



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER
ORDINARY COUNCIL MEETING
WEDNESDAY, 22 JULY 2020

Notice is hereby given in accordance with the provisions of the *Local Government Act 1993*, and pursuant to Clause 2.3 of Council's Code of Meeting Practice that an **Ordinary Council Meeting** will be held at the RSL Pavilion and via Zoom on **Wednesday 22 July 2020** commencing at **9.30am**.

Please note COVID-19 Regulations apply:

Due to the size of the venue and current Office of Local Government regulations, there is no capacity for members of the public to attend in person. Due to social distancing requirements some Councillors and staff members will attend the meeting via audio/visual (Zoom Meeting).

A recording of the meeting will be placed on Council's website as soon as practicable at the conclusion of the meeting.

Terry Dodds
Chief Executive

COMMUNITY CONSULTATION – PUBLIC ACCESS

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. Disclosure & Declarations of Interest
5. Confirmation of Previous Minutes
6. Tabling of Documents
7. Urgent, Late & Supplementary Items of Business
8. Community Consultation (Public Access)
9. Mayoral Minute
10. Recommendations for Items to be Considered in Confidential Section
11. Open Council Reports
 - Our Community
 - Our Economy
 - Our Environment
 - Our Governance
12. Reports of Delegates & Committees
13. Notices of Motion
14. Resolution Register
15. Confidential Business
16. 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 past, present, and emerging of the Jukembal, Kamilaroi and Bundjalung nations and extend that respect to other Aboriginal people present."

3. APOLOGIES

4. DISCLOSURES & DECLARATIONS OF INTEREST

5. CONFIRMATION OF PREVIOUS MINUTES

(ITEM MIN10/20) CONFIRMATION OF PREVIOUS MINUTES 6

6. TABLING OF DOCUMENTS

7. URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

8. COMMUNITY CONSULTATION (PUBLIC ACCESS)

9. MAYORAL MINUTE

10. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

11. OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM17/20) TENTERFIELD COMMON EASEMENT AND LOT
COMPULSORY ACQUISITION42

OUR ECONOMY

| | | |
|-----------------|--|----|
| (ITEM ECO11/20) | TENTERFIELD SHIRE COUNCIL ECONOMIC DEVELOPMENT ACTIVATION AND STIMULUS PACKAGE | 48 |
|-----------------|--|----|

OUR ENVIRONMENT

| | | |
|-----------------|--|----|
| (ITEM ENV14/20) | DEVELOPMENT SERVICING PLANS WATER & SEWER DEVELOPMENT CONTRIBUTION PLANS 7.11 & 7.12 | 55 |
|-----------------|--|----|

OUR GOVERNANCE

| | | |
|-----------------|---|----|
| (ITEM GOV39/20) | MONTHLY OPERATIONAL REPORT - JUNE 2020 | 62 |
| (ITEM GOV40/20) | LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - 22 TO 24 NOVEMBER 2020 | 63 |
| (ITEM GOV41/20) | TENTERFIELD SHIRE COUNCIL CUSTOMER SATISFACTION SURVEY 2020 | 66 |
| (ITEM GOV42/20) | COUNCILLOR SUPERANNUATION DISCUSSION PAPER | 68 |
| (ITEM GOV43/20) | FINANCE & ACCOUNTS - PERIOD ENDED 30 JUNE 2020 | 86 |
| (ITEM GOV44/20) | CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 2020 | 94 |
| (ITEM GOV45/20) | REPORT ON LOAN BALANCES | 96 |

12. REPORTS OF DELEGATES & COMMITTEES

| | | |
|----------------|---|-----|
| (ITEM RC16/20) | REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC | 99 |
| (ITEM RC17/20) | REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE - 17 JUNE 2020 | 104 |

13. NOTICES OF MOTION

14. RESOLUTION REGISTER

| | | |
|----------------|---|-----|
| (ITEM RES6/20) | COUNCIL RESOLUTION REGISTER - JULY 2020 | 109 |
|----------------|---|-----|

15. CONFIDENTIAL BUSINESS

16. MEETING CLOSED

(ITEM MIN10/20) CONFIRMATION OF PREVIOUS MINUTES

REPORT BY: Noelene Hyde, Executive Assistant & Media

RECOMMENDATION

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

- **Ordinary Council Meeting – 24 June 2020**
- **Extraordinary Council Meeting – 2 July 2020**
- **Extraordinary Council Meeting – 13 July 2020**

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

ATTACHMENTS

- | | | |
|----------|--|----------|
| 1 | Minutes - Ordinary Council Meeting - 24 June 2020 | 27 Pages |
| 2 | Minutes - Extraordinary Council Meeting - 2 July 2020 | 4 Pages |
| 3 | Minutes - Extraordinary Council Meeting - 13 July 2020 | 4 Pages |

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 24 JUNE 2020

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Council Chambers on Wednesday, 24 June 2020 commencing at 9.30 am.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Don Forbes
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Bronwyn Petrie
Councillor Michael Petrie
Councillor Bob Rogan
Councillor Gary Verri

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
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.

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 Jukemba, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

Nil.

DISCLOSURE & DECLARATIONS OF INTEREST

94/20 **Resolved** 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 |
|-------------------------------|---|--|
| Deputy Mayor Cr Greg Sauer | Chairman on Tenterfield's National Monument Ass Inc - Less than Significant - Non Pecuniary - will remain in meeting and vote | COM15/20 - Reallocation of Grant Funds |

(Bronwyn Petrie/Bob Rogan)

Motion Carried

(ITEM MIN9/20) CONFIRMATION OF PREVIOUS MINUTES

95/20 **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting – 27 May 2020

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

(Greg Sauer/Tom Peters)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS – ADDENDUM AGENDA

96/20 **Resolved** that the Addendum Agenda be accepted and the following items be considered by Council:

- Item MM2/20 – Submission for Naming of Clarence River Bridge on Hootons Road
- Item COM15/20 – Reallocation of Grant Funds
- Item GOV38/20 – Operational Plan 2020/2021

(Brian Murray/Michael Petrie)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Due to the current COVID-19 regulations, there is no capacity for members of the public to attend due to social distancing requirements.

MAYORAL MINUTE

(ITEM MM2/20) SUBMISSION FOR NAMING OF CLARENCE RIVER BRIDGE ON HOOTONS ROAD

SUMMARY

Kyogle Shire Council have advertised for submissions for the naming of the new bridge (currently under construction) over the Clarence River on Hootons Road.

97/20 **Resolved** that Council write to Kyogle Shire Council, submitting the name of "Hootons Bridge" as the name for the new bridge over the Clarence River on Hootons Road.

(Peter Petty/Bronwyn Petrie)

Motion Carried

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

- 98/20** **Resolved** that Item ECO10/20 – Acquisition of Part of Private Land in Molesworth Street, Tenterfield for Constructed Cycleway, be considered in the Confidential Section of the Meeting.

(Greg Sauer/Gary Verri)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

Manager Economic Development & Community Engagement, Mr Harry Bolton, entered the meeting, the time being 9.35 am.

(ITEM COM15/20) REALLOCATION OF GRANT FUNDS

SUMMARY

The purpose of this report is to advise Council that the project Border Walk/ Mountain Bike Track Development Project is not going to proceed. This project was part of the *Drought Communities Programme Extension* funding and its intended purpose was to create a walking track to cater for and promote adventure tourism to our region.

RECOMMENDATION

That Council:

- (1) Amends Resolution 40/20 by removing the Border Walk/ Mountain Bike Track Development Project from the *Drought Communities Programme Extension* funding spread sheet.
- (2) Council endorse and adopt a project(s) to the value of \$100,000 to replace the Border Walk/Mountain Bike Track Development Project from the *Drought Communities Programme Extension* Funding.
- (3) Council re-allocates the sum of \$150,000 to one (1) of the allocated projects stated in the Council Resolution 40/20.

(Brian Murray/Donald Forbes)

AMENDMENT

That Council contact the Minister responsible for National Parks to ensure projects such as the Border Walk/Mountain Bike Track and Angry Bull proposal are able to go ahead.

(Gary Verri/Not Seconded)

Amendment Lapses

AMENDMENT

- (2) That the amount of \$100,000 be reallocated to the *Economic & Social Resilience Project*, with this funding to supplement the shortfall from the previous grant for the heritage painting of the Tenterfield Post Office.

(Bronwyn Petrie/Bob Rogan)

Amendment Carried

AMENDMENT

- (3) That the amount of \$150,000 from the Regional Tourism Bushfire Recovery Fund be reallocated to Art Installations along Tenterfield Creek as currently being undertaken by *Make It Tenterfield*.

(Bob Rogan/John Macnish)

Amendment Carried

99/20 **Resolved** that Council:

- (1) Amends Resolution 40/20 by removing the Border Walk/ Mountain Bike Track Development Project from the *Drought Communities Programme Extension* funding spread sheet.
- (2) Reallocates the amount of \$100,000 to the *Economic & Social Resilience Project*, with this funding to supplement the shortfall from the previous grant for the heritage painting of the Tenterfield Post Office.
- (3) Reallocates the amount of \$150,000 from the *Regional Tourism Bushfire Recovery Fund* to Art Installations along Tenterfield Creek as currently being undertaken by *Make It Tenterfield*.

(Brian Murray/Donald Forbes)

Motion Carried

Manager Economic Development & Community Engagement, Mr Harry Bolton, left the meeting, the time being 10.27 am.

OUR ECONOMY

Manager Asset & Program Planning, Mr David Counsell, entered the meeting, the time being 10.27 am.

(ITEM ECO9/20) AERODROME GRASS AREA LEASE

SUMMARY

This report relates to the mowing of grass at the Tenterfield Aerodrome and recommends that Council advertise for the lease of the surrounding area outside of the aircraft landing area (ALA) to an external party allowing harvesting of the grass.

- 100/20** **Resolved** that Council resolve to advertise for the four (4) year lease of the grassed area within the Tenterfield Aerodrome not directly associated with the landing strip for the purpose of restricted agricultural operations including the mowing and harvesting of grass with any submissions received to be reported back to Council for consideration.

(Brian Murray/Donald Forbes)

Motion Carried

Manager Asset & Program Planning, Mr David Counsell, left the meeting, the time being 10.40 am.

SUSPENSION OF STANDING ORDERS

101/20 **Resolved** that Standing Orders be suspended.

(Donald Forbes/Gary Verri)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.41 am.

The Meeting reconvened with the same members present, the time being 11.03 am.

RESUMPTION OF STANDING ORDERS

102/20 **Resolved** that Standing Orders be resumed.

(Gary Verri/Brian Murray)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

103/20 **Resolved** that the following disclosure of interest and reason for declaring such interest in the matter under consideration by Council at this meeting be received and accepted.

| Name | Type | Item |
|------------------|---|--|
| Cr Donald Forbes | Submitted application for tree removal - Non Pecuniary - Significant - will leave the meeting | ENV13/20 - Removal of Dead Trees Program - Within the Tenterfield RU5 Area |

(Bronwyn Petrie/Brian Murray)

Motion Carried

OUR ENVIRONMENT

Having declared an interest in the following matter, Cr Donald Forbes left the meeting the time being 11.05 am.

Manager Open Space, Regulatory & Utilities, Mr Mark Cooper, entered the meeting, the time being 11.06 am.

(ITEM ENV13/20) REMOVAL OF DEAD TREES PROGRAM - WITHIN THE TENTERFIELD RU5 AREA

SUMMARY

On Wednesday, 10 June 2020 a workshop was held, with the Council Working Group formulating a recommendation for consideration by Council at its Ordinary meeting of June 2020. The recommendation included in the report, contains the trees to be included in the quotation for removal within the budget for Dead Tree

Removal Program. A selection on 155 Trees are proposed to form the priority list for quotation with quotations to be sought and allocated in order of the list.

104/20 **Resolved** that Council:

- (1) Adopt the Priority List of Trees attached and seek quotations for their removal; and
- (2) Implement the list in the same priority order should quotations received be in excess of the budget allocation; and
- (3) Advise successful and unsuccessful recipients in writing once quotations are finalised.

(Gary Verri/John Macnish)

Motion Carried

Manager Open Space, Regulatory & Utilities, Mr Mark Cooper, left the meeting, the time being 11.17 am.

Cr Donald Forbes returned to the meeting, the time being 11.17 am.

OUR GOVERNANCE

(ITEM GOV31/20) MONTHLY OPERATIONAL REPORT - MAY 2020

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 2019/2020 Operational Plan.

Cr John Macnish left the meeting, the time being 11.29 am.

Cr John Macnish returned to the meeting, the time being 11.37 am.

105/20 **Resolved** that Council receives and notes the status of the Monthly Operational Report for May 2020.

(Gary Verri/Greg Sauer)

Motion Carried

(ITEM GOV32/20) COMMITTEES REGISTER 2019-2021

SUMMARY

The purpose of this report is for Council to adopt the updated Council's Committee Register 2019-2021.

106/20 **Resolved** that Council adopts the updated Council Committee Register 2019-2021.

(Brian Murray/Michael Petrie)

Motion Carried

Manager Asset & Program Planning, Mr David Counsell, entered the meeting, the time being 11.40 am.

(ITEM GOV33/20) ASSET MANAGEMENT STRATEGY 2020-2030

SUMMARY

This report presents a revised Asset Management Strategy 2020-30 that updates the previous document from 2017.

107/20 **Resolved** that Council adopt the revised Asset Management Strategy 2020-2030.

(Gary Verri/Bob Rogan)

Motion Carried

Manager Asset & Program Planning, Mr David Counsell, left the meeting, the time being 12.02 pm.

