiffmann, Clr Murray                            |                    |
| 4. Sir Henry Parkes Memorial Management Cmtte          | Mayor + One (1) Councillor   | Mayor, Clr Hull                                              |                    |
| 5. TSC Saleyards Committee                             | Mayor + Two (2) Councillors  | Mayor, Clr Leahy, Clr Petrie                                 |                    |
| 6. TSC Heritage Advisory Committee                     | Mayor + Two (2) Councillors  | Mayor, Clr Murray, Clr Hull                                  |                    |
| 7. Aboriginal Advisory Committee                       | Mayor + One (1) Councillor   | Mayor, Clr Maxwell                                           |                    |
| 8. Tenterfield Sport & Recreation Advisory Cmtte       | Two (2) Councillors          | Clr, Forbes, Clr Schiffmann                                  |                    |
| 9. Public Art Committee                                | Mayor + One (1) Councillor   | Mayor, Clr Verri                                             |                    |
| 10. Tenterfield Shire ANZAC Centenary Steering Cmtte   | Mayor + One (1) Councillor   | Mayor, Clr Forbes                                            |                    |
| 11. Town Centre Streetscape Master Plan Steering Cmtte | Two (2) Councillors          | Clr Leahy, Clr Murray                                        |                    |
| 12. Disability Advisory Committee                      | One (1) + One Alt Councillor | Clr Forbes (Clr Leahy Alt)                                   |                    |

Following the recent Circular received from the Office of Local Government (16-24) coupled with recent feed-back from a number of Council's current s355 Advisory Committees with regard to the possibility of a more flexible delivery of advisory panels, including;

- membership and quorum requirements,
- in person versus internet or phone participation in committees; and
- alignment with Council's strategic direction (Delivery Program) and resource availability.

It is recommended that Council now undertake a review of its committees formed under section 355 of the Act. Following completion of the review, a subsequent report will be brought back to Council to discuss and determine the structure of Council's Advisory, Management and Specific Purpose Committees moving forward. It is estimated that this would be at the November Ordinary Meeting of Council.

Our Governance No. 5 Cont...

Accordingly, Council is asked to determine the delegates for the current s355 Committees for an interim period of two (2) months, to allow the review to be undertaken, before then determining the representation on the new advisory committee structure for the remaining ten (10) months of the year.

All other committees and external bodies can have representation determined for the full twelve (12) months without delay.

A detailed Tenterfield Shire Council Register of Committees will also be developed following the review process which will include further background and details on all of Council's external bodies, specific purpose committees and community advisory panels all located in the one document.

## **COUNCIL IMPLICATIONS:**

### **1. Community Engagement / Communication (per engagement strategy)**

Community committees are an integral part of Council's community engagement and communication functions. The review of Council's current committee's structure is designed to more closely align them with Council's Delivery Program and resourcing and provide an improved level of engagement with the community through a more flexible approach to advisory committee functions.

### **2. Policy and Regulation**

- NSW Local Government Act 1993;
- NSW Local Government (General) Regulations 2005; and
- Tenterfield Shire Council Code of Meeting Practice.

### **3. Financial (Annual Budget & LTFP)**

No change.

### **4. Asset Management (AMS)**

No change.

### **5. Workforce (WMS)**

No change.

### **6. Legal and Risk Management**

N/A

### **7. Performance Measures**

N/A

### **8. Project Management**

N/A

**Damien Connor**  
**General Manager**

Our Governance No. 5 Cont...

Prepared by staff member: Damien Connor, General Manager  
Approved/Reviewed by Manager: Damien Connor, General Manager  
Department: General Managers Office  
Attachments: There are no attachments for this report.

|                      |                                             |
|----------------------|---------------------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b>              |
| <b>Submitted by:</b> | General Manager                             |
| <b>Reference:</b>    | <b>ITEM GOV4/16</b>                         |
| <b>Subject:</b>      | <b>COUNCIL MEETING SCHEDULE - 2016/2017</b> |

|                                                               |                                                                                            |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                            |
| <b>Goal:</b>                                                  | Council achieves excellence in corporate governance                                        |
| <b>Strategy:</b>                                              | Implement strategies, policies and practices to achieve excellence in corporate governance |
| <b>Action:</b>                                                | Undertake all legislative requirements of Local Government                                 |

## SUMMARY

The purpose of this report is for Council to determine the dates and locations for Council Meetings for the next 12 months, being from September 2016 to September 2017.