Manager Finance & Technology, Mr Paul Della, entered the meeting, the time being 12.02 pm.

(ITEM GOV34/20) REVIEW OF INVESTMENT POLICY

SUMMARY

The purpose of this report is for Council to review and adopt the Investment Policy.

108/20 **Resolved** that Council adopts the Investment Policy as attached.

(Greg Sauer/Bob Rogan)

Motion Carried

(ITEM GOV35/20) COUNCILLOR SUPERANNUATION DISCUSSION PAPER

SUMMARY

The purpose of this report is to inform Council and the Community of a discussion paper issued by the Office of Local Government on Councillor Superannuation and to open the discussion paper up for public comments for a period of 28 days, following which a further report will be brought back to Council to discuss Council and Public feedback on this matter before providing a response back to the Office of Local Government.

RECOMMENDATION

That Council:

- (1) Note the attached Discussion Paper on the issue of Councillor Superannuation;
- (2) Place the Discussion Paper on public exhibition for 28 days to seek feedback from the community; and

- (3) At the completion of the public exhibition period, a further report be brought back to Council outlining a proposed response from Tenterfield Shire Council to the Office of Local Government, incorporating both public feedback and Councillor and Council staff comments.

(Brian Murray/Michael Petrie)

AMENDMENT

That (2) be amended to show a public exhibition period of 14 days.

(Greg Sauer/Michael Petrie)

Amendment Carried

109/20 Resolved that Council:

- (1) Note the attached Discussion Paper on the issue of Councillor Superannuation;
- (2) Place the Discussion Paper on public exhibition for 14 days to seek feedback from the community; and
- (3) At the completion of the public exhibition period, a further report be brought back to Council outlining a proposed response from Tenterfield Shire Council to the Office of Local Government, incorporating both public feedback and Councillor and Council staff comments.

(Brian Murray/Michael Petrie)

Motion Carried

PROCEDURAL MOTION

- 110/20 Resolved** that Item GOV36/20 – Finance & Accounts, Period Ended 31 May 2020 and Item GOV37/20 – Capital Expenditure Report as at 31 May 2020 be adopted together.

(Gary Verri/Greg Sauer)

Motion Carried

(ITEM GOV36/20) FINANCE & ACCOUNTS - PERIOD ENDED 31 MAY 2020

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.

- 111/20 Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 May 2020.

(Greg Sauer/Bob Rogan)

Motion Carried

(ITEM GOV37/20) CAPITAL EXPENDITURE REPORT AS AT 31 MAY 2020

SUMMARY

The purpose of this report is to show the progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

- 111/20** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 May 2020.

(Greg Sauer/Bob Rogan)

Motion Carried

SUSPENSION OF STANDING ORDERS

- 112/20** **Resolved** that Standing Orders be suspended.

(Gary Verri/Brian Murray)

Motion Carried

The Meeting adjourned for lunch, the time being 12.29 pm.

The Meeting reconvened with the same members present, the time being 1.01 pm.

RESUMPTION OF STANDING ORDERS

- 113/20** **Resolved** that Standing Orders be resumed.

(Greg Sauer/Tom Peters)

Motion Carried

Manager Customer Service, Governance & Records, Ms Erika Bursford entered the meeting, the time being 1.01 pm.

(ITEM GOV38/20) OPERATIONAL PLAN 2020/2021

SUMMARY

The purpose of this report is for Council to adopt the Tenterfield Shire Council Operational Plan 2020/2021, as amended to include any submissions approved by Council following public exhibition from 24 May 2020 to 19 June 2020, for inclusion with the current Tenterfield Shire Council Delivery Program 2017/2021.

RECOMMENDATION

That Council:

- (1) Adopts the Tenterfield Shire Council Operational Plan 2020/2021 as revised and attached noting the following amendments from the draft Operational Plan placed on public exhibition on 22 May 2020:

- Reduced interest income of \$80,000 as a result of charging 0% interest for the first six (6) months of 2020/2021 from 1 July 2020 to 31 December 2020.
 - Inclusion of 0% interest as mentioned above for the first 6 months of 2020/21, and 7% interest for the last 6 months of 2020/21.
 - Increased Financial Assistance grant income over that projected in the draft budget of \$189,888.
 - Decreased depreciation for waste management by \$199,000 as a result of a review.
 - Reduced borrowings and as a result, lower principal and interest repayments due to additional grant income for the funding for the New Water Treatment Facility:
 - Removal of interest payment - \$80,082
 - Removal of principal repayment - \$84,287
 - Borrowings no longer required - \$2,350,000
 - The addition of some mandated fees from the Office of Local Government in relation to Companion Animals being:
 - Annual Permit for Non-Desexed Cat (4 months & older) \$80
 - Annual Permit for Restricted Breed or Dangerous Dog \$195
 - Comment in the Operational Plan that the Water Consumption fees will be reviewed after the first water meter reading data is available for the 2020/21 financial year with a view to providing a refund or reduced water consumption fees for the second half of the Financial Year;
 - A reduction to the salary Award increase which is likely to be 1.5% and not 2.5% as originally budgeted.
 - Other adjustments as a result of classification changes within the Code of Accounting of Accounting Practice and Financial Reporting issued by the Office of Local Government;
 - An additional capital expenditure item was added under Buildings and Amenities utilising the improved position from the draft Operational Plan to provide a \$250,000 contingency fund for unexpected structural work that has been identified as being necessary and urgent for the Administration Building refurbishment.
 - Corrections for minor typographical errors.
- (2) Adopts the following documents as part of the Tenterfield Shire Council Operational Plan 2020/21:

- (a) Tenterfield Shire Council Budget for 2020/2021 (noting that the Long Term Financial Plan is currently undergoing a comprehensive review which will be brought back to Council in the new Financial Year, further noting that this document will require another comprehensive review after the next Local Government elections to reflect the next Council's four year delivery program);
 - (b) Tenterfield Shire Council Revenue Policy Statement for 2020/2021; and
 - (c) Tenterfield Shire Council Fees & Charges for 2020/2021.
- (3) In accordance with the provisions of Section 355 of the Local Government Act 1993, makes, fixes and levies the rates for the year ending 30 June 2021 for the following rating categories:

Farmland:

A Farmland rate of 0.002478020 cents in the dollar on the current land values of all rateable land in the Local Government Area being Farmland, with a base rate of \$411.00 per annum (the total revenue collected from this base amount represents 25.32% of the total revenue collected from this category of land);

Residential – Tenterfield:

A Residential – Tenterfield rate of 0.006191502 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$327.00 per annum (the total revenue collected from this base amount represents 48.44% of the total revenue collected from this category of land);

Residential – Tenterfield (Urban):

A Residential – Tenterfield rate of 0.005415686 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$327.00 per annum (the total revenue collected from this base amount represents 23.34% of the total revenue collected from this category of land);

Residential – Urbenville:

A Residential – Urbenville rate of 0.007654082 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$292.00 per annum (the total revenue collected from this base amount represents 49.17% of the total revenue collected from this category of land);

Residential – Jennings:

A Residential – Jennings rate of 0.008045091 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$292.00 per annum (the total revenue collected from this base amount represents 49.64% of the total revenue collected from this category of land);

Residential – Drake:

A Residential – Drake rate of 0.009921096 cents in the dollar of the current land values of all rateable land within this category, with a

base rate of \$292.00 per annum (the total revenue collected from this base amount represents 48.96% of the total revenue collected from this category of land);

Residential – Other:

A Residential – Other rate of 0.004786194 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$152.00 per annum (the total revenue collected from this base amount represents 24.64% of the total revenue collected from this category of land);

Business – Tenterfield:

A Business – Tenterfield rate of 0.014185278 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$556.00 per annum (the total revenue collected from this base amount represents 40.58% of the total revenue collected from this category of land);

Business – Urbenville:

A Business – Urbenville rate of 0.007170749 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$257.00 per annum (the total revenue collected from this base amount represents 47.11% of the total revenue collected from this category of land);

Business – Jennings:

A Business – Jennings rate of 0.004710145 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$257.00 per annum (the total revenue collected from this base amount represents 46.77% of the total revenue collected from this category of land);

Business – Drake:

A Business – Drake rate of 0.007038853 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$257.00 per annum (the total revenue collected from this base amount represents 49.09% of the total revenue collected from this category of land);

Business – Other:

A Business – Other rate of 0.004745900 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$301.00 per annum (the total revenue collected from this base amount represents 44.26% of the total revenue collected from this category of land);

Mining:

A Mining rate of 0.018023173 cents in the dollar on the current land values of all rateable land in the Local Government Area where the dominant use is for a coal mine or metalliferous mine, with a base rate of \$455.00 per annum (the total revenue collected from this base amount represents 47.45% of the total revenue collected from this category of land).

- (4) In accordance with the provisions of Section 552 of the Local Government Act 1993, Council makes, fixes and levies a Water Supply Availability Charge on all land rateable to the Water Supply Charge and other water charges for the year ending June 2021, as follows:
- (a) Residential - \$512.00 per property and/or connection per annum;
 - (b) Residential Strata - \$384.00 per property and/or connection per annum;
 - (c) Mt Lindesay Private Line - \$638 per property and/or connection per annum;
 - (d) Rural Other - \$512 per property and/or connection per annum;
 - (e) Non Residential - Meter connection: 20mm - \$512 per property and/or connection per annum;
 - (f) Non Residential - Meter connection: 25mm - \$512 per property and/or connection per annum;
 - (g) Non Residential - Meter connection: 32mm - \$512 per property and/or connection per annum;
 - (h) Non Residential - Meter connection: 40mm - \$769 per property and/or connection per annum;
 - (i) Non Residential - Meter connection: 50mm - \$1,200 per property and/or connection per annum;
 - (j) Non Residential - Meter connection: 80mm - \$3,080 per property and/or connection per annum;
 - (k) Non Residential - Meter connection: 100mm - \$4,810 per property and/or connection per annum;
 - (l) Non Residential - Meter connection: 150mm - \$10,825 per property and/or connection per annum;
 - (m) Voluntary & Charitable Organisations - \$100.00 per property and/or connection per annum;
 - (n) Services installed solely for the purpose of firefighting - No Charge.
- (5) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by residential customers (to be by measure of metered water consumption) at the rate of \$5.90 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and \$8.85 per kilolitre for water consumed over 450 kilolitres per annum.
- (6) In accordance with Section 502 of the Local Government Act, that Council makes, fixes and levies a stepped tariff for the charge for water consumed by Rural/MT Lindesay customers (to be by measure of metered water consumption) at the rate of \$5.90 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and \$8.85 per kilolitre for water consumed over 450 kilolitres per annum.
- (7) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Non-Residential customers (to be by measure of metered water consumption) at the rate of \$4.35 per kilolitre for water consumption between nil (0)

and 800 kilolitres per annum and \$6.60 per kilolitre for water consumed over 800 kilolitres per annum.

- (8) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a minimum water consumption account charge of \$25 for each of the six (6) monthly billing periods. Further, that if at the time of reading a water meter it is found to be damaged or has stopped, an account will be issued based on the previous two corresponding water bills.
- (9) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a Water Infrastructure Charge per assessment connected to the Tenterfield Water Treatment Plant of \$77 to part fund infrastructure associated with Council's Water Network.
- (10) In accordance with the provisions of Section 501(1) and 502 of the Local Government Act 1993, makes, fixes and levies a Sewerage Service Availability Charge of \$1,195 on all land assessable in the Tenterfield and Urbenville Town Areas and is:
- (a) connected to the Council's sewer main, or
 - (b) not connected to the Council's sewer main but any part of the property is no more than 75 metres from the Council's sewer main; and
 - (c) land from which sewerage can be discharged into the sewers of Council for the year ending June 2021.

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

- (11) In accordance with the provisions of Sections 501(1) and 552 of the Local Government Act 1993, Council makes, fixes and levies Annual Access Charges for Commercial and Non-Residential Sewerage for the year ending June 2021, as follows:

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

- (a) Non Residential - Meter connection: 20mm - \$1,195 per occupancy per property per annum;
- (b) Non Residential - Meter connection: 25mm - \$1,195 per occupancy per property per annum;
- (c) Non Residential - Meter connection: 32mm - \$1,545 per occupancy per property per annum;
- (d) Non Residential - Meter connection: 40mm - \$2,415 per occupancy per property per annum;
- (e) Non Residential - Meter connection: 50mm - \$3,770 per occupancy per property per annum;
- (f) Non Residential - Meter connection: 80mm - \$9,650 per occupancy per property per annum;

- (g) Non Residential - Meter connection: 100mm - \$15,080 per occupancy per property per annum;
- (h) Non Residential - Meter connection: 150mm - \$33,940 per occupancy per property per annum;
- (i) Voluntary & Charitable Organisations - \$237.00 per occupancy per property per annum;
- (j) Services installed solely for the purpose of firefighting - No Charge.

The formula to calculate Non-Residential Sewerage Charges is:

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

Where:

AC = Access Charge

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

C = Customers Annual Water Consumption in kilolitres

UC = Sewerage Usage Charge

- (12) Makes, fixes and levies a Sewerage Usage Charge of \$2.90 per kilolitre in 2020/2021 for non residential sewerage charge.
- (13) Makes, fixes and levies Trade Waste and On site Sewerage Management Charges as outlined in the Operational Plan 2020/2021.
- (14) Makes, fixes and levies and charges Waste Management Charges as outlined in the Operational Plan 2020/2021.
- (15) Provides three (3) waste vouchers per annum to be issued with the annual rates notice and that the value of these vouchers be equivalent to the fee for a small box trailer - that is, \$27.00 each.
- (16) Borrows \$3,664,071 in 2020/2021 for infrastructure projects. Of this amount, \$1,509,869 is for Waste Management capital projects, and \$2,154,202 is predominately for Transport Network capital works.
- (17) In accordance with the provisions of Section 566(3) of the Local Government Act 1993, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2020.
- (18) Include the exhibited budget consideration of \$25,000 in the 2020/2021 Operational Plan towards a Feasibility Study and Concept Plan for the Angry Bull Mountain Bike Proposal. The project funding will be subject to the execution of a Local Government funding agreement.
- (19) Reviews the water consumption fees after the first water meter reading data is available for the 2020/2021 financial year (in November/December 2020) with a view to providing a refund or reduced consumption fees for the remainder of the financial year if the assumptions used to calculate the estimated yield have changed by greater than 10%.

(20) In accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan 2020/2021 on its website within 28 days.

(Greg Sauer/Tom Peters)

SUSPENSION OF STANDING ORDERS

114/20 **Resolved** that Standing Orders be suspended.

(Brian Murray/Donald Forbes)

Motion Carried

Standing Orders were suspended and the recording turned off to allow confidential discussion of an issue as per Section 10A(2) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals, the time being 1.40 pm.

The Meeting reconvened with the same members present. The recording device was turned on, the time being 2.24 pm.

RESUMPTION OF STANDING ORDERS

115/20 **Resolved** that Standing Orders be resumed.

(Gary Verri/Greg Sauer)

Motion Carried

AMENDMENT

Item (19) be amended to read as follows:

Reviews water consumption fees after the first water consumption reading data is available for the 2020/2021 financial year and current water consumption fees in the 2020/2021 Operational Plan will be varied based on the following formula for each water consumption fee if the water consumption charges vary by 10% or more from the level assumed in calculating the estimated yield for each water consumption fee:

$$\frac{\text{Full Year Budgeted Income Target/2}}{\text{Kilolitres from the first water meter reading}} = \text{Price per Kilolitre}$$

If the water consumption charges vary by 10% or more from the level assumed (220526 Kilolitres) in calculating the estimated yield for each water consumption fee.

(Greg Sauer/Gary Verri)

Amendment Carried

Cr Bronwyn Petrie registered a vote against the Amendment.

AMENDMENT

Item (18) be amended to read as follows:

- (a) Include the exhibited budget consideration of \$25,000 in the 2020/2021 Operational Plan to be allocated for a Business Case for the Angry Bull Mountain Bike Proposal to be conducted through Regional Development Australia. The project funding will be subject to the execution of a Local Government funding agreement; and
- (b) On the successful completion of item 18 (a), a report comes back to Council for consideration of the allocation of an additional \$30,000 for a Feasibility Study, including trail mapping. This allocation of funds and the arrangements described above be subject to a mutual agreement between Angry Bull Mountain Bike Trails and Tenterfield Shire Council.
(Bronwyn Petrie/Bob Rogan)

As mover of the amendment, Cr Bronwyn Petrie requested a vote of (18) (a) and (b) in seriatim. The Chair concurred with this request.

- (18) (a) Include the exhibited budget consideration of \$25,000 in the 2020/2021 Operational Plan to be allocated for a Business Case for the Angry Bull Mountain Bike Proposal to be conducted through Regional Development Australia. The project funding will be subject to the execution of a Local Government funding agreement; and

Amendment Carried

- (18) (b) On the successful completion of item 18 (a), a report comes back to Council for consideration of the allocation of an additional \$30,000 for a Feasibility Study, including trail mapping. This allocation of funds and the arrangements described above be subject to a mutual agreement between Angry Bull Mountain Bike Trails and Tenterfield Shire Council.

Amendment Carried

Cr Bronwyn Petrie requested a vote of the amended Motion in seriatim. The Chair rejected this request.

Cr Brian Murray foreshadowed a rescission motion of Item 18 (a) and (b) should these be adopted by Council.

Declaration of Interest

Chief Executive Terry Dodds declared his membership of the Board of Regional Development Australia and further, declared that he would have no influence or vote on this issue - (Item (18) (a)).

116/20 Resolved that Council:

- (1) Adopts the Tenterfield Shire Council Operational Plan 2020/2021 as revised and attached noting the following amendments from the draft Operational Plan placed on public exhibition on 22 May 2020:
- Reduced interest income of \$80,000 as a result of charging 0% interest for the first six (6) months of 2020/2021 from 1 July 2020 to 31 December 2020.

- Inclusion of 0% interest as mentioned above for the first 6 months of 2020/21, and 7% interest for the last 6 months of 2020/21.
 - Increased Financial Assistance grant income over that projected in the draft budget of \$189,888.
 - Decreased depreciation for waste management by \$199,000 as a result of a review.
 - Reduced borrowings and as a result, lower principal and interest repayments due to additional grant income for the funding for the New Water Treatment Facility:
 - Removal of interest payment -\$80,082
 - Removal of principal repayment -\$84,287
 - Borrowings no longer required -\$2,350,000
 - The addition of some mandated fees from the Office of Local Government in relation to Companion Animals being:
 - Annual Permit for Non-Desexed Cat
 (4 months & older) \$80
 - Annual Permit for Restricted Breed
 or Dangerous Dog \$195
 - Comment in the Operational Plan that the Water Consumption fees will be reviewed after the first water meter reading data is available for the 2020/21 financial year with a view to reducing water consumption fees for the second half of the financial year.
 - A reduction to the salary Award increase which is likely to be 1.5% and not 2.5% as originally budgeted.
 - Other adjustments as a result of classification changes within the Code of Accounting of Accounting Practice and Financial Reporting issued by the Office of Local Government;
 - An additional capital expenditure item was added under Buildings and Amenities utilising the improved position from the draft Operational Plan to provide a \$250,000 contingency fund for unexpected structural work that has been identified as being necessary and urgent for the Administration Building refurbishment.
 - Corrections for minor typographical errors.
- (2) Adopts the following documents as part of the Tenterfield Shire Council Operational Plan 2020/21:
- (a) Tenterfield Shire Council Budget for 2020/2021 (noting that the Long Term Financial Plan is currently undergoing a comprehensive review which will be brought back to Council in the new Financial Year, further noting that this document will require another comprehensive review after the next Local

- Government elections to reflect the next Council's four year delivery program);
- (b) Tenterfield Shire Council Revenue Policy Statement for 2020/2021; and
 - (c) Tenterfield Shire Council Fees & Charges for 2020/2021.
- (3) In accordance with the provisions of Section 355 of the Local Government Act 1993, makes, fixes and levies the rates for the year ending 30 June 2021 for the following rating categories:

Farmland:

A Farmland rate of 0.002478020 cents in the dollar on the current land values of all rateable land in the Local Government Area being Farmland, with a base rate of \$411.00 per annum (the total revenue collected from this base amount represents 25.32% of the total revenue collected from this category of land);

Residential – Tenterfield:

A Residential – Tenterfield rate of 0.006191502 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$327.00 per annum (the total revenue collected from this base amount represents 48.44% of the total revenue collected from this category of land);

Residential – Tenterfield (Urban):

A Residential – Tenterfield rate of 0.005415686 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$327.00 per annum (the total revenue collected from this base amount represents 23.34% of the total revenue collected from this category of land);

Residential – Urbenville:

A Residential – Urbenville rate of 0.007654082 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$292.00 per annum (the total revenue collected from this base amount represents 49.17% of the total revenue collected from this category of land);

Residential – Jennings:

A Residential – Jennings rate of 0.008045091 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$292.00 per annum (the total revenue collected from this base amount represents 49.64% of the total revenue collected from this category of land);

Residential – Drake:

A Residential – Drake rate of 0.009921096 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$292.00 per annum (the total revenue collected from this base amount represents 48.96% of the total revenue collected from this category of land);

Residential - Other:

A Residential - Other rate of 0.004786194 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$152.00 per annum (the total revenue collected from this base amount represents 24.64% of the total revenue collected from this category of land);

Business - Tenterfield:

A Business - Tenterfield rate of 0.014185278 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$556.00 per annum (the total revenue collected from this base amount represents 40.58% of the total revenue collected from this category of land);

Business - Urbenville:

A Business - Urbenville rate of 0.007170749 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$257.00 per annum (the total revenue collected from this base amount represents 47.11% of the total revenue collected from this category of land);

Business - Jennings:

A Business - Jennings rate of 0.004710145 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$257.00 per annum (the total revenue collected from this base amount represents 46.77% of the total revenue collected from this category of land);

Business - Drake:

A Business - Drake rate of 0.007038853 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$257.00 per annum (the total revenue collected from this base amount represents 49.09% of the total revenue collected from this category of land);

Business - Other:

A Business - Other rate of 0.004745900 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$301.00 per annum (the total revenue collected from this base amount represents 44.26% of the total revenue collected from this category of land);

Mining:

A Mining rate of 0.018023173 cents in the dollar on the current land values of all rateable land in the Local Government Area where the dominant use is for a coal mine or metalliferous mine, with a base rate of \$455.00 per annum (the total revenue collected from this base amount represents 47.45% of the total revenue collected from this category of land).

- (4) In accordance with the provisions of Section 552 of the Local Government Act 1993, Council makes, fixes and levies a Water Supply Availability

Charge on all land rateable to the Water Supply Charge and other water charges for the year ending June 2021, as follows:

- (a) Residential - \$512.00 per property and/or connection per annum;
 - (b) Residential Strata - \$384.00 per property and/or connection per annum;
 - (c) Mt Lindesay Private Line - \$638 per property and/or connection per annum;
 - (d) Rural Other - \$512 per property and/or connection per annum;
 - (e) Non Residential - Meter connection: 20mm - \$512 per property and/or connection per annum;
 - (f) Non Residential - Meter connection: 25mm - \$512 per property and/or connection per annum;
 - (g) Non Residential - Meter connection: 32mm - \$512 per property and/or connection per annum;
 - (h) Non Residential - Meter connection: 40mm - \$769 per property and/or connection per annum;
 - (i) Non Residential - Meter connection: 50mm - \$1,200 per property and/or connection per annum;
 - (j) Non Residential - Meter connection: 80mm - \$3,080 per property and/or connection per annum;
 - (k) Non Residential - Meter connection: 100mm - \$4,810 per property and/or connection per annum;
 - (l) Non Residential - Meter connection: 150mm - \$10,825 per property and/or connection per annum;
 - (m) Voluntary & Charitable Organisations - \$100.00 per property and/or connection per annum;
 - (n) Services installed solely for the purpose of firefighting - No Charge.
- (5) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by residential customers (to be by measure of metered water consumption) at the rate of \$5.90 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and \$8.85 per kilolitre for water consumed over 450 kilolitres per annum.
- (6) In accordance with Section 502 of the Local Government Act, that Council makes, fixes and levies a stepped tariff for the charge for water consumed by Rural/MT Lindesay customers (to be by measure of metered water consumption) at the rate of \$5.90 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and \$8.85 per kilolitre for water consumed over 450 kilolitres per annum.
- (7) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Non-Residential customers (to be by measure of metered water consumption) at the rate of \$4.35 per kilolitre for water consumption between nil (0) and 800 kilolitres per annum and \$6.60 per kilolitre for water consumed over 800 kilolitres per annum.

- (8) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a minimum water consumption account charge of \$25 for each of the six (6) monthly billing periods. Further, that if at the time of reading a water meter it is found to be damaged or has stopped, an account will be issued based on the previous two corresponding water bills.
- (9) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a Water Infrastructure Charge per assessment connected to the Tenterfield Water Treatment Plant of \$77 to part fund infrastructure associated with Council's Water Network.
- (10) In accordance with the provisions of Section 501(1) and 502 of the Local Government Act 1993, makes, fixes and levies a Sewerage Service Availability Charge of \$1,195 on all land assessable in the Tenterfield and Urbenville Town Areas and is:
- (a) connected to the Council's sewer main, or
 - (b) not connected to the Council's sewer main but any part of the property is no more than 75 metres from the Council's sewer main; and
 - (c) land from which sewerage can be discharged into the sewers of Council for the year ending June 2021.

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

- (11) In accordance with the provisions of Sections 501(1) and 552 of the Local Government Act 1993, Council makes, fixes and levies Annual Access Charges for Commercial and Non-Residential Sewerage for the year ending June 2021, as follows:

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

- (a) Non Residential - Meter connection: 20mm - \$1,195 per occupancy per property per annum;
- (b) Non Residential - Meter connection: 25mm - \$1,195 per occupancy per property per annum;
- (c) Non Residential - Meter connection: 32mm - \$1,545 per occupancy per property per annum;
- (d) Non Residential - Meter connection: 40mm - \$2,415 per occupancy per property per annum;
- (e) Non Residential - Meter connection: 50mm - \$3,770 per occupancy per property per annum;
- (f) Non Residential - Meter connection: 80mm - \$9,650 per occupancy per property per annum;
- (g) Non Residential - Meter connection: 100mm - \$15,080 per occupancy per property per annum;

- (h) Non Residential - Meter connection: 150mm - \$33,940 per occupancy per property per annum;
- (i) Voluntary & Charitable Organisations - \$237.00 per occupancy per property per annum;
- (j) Services installed solely for the purpose of firefighting - No Charge.