## OFFICER'S RECOMMENDATION:

### That:

- (a) Ordinary Council Meetings be held in each month of the calendar year with the exception of January;**
- (b) Council Meetings be held on the fourth Wednesday of the meeting month commencing at a time to be determined, with the exception of December 2016 which will be held on the third Wednesday of the month; and**
- (c) Ordinary Council Meetings be held each month at the Council Chambers in Tenterfield with the exception of February (Torrington) and August (Urbenville).**

## BACKGROUND

In accordance with s365 of the NSW *Local Government Act 1993*, Council is required to meet at least ten (10) times per year, each time in a separate month.

## REPORT:

The fixing of the time and date of meetings is a matter for Council to determine. In determining these matters, Council should consider the availability of Councillors and the convenience to the public.

Council currently meets at 9.30am for the monthly Council Meeting and the current practice is for Council meetings to be conducted on the fourth Wednesday of each month, except January.

As the fourth Wednesday of the month in December falls within the Christmas holiday period, the Council Meeting in December is held on the third Wednesday of the month.

In recent periods Council has held one (1) Ordinary Meeting of Council in a rural area of the Shire each calendar year. Since 1996 there have been eight (8) rural locations where the Council has held Ordinary Council Meetings.

Our Governance No. 4 Cont...

Considering that a Council term runs for four (4) years, it is now recommended that Council increase the number of Ordinary Council Meetings held in rural locations to two (2) per year and that way the Council would be able to hold a meeting in every one of the eight (8) rural locations during the course of the Council term.

Giving consideration to when locations last hosted a Council Meeting and balancing meetings across different sections of the Shire, the following schedule of rural meetings is proposed:

2017 – Torrington (February) and Urbenville (August);  
2018 – Mingoola and Jennings/Wallangarra;  
2019 – Liston and Steinbrook;  
2020 – Legume and Drake.

### **COUNCIL IMPLICATIONS:**

#### **1. Community Engagement / Communication (per engagement strategy)**

Holding meetings in rural locations spread throughout the Shire increases the in-person accessibility to Council Meetings for communities that are geographically dispersed from Tenterfield.

#### **2. Policy and Regulation**

- NSW Local Government Act 1993;
- NSW Local Government (General) Regulations 2005; and
- Tenterfield Shire Council Code of Meeting Practice.

#### **3. Financial (Annual Budget & LTFP)**

N/A

#### **4. Asset Management (AMS)**

N/A

#### **5. Workforce (WMS)**

N/A

#### **6. Legal and Risk Management**

N/A

#### **7. Performance Measures**

N/A

#### **8. Project Management**

N/A

**Damien Connor**  
**General Manager**

Our Governance No. 4 Cont...

Prepared by staff member: Damien Connor, General Manager

Approved/Reviewed by Manager: Damien Connor, General Manager

Department: General Managers Office

Attachments: **1** Proposed Council Meeting Schedule 2016/2017 1 Page

| <b>COUNCIL MEETING SCHEDULE 2016/17</b>   |
|-------------------------------------------|
| WEDNESDAY 26TH OCTOBER 2016               |
| WEDNESDAY 23RD NOVEMBER 2016              |
| WEDNESDAY 21ST DECEMBER 2016              |
| EXTRAORDINARY - IF REQUIRED - JANUARY     |
| WEDNESDAY 22ND FEBRUARY 2017 (Torrington) |
| WEDNESDAY 22ND MARCH 2017                 |
| WEDNESDAY 26TH APRIL 2017                 |
| WEDNESDAY 24TH MAY 2017                   |
| WEDNESDAY 28TH JUNE 2017                  |
| WEDNESDAY 26TH JULY 2017                  |
| WEDNESDAY 23RD AUGUST 2017 (Urbenville)   |
| WEDNESDAY 27TH SEPTEMBER 2017             |