The formula to calculate Non-Residential Sewerage Charges is:

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

Where:

AC = Access Charge

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

C = Customers Annual Water Consumption in kilolitres

UC = Sewerage Usage Charge

- (12) Makes, fixes and levies a Sewerage Usage Charge of \$2.90 per kilolitre in 2020/2021 for non residential sewerage charge.
- (13) Makes, fixes and levies Trade Waste and On site Sewerage Management Charges as outlined in the Operational Plan 2020/2021.
- (14) Makes, fixes and levies and charges Waste Management Charges as outlined in the Operational Plan 2020/2021.
- (15) Provides three (3) waste vouchers per annum to be issued with the annual rates notice and that the value of these vouchers be equivalent to the fee for a small box trailer - that is, \$27.00 each.
- (16) Borrows \$3,664,071 in 2020/2021 for Infrastructure projects. Of this amount, \$1,509,869 is for Waste Management capital projects, and \$2,154,202 is predominately for Transport Network capital works.
- (17) In accordance with the provisions of Section 566(3) of the Local Government Act 1993, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2020.
- (18) (a) Include the exhibited budget consideration of \$25,000 in the 2020/2021 Operational Plan to be allocated for a Business Case for the Angry Bull Mountain Bike Proposal to be conducted through Regional Development Australia. The project funding will be subject to the execution of a Local Government funding agreement; and

(b) On the successful completion of item 18 (a), a report comes back to Council for consideration of the allocation of an additional \$30,000 for a Feasibility Study, including trail mapping. This allocation of funds and the arrangements described above be subject to a mutual agreement between Angry Bull Mountain Bike Trails and Tenterfield Shire Council.

- (19) Reviews water consumption fees after the first water consumption reading data is available for the 2020/2021 financial year and current water consumption fees in the 2020/2021 Operational Plan will be varied based on the following formula for each water consumption fee if the water consumption charges vary by 10% or more from the level assumed in calculating the estimated yield for each water consumption fee:

Full Year Budgeted Income Target/2
_____ = Price per Kilolitre
Kilolitres from the first water meter reading

If the water consumption charges vary by 10% or more from the level assumed (220526 Kilolitres) in calculating the estimated yield for each water consumption fee.

- (20) In accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan 2020/2021 on its website within 28 days.

(Greg Sauer/Tom Peters)

Motion Carried

Manager Customer Service, Governance & Records, Ms Erika Bursford, and Manager Finance & Technology, Mr Paul Della, left the meeting, the time being 2.51 pm.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC15/20) REPORTS OF COMMITTEES & DELEGATES - BORDER REGIONAL ORGANISATION OF COUNCILS - 13 MARCH 2020

SUMMARY

A meeting of the Border Regional Organisation of Councils (BROC) was held at St George, Queensland (hosted by Balonne Shire Council) on Friday, 13 March 2020.

- 117/20** **Resolved** that the report of the Border Regional Organisation of Councils meeting of 13 March 2020 be received and noted.

(Peter Petty/Greg Sauer)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES5/20) COUNCIL RESOLUTION REGISTER - JUNE 2020

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.

- 118/20** **Resolved** that Council notes the status of the Council Resolution Register to June 2020.

(Michael Petrie/Brian Murray)

Motion Carried

CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

- 119/20** **Resolved** that:

- a) Standing Orders be suspended and 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.

(Gary Verri/Tom Peters)

Motion Carried

The recording device was turned off and the meeting moved into Closed Committee, the time being 2.56 pm.

(ITEM ECO10/20) ACQUISITION OF PART OF PRIVATE LAND IN MOLESWORTH STREET TENTERFIELD FOR CONSTRUCTED CYCLEWAY

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.

SUMMARY

The purpose of this report is to legalise and contain part of Council's constructed cycle way within Council land rather than private land, based on a historic agreement between Council and the property owner which was meant to create an easement over which the cycle way traverses.

120/20 Resolved that Council:

- (1) Commence negotiations with the property owner for Council to acquire the area of land containing the cycle way to the existing fence line located on Lots 301, 302 DP 1121415 and Lot B DP 157034, Tenterfield in full compensation of the affected land; and
- (2) Report back to Council once an independent valuation has been undertaken and compensations amounts are known.
- (3) Fund associated survey and reasonable legal costs to finalise this matter.

(Gary Verri/Tom Peters)

Motion Carried

RESUMPTION OF STANDING ORDERS

121/20 Resolved that Standing Orders be resumed.

(Gary Verri/Brian Murray)

Motion Carried

The meeting moved out of Closed Committee and the recording device was turned on, the time being 3.14 pm.

In accordance with Section 253 of Local Government Regulations (General) 2005, the Mayor read the resolution as resolved by Council while in Closed Committee.

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 3.15 pm.

.....
Councillor Peter Petty
Mayor/Chairperson

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF EXTRAORDINARY COUNCIL MEETING THURSDAY, 2 JULY 2020

MINUTES OF THE **Extraordinary Council Meeting** OF TENTERFIELD SHIRE held at RSL Pavilion and via Zoom on Thursday, 2 July 2020 commencing at 9.00 am.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Don Forbes - via Zoom
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Bronwyn Petrie
Councillor Michael Petrie
Councillor Bob Rogan
Councillor Gary Verri - via Zoom

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Actg Chief Corporate Officer (Tamai Davidson) - via Zoom
Director Infrastructure (Fiona Keneally)
Manager Economic Development & Community Engagement (Harry Bolton)
Manager Finance & Information Technology (Paul Della)
Manager Customer Service, Governance & Records (Erika Bursford) - via Zoom
Management Accountant (Jess Wild)

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.

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

NIL.

DISCLOSURE & DECLARATIONS OF INTEREST

122/20 **Resolved** 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 |
|-------------------------------|---|--|
| Deputy Mayor Cr Greg Sauer | Chairman on Tenterfield's National Monument Ass Inc - Less than Significant - Non Pecuniary - will remain in meeting and vote | COM15/20 - Reallocation of Grant Funds |

(John Macnish/Bronwyn Petrie)

Motion Carried

BUSINESS OF THE MEETING

**(ITEM NM3/20) NOTICE OF RESCISSION MOTION - ITEM GOV38/20 OF
ORDINARY COUNCIL MEETING - 24 JUNE 2020**

SUMMARY

A Notice of Rescission Motion was received on Monday, 29 June 2020 from Councillor Brian Murray.

MOTION

That Council:

- (1) Move the rescission of Council Motion 116/20 – Item (18) (a) and (b) resolved at the Ordinary Council Meeting of 24 June 2020.

Motion 116/20

(18) (a) *Include the exhibited budget consideration of \$25,000 in the 2020/2021 Operational Plan to be allocated for a Business Case for the Angry Bull Mountain Bike Proposal to be conducted through Regional Development Australia. The project funding will be subject to the execution of a Local Government funding agreement; and*

(b) *On the successful completion of Item (18) (a), a report comes back to Council for consideration of the allocation of an additional \$30,000 for a Feasibility Study, including trail mapping. This allocation of funds and the arrangements described above be subject to a mutual agreement between Angry Bull Mountain Bike Trails and Tenterfield Shire Council.*

- (2) Following rescission of Item (18) (a) and (b) of Council Motion 116/20, Council move that Item (18) be deleted from the Operational Plan Budget 2020/2021.

(Brian Murray/Michael Petrie)

Motion Lost

Cr Bronwyn Petrie requested that the votes be recorded:

Voting For the Motion – Councillors Murray, M Petrie, Peters and Forbes.

Voting Against the Motion – Councillors B Petrie, Petty, Macnish, Rogan, Sauer and Verri.

**(ITEM NM4/20) NOTICE OF RESCISSION MOTION - ITEM COM15/20 OF
ORDINARY COUNCIL MEETING - 24 JUNE 2020**

SUMMARY

A Notice of Rescission Motion was received on Monday, 29 June 2020 from Councillor Gary Verri.

MOTION

That Council:

- (1) Move the rescission of Council Motion 99/20 - Item (2) resolved at the Ordinary Council Meeting of 24 June 2020.

Motion 99/20

- (2) *Reallocates the amount of \$100,000 to the Economic & Social Resilience Project, with this funding to supplement the shortfall from the previous grant for the heritage painting of the Tenterfield Post Office.*
- (2) Following rescission of Item (2) of Council Motion 99/20, Council move that the \$100,000 be reallocated to the construction of a new playground and upgrade of the Jennings Park and/or Willsons Downfall Cemetery.

(Gary Verri/Michael Petrie)

Motion Lost

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 10.06 am.

.....
Councillor Peter Petty
Mayor/Chairperson

MINUTES

UNCONFIRMED



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF EXTRAORDINARY COUNCIL MEETING MONDAY, 13 JULY 2020

MINUTES OF THE **Extraordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion & via Zoom on Monday, 13 July 2020 commencing at 9.34 am

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Don Forbes - via Zoom
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Bronwyn Petrie – arrived 9.39 am
Councillor Michael Petrie
Councillor Bob Rogan
Councillor Gary Verri - via Zoom

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Actg Chief Corporate Officer (Tamai Davidson)
Director Infrastructure (Fiona Keneally)
Manager Finance & Information Technology (Paul Della)
Manager Property & Buildings (Heidi Ford) – via Zoom
Admin & Web Assistant (Christie Fitzpatrick)

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.

WEBCASTING OF MEETING

I advise all present that the public sections of this meeting are 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 Jukemba, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

Nil.

DISCLOSURE & DECLARATIONS OF INTEREST

123/20 **Resolved** that Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at the meeting.

| Name | Type | Item |
|-------------------|---|---|
| Cr Bronwyn Petrie | Related to one of the tenderers. Less than Significant - Non Pecuniary – Will remain in meeting and vote | COM16/20 Memorial Hall Amenities Wing – Tender Recommendation |

(Greg Sauer/Michael Petrie)

Motion Carried

RECOMMENDATION FOR ITEM TO BE CONSIDERED IN CONFIDENTIAL SECTION

124/20 **Resolved** that Item COM16/20 – Memorial Hall Amenities Wing – Tender Recommendation be considered in the Confidential Section.

(Bob Rogan/Greg Sauer)

Motion Carried

CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

125/20 **Resolved** that:

- a) Standing Orders be suspended and 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.

(Michael Petrie/Brian Murray)

Motion Carried

The meeting moved into Closed Committee, and the recording device switched off, the time being 9.36 am

BUSINESS OF THE MEETING

(ITEM COM16/20) MEMORIAL HALL AMENITIES WING - TENDER RECOMMENDATION

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) (d(ii)) (d(iii)) of the Local Government Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed (iii) reveal a trade secret.

SUMMARY

The purpose of this report is to submit the Memorial Hall Amenities Wing tender evaluation report.

126/20 **Resolved** that Council:

- (1) Accept the tender evaluation report for the Memorial Hall Amenities Wing project; or
- (2) Proceed with negotiations with the lowest tenderer to align the scope and budget.
- (3) The Chief Executive be provided delegation to sign off after negotiations are completed.

(Bronwyn Petrie/Tom Peters)

Motion Carried

RESUMPTION OF STANDING ORDERS

127/20 **Resolved** that Standing Orders be resumed.

(Greg Sauer/John Macnish)

Motion Carried

The meeting moved out of Closed Committee, and the recording device was turned on, the time being 9.55 am.

In accordance with Section 253 of Local Government Regulations (General) 2005, the Mayor read the resolution as resolved by Council while in Closed Committee.

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 9.56 am.

.....
Councillor Peter Petty
Mayor/Chairperson

| | |
|----------------------|---|
| Department: | Office of the Chief Corporate Officer |
| Submitted by: | Project Manager |
| Reference: | ITEM COM17/20 |
| Subject: | TENTERFIELD COMMON EASEMENT AND LOT COMPULSORY ACQUISITION |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|---|
| CSP Goal: | Community - COMM 4 - The community is welcoming, friendly, and inclusive where diverse backgrounds are respected and celebrated. |
| CSP Strategy: | Buildings are well designed, safe and accessible and the new is balanced with the old. |
| CSP Delivery Program | Ensure that Council buildings and facilities meet the needs of users. |

SUMMARY

The purpose of this report is for Council to seek an easement for water supply and right of carriage way within Lot 7023 DP 1126222 and within Lot 7022 DP 1126834. The purpose of this is to provide access to water supply through right of carriage way over these identified Lots for future service and maintenance of Council's water infrastructure.

Additionally, Council is to pursue the subdivision of Lot 7022 in DP 1126834 for the purpose of compulsory acquiring the subdivided Lot known here as 'Proposed Lot 1'. The newly-formed Lot will enable Council to establish security infrastructure and other minor development where required.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Proceed with the compulsory acquisition of the interest in the land described as right of carriageway and easement for water supply within Lot 7023 DP1126222 and within Lot 7022 DP 1126834 for the purpose of creating and obtaining an easement for water supply and right of carriage way to the water source and pump infrastructure in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;**
- (2) Proceed with the compulsory acquisition of the land described as subdivided Lot 7022 DP 1126834 for the purpose of subdivision and acquisition of the newly-formed Lot for the purposes of developing water infrastructure on the site and security infrastructure around the site in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;**
- (3) Make an application to the Minister and the Governor for approval to acquire interest in the land described as right of carriageway and easement for water supply within Lot 7023 DP1126222 by compulsory process under section 186(1) of the Local Government Act;**

Our Community No. 17 Cont...

- (4) Make an application to the Minister and the Governor for approval to acquire the subdivided Lot 7022 DP 1126834 by compulsory process under section 186(1) of the Local Government Act;**
- (5) Classifies the land as operational land;**
- (6) Requests the Minister for Local Government approve a reduction in the notification period from 90 days to 30 days;**
- (7) Proceed with the subdivision of the land described as Lot 7022 DP1126834 and all other processes required for the purpose of compulsory acquisition of the newly-formed Lot in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;**
- (8) Proceed with the compulsory acquisition of the land described as 'Proposed Lot 1' for the purpose of developing a site for established emergency water infrastructure in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.**

BACKGROUND

Tenterfield Shire Council had an urgent need to source water for the Town Water Supply as a result of extreme drought. An extensive ground water search was undertaken and potential ground water bore sites were identified on the Tenterfield Town common land known as Lot 7022 DP 1126834 and Lot 7023 DP 1126222. These Lots are understood to be owned by NSW Crown Land and managed by Tenterfield Common Trust.

Following communications with the Common Trust, four (4) test bores were constructed on Lot 7022 DP1126834. One of these bores has been identified as beneficial and will be set up to deliver ground water to a 130mm diameter UPVS pipeline traversing both Lot 7022 DP1126834 and Lot 7023 DP 1126222.

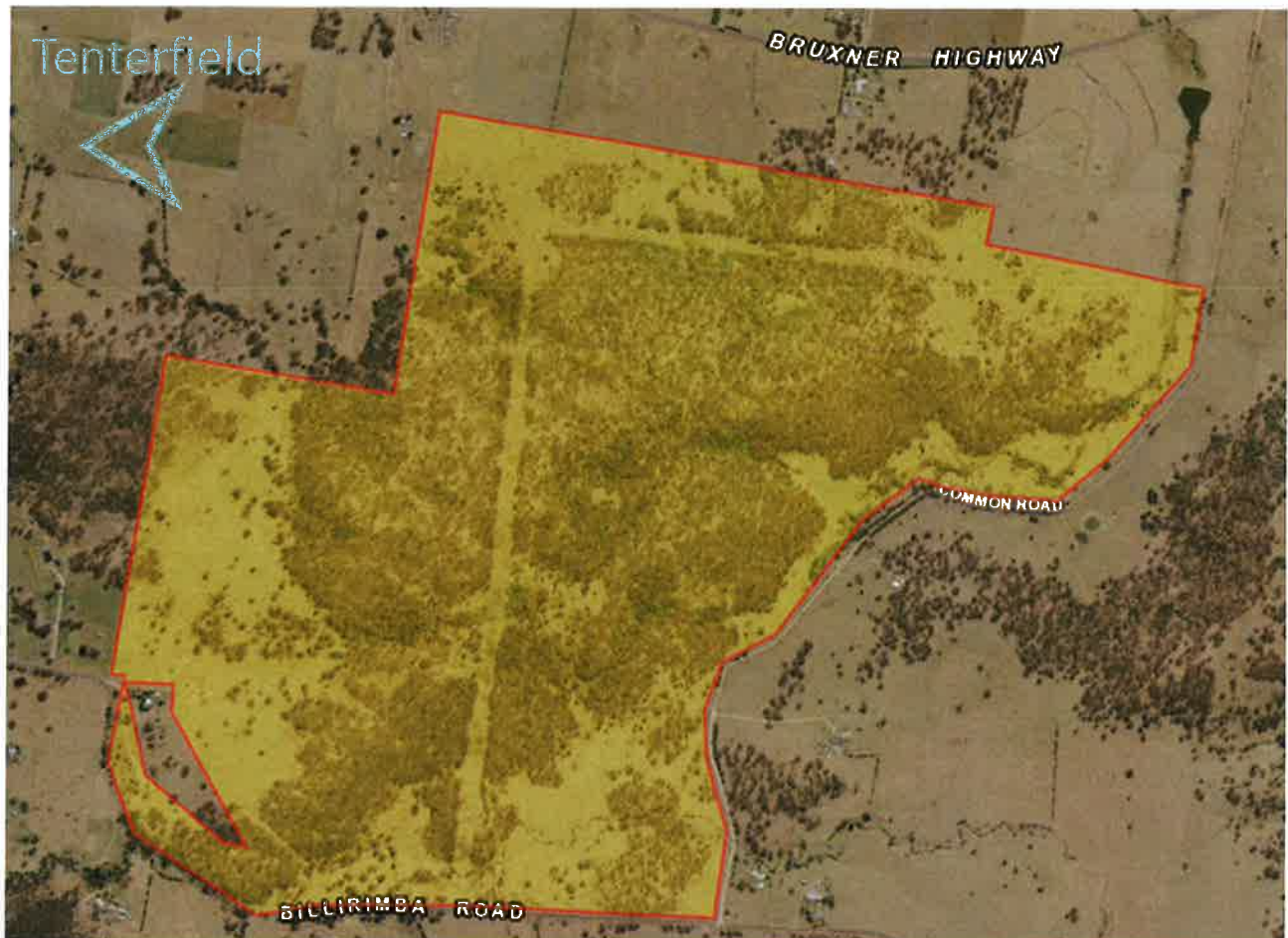
Concurrence has been sought and received from the owner of Lot 580 DP 751540. Also, concurrence was sought from Tenterfield Common Trust for the creation of the easement in order to fulfil obligations for the Compulsory Acquisition process. This has since been adjusted to also include concurrence sought for the subdivision of the new Proposed Lot 1 for the purposes of acquisition for development of fencing and other minor infrastructure; and resent to the Trust.

REPORT:

In response to falling water supply levels due to the drought officially announced in 2017 by the NSW Government, Tenterfield Shire Council commenced a raft of emergency water security investigations and development.

A site located within the Tenterfield Common (site map below) was investigated and found to host sufficient water resources for Council's purposes. A water bore was dug and pump installed for sustainability of water supply to service the Tenterfield community.

Our Community No. 17 Cont...

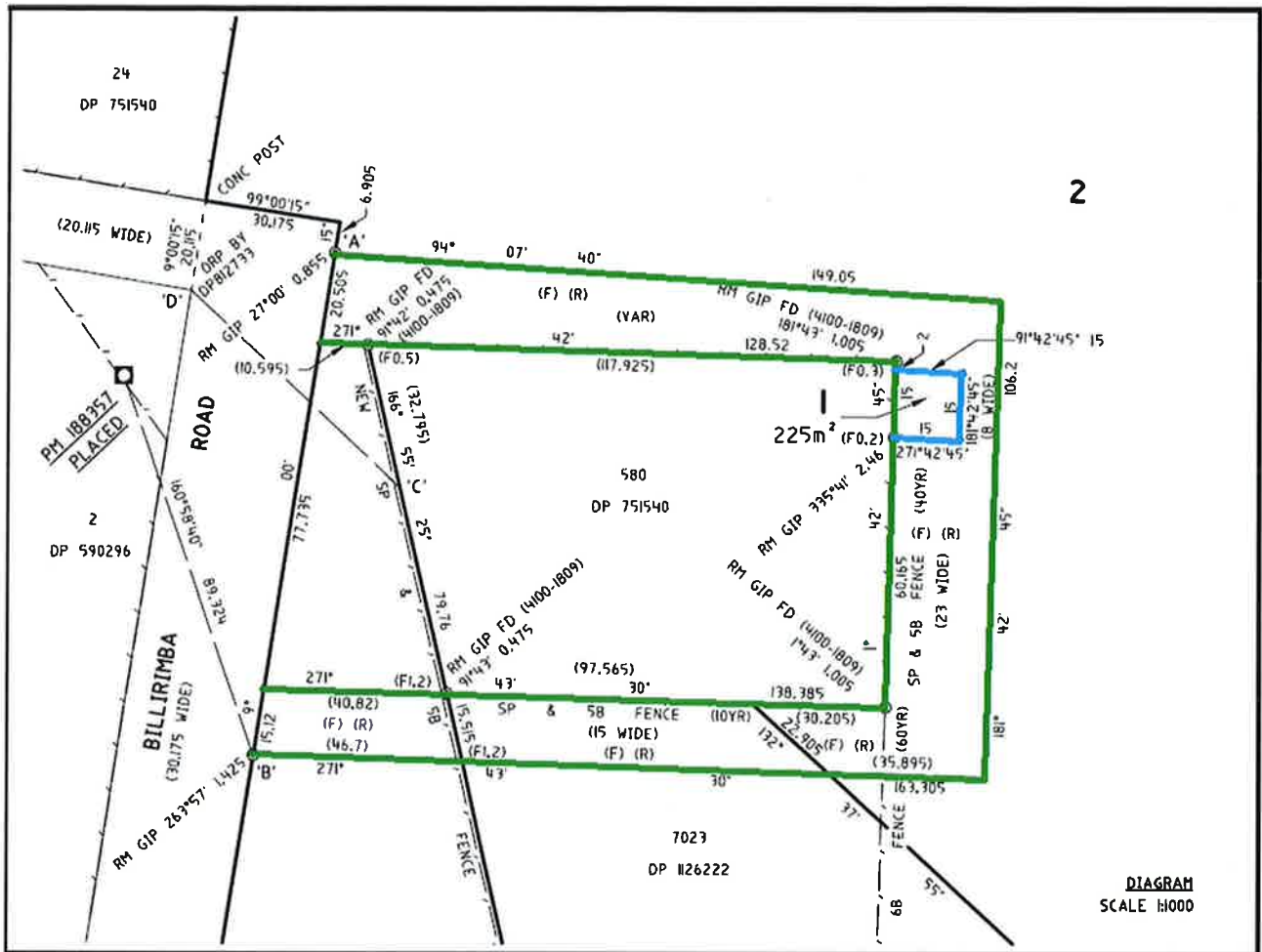


Advice from Crown Land to secure Council's right of carriageway to the emergency water infrastructure was to create an easement over the pump site and access thoroughfare to the pump site. This will then serve ongoing access and maintenance by Council staff for Council assets. The most expedite way to create easements in this case is for Council to compulsory acquire the easement from Crown Land.

An easement for water supply and right of carriage way over Lot 7022 DP 1126834 and Lot 7023 DP 1126222 is requested to provide for the pipeline and for future service and maintenance of Council's infrastructure.

The proposed easement is of variable width between 15 and 23 metres. The location is highlighted green on the attached diagram and generally surrounds the three sides of the privately owned land described as Lot 580 DP 571540. The figure below demonstrates the site location, easement boundaries and proposed subdivision (Lot 1 in the figure) in blue.

Our Community No. 17 Cont...



Council will provide vehicular access gates on the existing fence lines relating to the eastern and western boundaries of Lot 7023 DP 1126222 (near the southern boundary of Lot 580 DP 751540). It is expected that these gates would be normally locked, and Tenterfield Shire Council staff would be in possession of a key. It is important to know that all costs will be borne by Council including all legal and associated costs with creating the easement.

Water bore and pipeline constructed and owned by Tenterfield Shire Council pursuant to Sections 24, 59A and 191A of the Local Government Act 1993. The acquisition is to be completed in accordance with the Land Acquisitions (Just Terms Compensation) Act 1991. The bore and pipeline works, which were constructed under emergency conditions due severe drought and town water supply shortage, are validated as a "Future Act" under section 24KA of the Native Title Act 1993 (NTA) and accordingly, Council is undertaking relevant "Future Act" enquiries. So far no "overlaps" have been identified.

Bore and pipeline construction works were undertaken predominantly during drought conditions during which time the land was de-stocked. Site rehabilitation works were completed to allow animal grazing and related activities in the common to continue unimpeded as experienced in the past. Minimal site impacts or issues occurred during development.

Other likely issues arise with ground water impacts when Council draw water from the ground water reservoir. This is mitigated with flow meters and regular water-table level measures to ensure minimal impact to other users of the water source.

Our Community No. 17 Cont...

Council wish to reduce the 90-day notice period as the matter is urgent and Tenterfield Common Trust, as managers of the land, have been unresponsive to Council's communication requests. Conclusion of this matter is urgent so Council can maintain and begin security development on the site for the water infrastructure. The State Valuation Office is expected to be able to conduct the valuation in the timeline sought.

Council are pursuing with compulsory acquisition of the interest in the land via an easement within the subject Lots and the newly subdivided land from Crown Land in place of acquiring the land by agreement to follow the requirements of the Land Acquisition (Just Terms Compensation) Act 1991 and of NSW Crown Land.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Consultation with adjacent landowners and other impacted users of the site has been commenced and it is necessary to continue with negotiations to complete the land acquisition process for easement and subdivision purposes.

Formal concurrence has been sought by Tenterfield Common Trust, land owner of Lot 580 DP 751540 and Crown Land.

2. Policy and Regulation

- Conveyancing Act 1919
- Local Government Act 1993
- Native Title Act 1993 (Cth)
- Crown Land Management Act 2016
- Land Acquisition (Just Terms Compensation) Act 1991

3. Financial (Annual Budget & LTFP)

An administrative fee of \$672.00 will be incurred by Council to process the Compulsory Acquisition application by way of an invoice to Crown Lands.

Survey and consultation services by the surveyor have already incurred a total cost of \$6941.

Section 88B Instruments set out terms of easements or Profits à Prendre to be created or released, and of restrictions on the use of land or positive covenants intended to be created pursuant to Section 88B of the Conveyancing Act 1919. Council will incur a \$330 legal fee to create the formal easement document.

Any additional costs associated with the compulsory acquisition process will only become apparent during the acquisition process.

Costs associated with compensation due to any interested parties could also occur. However, the costs cannot be identified until the Compulsory Acquisition process is complete and Land Value is determined by the Valuer General. Ongoing costs associated with land ownership is likely to be incurred to Council – yet to be determined through the Compulsory Acquisition process. Additional development costs will occur once the acquisition process concludes to build fencing infrastructure. Ongoing operational costs will incur every time the bore pump is activated or maintained.

Our Community No. 17 Cont...

4. Asset Management (AMS)

Council will acquire the easement over Lot 7022 DP 1126834 and Lot 7023 DP 1126222 and the newly subdivided land known here only as Proposed Lot 1. Council will also acquire any future water infrastructure such as a pump shed and security assets such as security fencing. However, these are yet to be determined and costed.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Project risk is present if Council does not successfully acquire the easement over Lot 7022 DP 1126834 and Lot 7023 DP 1126222 and the newly subdivided land known as Proposed Lot 1. This is very unlikely due to the nature of the initial development completed under drought emergency.

Compensation could be payable to Crown Land or other parties with interest to the site if the Compulsory Acquisition process is successful. However, this cannot be determined until the acquisition process is complete.

A minimal risk of additional financial burden to Council occurring through Native Title and Aboriginal Heritage compensation. Council have minimized this risk through Native Title and Aboriginal Land Claim searches with advice from the relevant NSW Government departments.

Council are unaware of any potential mineral deposits or other mines and minerals in the land and decides that it does not want any of the mines or minerals in the land. If it becomes apparent that the land is subject to any mines and minerals in the land being acquired then Council will act according to the Local Government Act 1993.

7. Performance Measures

Nil.

8. Project Management

Nil.

Tamai Davidson
Actg Chief Corporate Officer

| | |
|-------------------------------|--|
| Prepared by staff member: | James Pryor |
| Approved/Reviewed by Manager: | Tamai Davidson, Actg Chief Corporate Officer |
| Department: | Office of the Chief Corporate Officer |
| Attachments: | There are no attachments for this report. |

| | |
|----------------------|---|
| Department: | Office of the Chief Executive |
| Submitted by: | Manager Economic Development & Community Engagement |
| Reference: | ITEM ECO11/20 |
| Subject: | TENTERFIELD SHIRE COUNCIL ECONOMIC DEVELOPMENT ACTIVATION AND STIMULUS PACKAGE |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Economy - ECON 6 - Tenterfield Shires economic base is robust, growing and supports the creation of a variety of employment and business opportunities. |
| CSP Strategy: | Implement tools to simplify development processes and encourage quality commercial, industrial and residential development. |
| CSP Delivery Program | Provide for and facilitate future economic growth throughout the Shire. |

SUMMARY

The purpose of this report is to propose that:

- A 100% discount on Section 64 Water & Sewer Contributions be applied in relation to all new developments on an existing parcel of land in the RU5 Village zone within the Tenterfield Shire Council if, within two (2) years of the issuing of consent for the new development/s, construction is completed and an Occupation Certificate has been issued. Examples of such developments may include dual occupancies or multiple residential units. To be clear, no Section 64 Water & Sewer Contributions will be required up front on such developments but if within two (2) years an Occupation Certificate has not been issued, the full amount of these contributions will become due and payable based on the Section 64 Water and Sewer Contribution amounts adopted in the Operational Plan at the expiry of the two year period; and
- A contributions discount of 50% (rounded where applicable) on Section 64 Water and Sewer Contributions be applied to all new subdivisions in the RU5 Village zone within Tenterfield Shire Council area; and
- A reduction of 50% be applied to the existing purchase price on remaining lots of industrial estate land to encourage future development.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Implements, effective immediately but not retrospectively, a 100% discount on Section 64 Water & Sewer Contributions in relation to all new developments on an existing parcel of land in the RU5 Village zone within the Tenterfield Shire. The discount will apply for a period of two (2) years from the issuing of development consent, where construction is completed and an Occupation Certificate has been issued within the two (2) year period.**

To be clear, no Section 64 Water & Sewer Contributions will be required up front on such developments but if within two (2) years an Occupation Certificate has not been issued, the full amount of these

Our Economy No. 11 Cont...

contributions will become due and payable based on the Section 64 Water and Sewer Contribution amounts adopted in the Operational Plan at the expiry of the two year period; and

- (2) Introduces a contributions discount of 50% (rounded where applicable) effective immediately but not retrospectively on Section 64 Water and Sewer contributions on all new subdivisions in the RU5 Village Zone within Tenterfield Shire Council; and**
- (3) Amends Council's 2020/2021 Fees & Charges document to reflect the discounts so resolved from the date so resolved; and**
- (4) Reviews the contributions discounts after two (2) years; and**
- (5) Reduces the purchase price of the remaining lots on the Tenterfield Industrial Estate by 50% to encourage further development.**

BACKGROUND

Following the events of the past 18 months and the impact that drought, bushfire and COVID-19 has had on our community, it is timely that Council take this opportunity to capitalise on businesses, families and individuals who are considering their future options. The idyllic notion of relocating to a country community that offers security, healthy lifestyle opportunities, work-life balance and strong community connections is a powerful one.

Attracting new residents to the Tenterfield Shire has long been a key weapon in our economic development armory and over the past 10 years, has proven successful in the attraction of many new residents and businesses to our area.

Recent community engagement sessions and feedback from individual community members have highlighted these initiatives as a positive influence for future investment.

To encourage investment and stimulate our key target groups, the following strategy is recommended for consideration, with the intent of supporting future ongoing development of:

- Residential housing
- Tenterfield Industrial Estate

While the following initiatives are designed to encourage future development, they also assist Tenterfield Shire Council to meet the challenge of providing economic stimulus packages that are both practical and affordable and can be delivered in a timely manner.

REPORT:

Residential:

While there is an unambiguous understanding that increased residential activity creates an increased demand for services there is a similar recognition that an increase in residential density, in areas with existing developed services, provides significant opportunities and advantages.

Our Economy No. 11 Cont...

The recent announcement by the Coalition Government to provide stimulus for new builds and renovations, provides an opportunity for Council to offer an additional incentive to encourage residential and business growth by providing discounts from Council's adopted Section 64 water and sewer contribution plans.

To take advantage of this opportunity, it is recommended that Tenterfield Shire Council provides:

- 1) A 100% discount on Section 64 Water & Sewer Contributions be applied in relation to all new developments on an existing parcel of land in the RU5 Village zone within the Tenterfield Shire Council if, within two (2) years of the issuing of consent for the new development/s, construction is completed and an Occupation Certificate has been issued. To be clear, no Section 64 Water & Sewer Contributions will be required up front on such developments but if within two (2) years an Occupation Certificate has not been issued, the full amount of these contributions will become due and payable based on the Section 64 Water and Sewer Contribution amounts adopted in the Operational Plan at the expiry of the two year period; and
- 2) A contributions discount of 50% on Section 64 Water and Sewer Contributions be applied to all new subdivisions in the RU5 Village zone within Tenterfield Shire Council area.

The discounts will be applied on the following Developer Contribution charges:

Water

Table 7-1 Summary of proposed water supply developer charges

| DSP Area | Capital Charge (\$ per ET) | Reduction Amount (\$ per ET) | Calculated Maximum Developer Charge (\$ per ET) | Adopted Developer Charge (\$ per ET) |
|---------------|----------------------------|------------------------------|---|--------------------------------------|
| DSP Area A | | | | |
| ▪ Tenterfield | \$7,920 | -\$2,826 | \$10,746 | \$10,746 |
| ▪ Urbenville | | | | |
| DSP Area B | | | | |
| ▪ Jennings | \$1,282 | -\$2,826 | \$4,108 | \$4,108 |

Sewer

Table 7-1 Summary of proposed sewerage developer charges

| DSP Area | Capital Charge (\$ per ET) | Reduction Amount (\$ per ET) | Calculated Maximum Developer Charge (\$ per ET) | Adopted Developer Charge (\$ per ET) |
|-------------|----------------------------|------------------------------|---|--------------------------------------|
| Tenterfield | \$16,335 | \$4,072 | \$12,263 | \$12,263 |
| Urbenville | \$2,279 | \$4,072 | <\$0 | \$0 |

New Developments on an Existing Parcel of Land:

For Section 64 Water & Sewer Contributions in relation to all new developments on an existing parcel of land in the RU5 Village zone within the Tenterfield Shire Council if, within two (2) years of the issuing of consent for the new development/s, construction is completed and an Occupation Certificate has been issued, these fees will become \$Nil but, if within two (2) years of issuing consent for the new development an Occupation Certificate has not been issued, the full fee will become due and payable at the adopted

Our Economy No. 11 Cont...

charge for that year. ie as CPI will be applied it will be a higher amount than the above Contributions.

New Subdivisions:

For all new subdivisions in the RU5 Zone within Tenterfield Shire Council, a 50% (rounded where applicable) upfront contributions discount will be applied, effective immediately but not retrospectively, on Section 64 Water and Sewer contributions. For 2020/21 this will result in the following contribution amounts:

- Water for Tenterfield and Urbenville becomes \$5,373
- Water for Jennings becomes \$2,054
- Sewer for Tenterfield becomes \$6,132

Further, it is recommended that both the above discount proposals remain current for a period of two (2) years following their adoption after which the section 64 Water and Sewer contributions discounts be reviewed.

TENTERFIELD INDUSTRIAL ESTATE**Economic Development stimulus for the Tenterfield Industrial Park**

The Tenterfield Shire Council Chief Executive has the authority to negotiate terms and agreement for the sale of Council Tenterfield Industrial Land. A reduction in purchase price may be negotiated if the development is deemed to have a positive effect on the Tenterfield community.

Traditionally, projects that have been presented to council for price reduction and have met the above criteria have generally been reduced by 50% or more of the advertised price. While this practice has been successful in the past, it does slow proceedings and often tests the patience of the developer.

Following discussions with current prospective developers and to help facilitate an outcome that makes the proposition of developing on the Industrial Estate a more appealing opportunity and experience, it is recommended that the property values of each LOT be reduced by 50% of their current advertised price.

| LOT | SIZE | CURRENT PRICE | PROPOSED PRICE |
|-----|---------------------|---------------|----------------|
| 4 | 4028 m ² | \$188,319 | \$94,159.50 |
| 5 | 4028 m ² | \$188,319 | \$94,159.50 |
| 6 | 3099 m ² | \$152,812 | \$76,406.00 |
| 8 | 2667 m ² | \$131,519 | \$65,759.50 |
| 11 | 2180 m ² | \$104,265 | \$52,132.50 |
| 12 | 2168 m ² | \$103,414 | \$51,707.00 |
| 13 | 2954 m ² | \$142,404 | \$71,202.00 |
| 14 | 2299 m ² | \$131,245 | \$65,622.50 |
| 15 | 1920 m ² | \$94,660 | \$47,330.00 |

A further reduction in this price may be negotiated by the Chief Executive of Tenterfield Shire Council if the development is deemed to have a significant impact on Tenterfield's economy.

Issues to be considered include:

- Cost of construction and employment benefits during construction;
- The development of new business or expansion of an existing business;

Our Economy No. 11 Cont...

- Relocation of an existing business;
- Number of full time/part time and casual employees involved in the business;
- Potential future growth of business.

Successful purchasers are required to meet the following conditions to be eligible for the discounted price:

- Development Application must be submitted within six (6) months of purchase
- Construction work must commence within two (2) years of Development Consent being issued

Further activation of the Industrial Estate will stimulate the economy through:

- Increased employment benefits during construction phase;
- Stimulate new business opportunities or expansion of existing businesses;
- Encourage the relocation of an existing business, whether local, regional or interstate;
- Long-term employment benefits with an increase in full time/part time and casual employees;
- Attraction of new and innovative industries.

Property speculators would not be eligible for this discount.

The current mode of advertising and selling of the Industrial Estate is also cumbersome for our Real Estate agencies to engage in active marketing of the industrial estate. Price reductions will enable more proactive marketing of the land for sale.

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

Tenterfield Shire Council regularly hold community engagement sessions with the villages and townships. These proposals have been raised at several community engagement sessions, and by private individuals.

2. Policy and Regulation

The provisions of section 610E of the *Local Government Act 1993* allow Council to waive or reduce fees.

610E Council may waive or reduce fees

(1) A council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.

(2) However, a council must not determine a category of cases under this section until it has given public notice of the proposed category in the same way as it is required to give public notice of the amount of a proposed fee under section 610F(2) or (3).

Further, under Regulation 202 of the Water Management (General) Regulation 2018

Our Economy No. 11 Cont...

202 General power to defer or waive payment of service charges or other charges or fees (1) A water supply authority may, if of the opinion that reasonable cause has been shown— (a) defer payment of a service charge, or any other charge or fee, on such conditions as it thinks fit, or (b) waive such a payment or any part of it.

And further:

254 Fees and charges (1) Subject to this Regulation, a charging authority may waive or reduce any fee or charge imposed under the Act. (2) In this clause, charging authority, in relation to a fee or charge, means the person or body (other than the Minister) that imposes the fee or charge.

3. Financial (Annual Budget & LTFP)

As has been mentioned numerous times, the financial position of Council remains tight and any reduction in income as a result of providing a discount to Section 64 Water and Sewer contributions will impact the sustainability of these funds and Council more broadly.

Section 64 contributions on subdivisions totaled \$60,000 in 2019/2020 and \$42,000 in 2018/2019. It therefore remains to be seen whether offering a 50% discount will result in additional development and the additional rates and charges income needed to ensure Council's financial position (in terms of the additional income that would be generated if no discounts was applied) is recouped. As an example, to generate the \$30K additional income lost by applying the discount there would need to be approximately 12 new rateable properties as a result subdivision. In 2019/20 there were 8 new subdivisions so a 50% increase in subdivision is required.

4. Asset Management (AMS)

N/A

5. Workforce (WMS)

N/A

6. Legal and Risk Management

No action required.

7. Performance Measures

Increase in development applications for secondary dwellings, new businesses and increase in sales of industrial land.

8. Project Management

N/A

Terry Dodds
Chief Executive

Our Economy No. 11 Cont...

Prepared by staff member: Harry Bolton; Paul Della; Tamai Davidson; Caitlin Reid

Approved/Reviewed by Manager: Terry Dodds, Chief Executive

Department: Office of the Chief Executive

Attachments: There are no attachments for this report.

| | |
|----------------------|---|
| Department: | Office of the Chief Corporate Officer |
| Submitted by: | Manager Planning & Development Services |
| Reference: | ITEM ENV14/20 |
| Subject: | DEVELOPMENT SERVICING PLANS WATER & SEWER DEVELOPMENT CONTRIBUTION PLANS 7.11 & 7.12 |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Environment - ENVO 9 - Our natural environment will be protected, enhanced and promoted for future generations. |
| CSP Strategy: | Town and Village planning supports and enhances local place making principles and practice celebrating the diversity of our natural environment. |
| CSP Delivery Program | Identify, plan and enhance local environments in partnership with the community and stakeholders. |

SUMMARY

The purpose of this report is to present to Council for adoption the following Plans;

- Section 7.11 Development Contributions Plan (Subdivisions)
- Section 7.12 Development Contributions Plan (General Development)
- Development Servicing Plan – Sewerage Services
- Development Servicing Plan – Water Supply

The Plans have been developed in accordance with the relevant legislative requirements of the *Environmental Planning & Assessment Act, 1979* and the 2016 *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* issued by the Minister for Lands and Water, pursuant to Section 306(3) of the *Water Management Act, 2000*.

- All Plans repeal the existing Plans previously adopted by Council. This report is to be considered in conjunction with the Tenterfield Shire Council Economic Development Activation and Stimulus Package.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Adopt the Section 7.11 Development Contributions Plan (subdivisions) as per Attachment 1; and**
- (2) Adopt the Section 7.12 Development Contributions Plan (general development) as per Attachment 2; and**
- (3) Adopt the Development Servicing Plan – Water Supply as per Attachment 3; and**
- (4) Adopt the Development Servicing Plan – Sewerage Services as per Attachment 4; and**
- (5) Implement the provisions of the "Tenterfield Shire Council Economic Development Activation & Stimulus Package"; and**

Our Environment No. 14 Cont...

- (6) Adjust the 2020/21 fees and charges to reflect the adopted provisions contained within the "Tenterfield Shire Council Economic Development Activation & Stimulus Package".**

BACKGROUND

In December 2018, Council sought expressions of interest for the undertaking of a review of Development Servicing Plans (DSP) under Section 64 of the *NSW Local Government Act 1993* and Development Contributions Plans under Section 7.11 and 7.12 (formerly Sections 94 and 94A) under the *NSW Environmental Planning & Assessment Act, 1979*.

Cardno were engaged to undertake the work and conduct the necessary investigations, meet legal requirements, undertake workshops and present to Council the draft documents and community consultation.

The Draft documents were placed on public exhibition and a community and developer workshop to explain the content and intent of the Plans was carried out between 27 May and 5 June 2020.

REPORT:

Under the *NSW Local Government Act 1993*, Section 64 enables local governments to impose charges on developments for the provision of water-related infrastructure. Tenterfield Shire Council has previously prepared Section 64 DSPs for potable water supply and sewerage services.

Under the *NSW Environmental Planning and Assessment Act 1979*, Sections 7.11 and 7.12 (formerly sections 94 and 94A), local governments can levy charges on developments for the provision of public facilities and infrastructure. Tenterfield Shire Council has previously prepared Section 94 and 94A Plans.

The DSPs cover water and sewer supply developer charges in regard to the Tenterfield, Urbenville and Jennings development areas serviced by Council. The S7.11 and 7.12 Plans allow Council to impose a condition of development consent requiring contributions for certain development. The Plans can be found at Attachments 1, 2, 3 and 4 (Attachment Booklet 1).

Our Environment No. 14 Cont...

What are the existing water and sewer developer charges?

The below table is extracted from Council’s adopted Fees and Charges 2020/21

Developer Contributions - Section 64 (Under Review)

| Fee Name | 2020/2021 Fee (excl. GST) | 2020/2021 GST | 2020/2021 Fee (incl. GST) |
|--|------------------------------|------------------|------------------------------|
| Sewerage per Equivalent Tenement – Tenterfield | \$6,600.00 | \$0.00 | \$6,600.00 |
| Water per Equivalent Tenement – Tenterfield | \$5,400.00 | \$0.00 | \$5,400.00 |
| Sewerage per Equivalent Tenement – Urbenville | \$2,200.00 | \$0.00 | \$2,200.00 |
| Water per Equivalent Tenement – Urbenville | \$5,500.00 | \$0.00 | \$5,500.00 |
| Water per Equivalent Tenement – Jennings | \$450.00 | \$0.00 | \$450.00 |

What are the developer charges contained in the DSP’s?

Water

Table 7-1 Summary of proposed water supply developer charges

| DSP Area | Capital Charge (\$ per ET) | Reduction Amount (\$ per ET) | Calculated Maximum Developer Charge (\$ per ET) | Adopted Developer Charge (\$ per ET) |
|---|----------------------------|------------------------------|---|--------------------------------------|
| DSP Area A ▪ Tenterfield ▪ Urbenville | \$7,920 | -\$2,826 | \$10,746 | \$10,746 |
| DSP Area B ▪ Jennings | \$1,282 | -\$2,826 | \$4,108 | \$4,108 |

Sewer

Table 7-1 Summary of proposed sewerage developer charges

| DSP Area | Capital Charge (\$ per ET) | Reduction Amount (\$ per ET) | Calculated Maximum Developer Charge (\$ per ET) | Adopted Developer Charge (\$ per ET) |
|-------------|----------------------------|------------------------------|---|--------------------------------------|
| Tenterfield | \$16,335 | \$4,072 | \$12,263 | \$12,263 |
| Urbenville | \$2,279 | \$4,072 | <\$0 | \$0 |

Section 7.11 and 7.12 Developer Contributions

The purpose of the Plans is to enable the consent authority (Council) to impose a condition of development consent requiring contributions for certain development that generates an increased demand for public facilities.

All contributions received in accordance with the Plans will be used for the provision, extension and/or augmentation/refurbishment of public facilities. In some instances the contributions will be used to recoup the costs of public facilities provided in anticipation of future development and increased needs.

Our Environment No. 14 Cont...

Current and proposed s7.11 Development Contributions - Subdivisions

| Facility Type | Method | Original Calculated Rate 2013 | Adopted Rate 2013 | Indexed Rate 2020/21 (current charges) | New Calculated Rate Mar20 (Based on populated growth 2020-2030) In the RU1 Zone identified on the LEP Rural Residential Subdivision Maps pursuant to Clause 4.2c | New Calculated Rate Mar20 (Based on populated growth 2020-2030 in the RU1 Zone) |
|-------------------------------------|--------------|-------------------------------|-------------------|--|--|---|
| Plan Preparation and Administration | Per approval | \$205 | \$205 | \$232 | \$248 | \$248 |
| Roads | Per lot | \$10,340 | \$4,000 | \$4520 | \$6,953 | \$4,438 |
| Emergency Services | Per lot | \$824 | \$400 | \$452 | \$468 | \$444 |
| Community and Civic Facilities | Per lot | \$240 | \$240 | \$272 | \$238 | \$267 |
| Open Space, Sporting and Recreation | Per lot | \$144 | \$100 | \$113 | \$82 | \$111 |
| Waste Management | Per lot | \$1,496 | \$750 | \$847 | \$849 | \$832 |
| Drainage | Per lot | \$564 | \$560 | | \$355 | |

Current and Proposed s7.12 Development Contributions - General Development

The S7.12 Development Contributions Plan applies to all applications for development consent and complying development certificates with the exception of applications captured in the S7.11 plan (subdivisions).

Current contributions are levied for "residential medium density" and "commercial/industrial development" and are based on the number of bedrooms proposed.

Our Environment No. 14 Cont...

Residential Medium Density

| Fee Name | 2020/2021 Fee (excl. GST) | 2020/2021 GST | 2020/2021 Fee (incl. GST) |
|--|------------------------------|------------------|------------------------------|
| Plan Preparation & Administration | \$232.00 | \$0.00 | \$232.00 |
| Emergency Services per Bedsitter | \$169.00 | \$0.00 | \$169.00 |
| Emergency Services 1 Bedroom Dwelling | \$226.00 | \$0.00 | \$226.00 |
| Emergency Services 2 Bedroom Dwelling | \$339.00 | \$0.00 | \$339.00 |
| Emergency Services 3 Bedroom Dwelling | \$452.00 | \$0.00 | \$452.00 |
| Community & Civic Facilities per Bedsitter | \$68.00 | \$0.00 | \$68.00 |
| Community & Civic Facilities 1 Bedroom Dwelling | \$135.00 | \$0.00 | \$135.00 |
| Community & Civic Facilities 2 Bedroom Dwelling | \$204.00 | \$0.00 | \$204.00 |
| Community & Civic Facilities 3 Bedroom Dwelling | \$272.00 | \$0.00 | \$272.00 |
| Open Space, Sporting & Recreation per Bedsitter | \$34.00 | \$0.00 | \$34.00 |
| Open Space, Sporting & Recreation per 1 Bedroom Dwelling | \$68.00 | \$0.00 | \$68.00 |
| Open Space, Sporting & Recreation per 2 Bedroom Dwelling | \$113.00 | \$0.00 | \$113.00 |
| Open Space, Sporting & Recreation per 3 Bedroom Dwelling | \$159.00 | \$0.00 | \$159.00 |
| Waste Management per Bedsitter | \$339.00 | \$0.00 | \$339.00 |
| Waste Management 1 Bedroom Dwelling | \$452.00 | \$0.00 | \$452.00 |
| Waste Management 2 Bedroom Dwelling | \$679.00 | \$0.00 | \$679.00 |
| Waste Management 3 Bedroom Dwelling | \$847.00 | \$0.00 | \$847.00 |
| Drainage per Bedsitter | \$159.00 | \$0.00 | \$159.00 |
| Drainage per 1 Bedroom Dwelling | \$316.00 | \$0.00 | \$316.00 |
| Drainage per 2 Bedroom Dwelling | \$474.00 | \$0.00 | \$474.00 |
| Drainage per 3 Bedroom Dwelling | \$632.00 | \$0.00 | \$632.00 |

Commercial/Industrial Development

| Fee Name | 2020/2021 Fee (excl. GST) | 2020/2021 GST | 2020/2021 Fee (incl. GST) |
|-----------------------------------|------------------------------|------------------|---|
| Plan Preparation & Administration | \$232.00 | \$0.00 | \$232.00 |
| Car Parking | \$4,745.00 | \$0.00 | \$4,745.00 |
| Waste Management | | | Merit Assessment of Min. Fee (excl. GST): \$1,690.00 Min. Fee (incl. GST): \$1,690.00 |
| Drainage | | | Merit Assessment of Min. Fee (excl. GST): \$637.00 Min. Fee (incl. GST): \$637.00 |

Instead of the above, the contribution shall be calculated from the following table, using the estimated cost of the development. This method provides a simpler method of calculating contributions for applicants and Council alike.

| Project Value for New Development | Levy Rate (%) |
|---|---------------|
| Up to and including \$100,000 | Nil |
| More than \$100,000 and up to \$200,000 | 0.5 |
| More than \$200,000 | 1.0 |

COUNCIL IMPLICATIONS:

- 1. Community Engagement / Communication (per engagement strategy)**
All plans were subject to community consultation in line with legislative requirements, including an on line workshop session with interested parties. A copy of the "Community Consultation Feedback" report and review of submissions can be found at Attachment 5 (Attachment Booklet 2).

Our Environment No. 14 Cont...

2. Policy and Regulation

Adoption of the Plans will repeal the following existing plans;

- Tenterfield Shire Council Section 94 Contributions Plan (S.94 Plan) – Aug 2013
- Tenterfield Shire Council Section 94A Contributions Plan (S.94A Plan) – Sep 2013
- Development Servicing Plan – Water Supply Services – July 2012
- Development Servicing Plan – Sewerage Services – July 2012

The Plans have been prepared in accordance with the requirements of legislation and government guidelines. The plans are developed on the technical requirements as set down in the relevant legislation, Council does not have the ability to reduce the actual dollar amounts within the plans.

The developer charge is expressed per equivalent tenement (ET), which is defined as the impact on the network from a single detached residential dwelling. They are calculated as the present value (PV) of the capital expenditures over time required to service the development area (the "capital charge") less the PV of the expected net income over time from providing services to the development area (the "reduction amount").

$$\text{Developer Charge} = \text{Capital Charge} - \text{Reduction Amount}$$

where:

- Capital Charge = cost of asset provision (both historical up to 30 years old* and forecast spend)
- Reduction amount = net income received from annual bills (total income less OMA expenses).

In order to calculate the present value of the capital charge and reduction amount, a growth forecast for the ET's is required. This is based on the population projection for the LGA and forms part of the nexus linking demand to the need for improvements to the water and sewer service networks.

*Note: Under regulation capital items are excluded at 30 years of age even though these assets have a longer life. eg Water or sewer treatment plants.

3. Financial (Annual Budget & LTFP)

The funds collected and the provision of public facilities and services in accordance with the Plans will be directed to the implementation of the Works Schedule which forms part of the Plans. The Works Schedule lists specific projects that will provide public facilities and services to meet the needs generated by new development. Implementation of the Plans will ensure the existing community does not unreasonably bear the costs generated by new development

4. Asset Management (AMS)

The management, including operation, maintenance and renewal of Council's assets is increasing in cost, even on a base line level due to increasing expenses

Our Environment No. 14 Cont...

and demands from the community. It is important to offset any further increases from additional assets created from new development being a burden to the existing community. New assets passed on to Council's responsibility should not only be in good as new condition, they should also be durable into the long term with negligible maintenance cost.

5. Workforce (WMS)

No implications.

6. Legal and Risk Management

The review of Development Servicing Plans under Section 64 of the *NSW Local Government Act 1993* and Development Contributions Plans under Section 7.11 and 7.12 (formerly Sections 94 and 94A) under the *NSW Environmental Planning and Assessment Act 1979*.

7. Performance Measures

No implications.

8. Project Management

No implications.

Tamai Davidson

Actg Chief Corporate Officer

| | | | | | | | | | | | | | | | | |
|-------------------------------|--|-------------|--|-------------|----------|---|-------------|----------|---|-------------|----------|--|-------------|----------|---|-------------|
| Prepared by staff member: | Tamai Davidson | | | | | | | | | | | | | | | |
| Approved/Reviewed by Manager: | Tamai Davidson, Actg Chief Corporate Officer | | | | | | | | | | | | | | | |
| Department: | Office of the Chief Corporate Officer | | | | | | | | | | | | | | | |
| Attachments: | <table> <tr> <td>1</td> <td>Attachment 1 (Attachment Booklet 1) - Section 7.11 Development Contributions Plan (Subdivisions)</td> <td>35 Pages</td> </tr> <tr> <td>2</td> <td>Attachment 2 (Attachment Booklet 1) - Section 7.12 Development Contributions Plan (General Development)</td> <td>30 Pages</td> </tr> <tr> <td>3</td> <td>Attachment 3 (Attachment Booklet 1) - Development Servicing Plan - Water Supply</td> <td>64 Pages</td> </tr> <tr> <td>4</td> <td>Attachment 4 (Attachment Booklet 1) - Development Servicing Plan - Sewerage Services</td> <td>55 Pages</td> </tr> <tr> <td>5</td> <td>Attachment 5 (Attachment Booklet 2) - Community Consultation Feedback</td> <td>95 Pages</td> </tr> </table> | 1 | Attachment 1 (Attachment Booklet 1) - Section 7.11 Development Contributions Plan (Subdivisions) | 35 Pages | 2 | Attachment 2 (Attachment Booklet 1) - Section 7.12 Development Contributions Plan (General Development) | 30 Pages | 3 | Attachment 3 (Attachment Booklet 1) - Development Servicing Plan - Water Supply | 64 Pages | 4 | Attachment 4 (Attachment Booklet 1) - Development Servicing Plan - Sewerage Services | 55 Pages | 5 | Attachment 5 (Attachment Booklet 2) - Community Consultation Feedback | 95 Pages |
| 1 | Attachment 1 (Attachment Booklet 1) - Section 7.11 Development Contributions Plan (Subdivisions) | 35 Pages | | | | | | | | | | | | | | |
| 2 | Attachment 2 (Attachment Booklet 1) - Section 7.12 Development Contributions Plan (General Development) | 30 Pages | | | | | | | | | | | | | | |
| 3 | Attachment 3 (Attachment Booklet 1) - Development Servicing Plan - Water Supply | 64 Pages | | | | | | | | | | | | | | |
| 4 | Attachment 4 (Attachment Booklet 1) - Development Servicing Plan - Sewerage Services | 55 Pages | | | | | | | | | | | | | | |
| 5 | Attachment 5 (Attachment Booklet 2) - Community Consultation Feedback | 95 Pages | | | | | | | | | | | | | | |

| | |
|----------------------|---|
| Department: | Office of the Chief Executive |
| Submitted by: | Executive Assistant & Media |
| Reference: | ITEM GOV39/20 |
| Subject: | MONTHLY OPERATIONAL REPORT - JUNE 2020 |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities. |
| CSP Strategy: | Council's decision making processes are open, accountable and based on sound integrated planning. |
| CSP Delivery Program | Promote and support community involvement in Council decision making process. |

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 2019/2020 Operational Plan. This is the final report for the 2019/2020 period.

OFFICER'S RECOMMENDATION:

That Council receives and notes the status of the Monthly Operational Report for June 2020.

REPORT:

Due to concerns raised by staff members and Councillors with the CAMMS Strategy Integrated Planning and Reporting program, the Monthly Operational Report has reverted to the previous format to facilitate clarity of issues and ease of reading.

Six monthly reporting on the Operational Report will continue to be generated through the CAMMS program.

Terry Dodds
Chief Executive

| | |
|-------------------------------|---|
| Prepared by staff member: | Noelene Hyde, Executive Assistant & Media |
| Approved/Reviewed by Manager: | Terry Dodds, Chief Executive |
| Department: | Office of the Chief Executive |
| Attachments: | 1 Attachment 6 (Attachment Booklet 124 3) - Monthly Operational Report - Pages June 2020 |

| | |
|----------------------|--|
| Department: | Office of the Chief Executive |
| Submitted by: | Executive Assistant & Media |
| Reference: | ITEM GOV40/20 |
| Subject: | LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - 22 to 24 NOVEMBER 2020 |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|------------------------------|---|
| CSP Goal: | Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities. |
| CSP Strategy: | We partner with the community, business and Federal and State Government in the achievement of our goals. |
| Delivery Plan Action: | Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region. |

SUMMARY

The purpose of this report is for Council to consider Council representation and Council's voting delegate at the Local Government NSW Annual Conference to be held at Cessnock from Sunday, 22 to Tuesday, 24 November 2020 at the Crowne Plaza Hunter Valley, 430 Wine Country Drive, Lovedale.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Approve the attendance of the Mayor, Deputy Mayor and Chief Executive to represent Council at the Local Government NSW Annual Conference at Lovedale, 22 to 24 November 2020.**
- (2) Endorse the Mayor as the voting delegate of Tenterfield Shire Council for the Annual Conference.**
- (3) Consider motions for submission to the 2020 Local Government NSW Annual Conference.**

BACKGROUND

The Local Government NSW Annual Conference was traditionally attended by the Mayor and Chief Executive, however Resolution 117/19 includes the attendance of the Deputy Mayor with the *Councillor Expenses & Facilities Policy 1.160* being updated accordingly.

The Mayor is the voting delegate with costs allocated in Council's 2020/2021 budget accordingly.

REPORT:

The Conference is the annual policy-making event for NSW general-purpose Councils, associated members and the NSW Aboriginal Land Council. It is the pre-eminent event of the Local Government year where local Councillors come together to share ideas and debate issues that shape the way we are governed.

Our Governance No. 40 Cont...

The Conference will provide the opportunity for the Mayor and Chief Executive to meet with other Local Government representatives and politicians.

All members can put forward motions to be considered at the Conference. Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

Members are requested to submit motions by midnight, Monday, 28 September 2020 although in line with the LGNSW rules, the latest date motions will be accepted for inclusion in the Conference Business Paper is midnight, Sunday, 25 October 2020.

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

Nil.

2. Policy and Regulation

- *Councillor Expenses & Facilities Policy 1.160*

3. Financial (Annual Budget & LTFP)

Allocation has been made in the 2020/2021 budget for the attendance of the Mayor and/or Councillors and the Chief Executive at Conferences, however an estimate of cost per delegate is as follows:

- Estimated Early Bird Registration \$900.00 (not confirmed at this time)
- Accommodation (2 nights) \$200.00 per night allowable as per Policy
- No requirement for airfares as travel will be by Council vehicle

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Terry Dodds
Chief Executive

Our Governance No. 40 Cont...

Prepared by staff member: Noelene Hyde, Executive Assistant & Media
Approved/Reviewed by Manager: Terry Dodds, Chief Executive
Department: Office of the Chief Executive
Attachments: There are no attachments for this report.

| | |
|----------------------|--|
| Department: | Office of the Chief Corporate Officer |
| Submitted by: | Manager Customer Service, Governance & Records |
| Reference: | ITEM GOV41/20 |
| Subject: | TENTERFIELD SHIRE COUNCIL CUSTOMER SATISFACTION SURVEY 2020 |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities. |
| CSP Strategy: | Council's decision making processes are open, accountable and based on sound integrated planning. |
| CSP Delivery Program | Promote and support community involvement in Council decision making process. |

SUMMARY

The purpose of this report is to present the Tenterfield Shire Council Customer Satisfaction Survey 2020 Final Report.

OFFICER'S RECOMMENDATION:

That Council receive and note the Tenterfield Shire Council Customer Satisfaction Survey 2020 Final Report.

BACKGROUND

As required under Council's Integrated Planning and Reporting framework, Council undertakes a survey of Tenterfield Shire residents every two years to promote and support community involvement in Council decision making processes. The last Tenterfield Shire Council Customer Satisfaction Survey was undertaken by IRIS Research in 2018.

REPORT:

The Tenterfield Shire Council Customer Satisfaction Survey 2020 was undertaken between 20 May and 2 June 2020. 402 residents were surveyed by IRIS Research Services by telephone or internet. The format of the survey follows the framework of Council's current Community Strategic Plan, with questions targeted to elicit responses to:

- Our Community
- Our Economy
- Our Environment
- Our Leadership
- Our Transport

In summary:

- 43% of residents are satisfied overall with the services and facilities provided by Council.
- The average overall satisfaction rating is 3.31 out of 5. This is a medium level satisfaction score and is in line with the result from 2018 (3.29).

Our Governance No. 41 Cont...

- Five of 25 services recorded statistically significant improvement in average satisfaction, including all services related to the maintenance of the road network.
- Two services (water supply and sewerage services) recorded declines in average satisfaction.

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

The delivery of the Customer Satisfaction Survey every two years meets Council's Community Engagement Strategy goal that Council's decision making processes are open, accountable and based on sound integrated planning. The results of the survey allow Council to determine appropriate priorities and resourcing for the delivery of services. The next survey will be undertaken in 2022.

2. Policy and Regulation

Nil.

3. Financial (Annual Budget & LTFP)

The cost of undertaking the biannual Customer Satisfaction Survey is included in Council's budget every two years.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Tamai Davidson

Actg Chief Corporate Officer

Prepared by staff member:

Erika Bursford

Approved/Reviewed by Manager:

Tamai Davidson, Actg Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

1 Attachment 7 (Attachment Booklet 73
4) - Tenterfield Shire Council Pages
Customer Satisfaction Survey 2020
Final Report

| | |
|----------------------|---|
| Department: | Office of the Chief Executive |
| Submitted by: | Manager Finance & Technology |
| Reference: | ITEM GOV42/20 |
| Subject: | COUNCILLOR SUPERANNUATION DISCUSSION PAPER |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities. |
| CSP Strategy: | Council's decision making processes are open, accountable and based on sound integrated planning. |
| CSP Delivery Program | Promote and support community involvement in Council decision making process. |

SUMMARY

The purpose of this report is to inform Council and the Community of the outcome of public consultation into a discussion paper issued by the Office of Local Government on Councillor Superannuation and for Council to advise which of the four options listed, should be submitted to the Office of Local Government by the Friday, 7 August 2020 deadline.

OFFICER'S RECOMMENDATION:
That Council:

- (1) Note that there was no feedback arising from Community Consultation on this matter;**
- (2) Selects the option of: *(options not selected to be deleted from the recommendation/resolution)***
 - a) Maintaining the status quo; or**
 - b) Amending the NSW Local Government Act 1993 to require councils to pay a portion of the Mayor and Councillor fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the Mayor and Councillors; or**
 - c) Amending the NSW Local Government Act 1993 to require Councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the Mayor and Councilors in addition to the payment of Mayor and Councillor fees; or**
 - d) Amending the NSW Local Government Act 1993 to give Councils the option to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the Mayor and Councillors in addition to the Mayor and Councillor fees.**

As a response to the Office of Local Government's Councillor Superannuation Discussion Paper;

Our Governance No. 42 Cont...

(3) That Council staff notify the Office of Local Government of the option Council has selected by Friday, 7 August 2020.

BACKGROUND

In March 2020, a Discussion Paper was released by the Office of Local Government on the issue of Councillor Superannuation. As COVID struck soon after the release of this document, the closing date for submissions is now Friday, 7 August 2020.

In the forward to the document, the Hon Shelley Hancock MP, Minister for Local Government comments that:

"Under Commonwealth legislation, councils are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors because they are not employees of Councils."

The Minister goes onto say that one of the contributing factors deterring women from nominating for Council is the lack of superannuation payments and that this also contributes to deterring people under 35 years from nominating to be on Council.

Further, remuneration of Mayors and Councillors is set independently by the Local Government Remuneration Tribunal. It is currently possible though, for Councils to make superannuation contributions on behalf of Mayors and Councillors on a pre-tax basis out of the fees they received from Council as determined by the Tribunal

The Minister goes onto say:

"However the Government recognises that not everyone agrees with the current arrangements and acknowledges the calls for councils to be required to make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fees. The purpose of this discussion paper is to encourage further discussion about this issue and assist the Government in better understanding the views of the local government sector and the broader community."

The report goes onto discuss the existing remuneration system for Mayors and Councillors, the arguments for and against making superannuation contributions to Mayors and Councillors and provides some different options and legislative models.

REPORT:

The key questions that the Discussion Paper is asking to be considered are:

- 1) Should Councils be required to make superannuation contributions for the Mayor and Councillors?
- 2) Should contributions be made as a portion of Mayors and Councillors fees or in addition to them?
- 3) Which is your preferred option?
- 4) Do you have an alternative suggested option?

Our Governance No. 42 Cont...

The reasons put forward in the Discussion Paper as to why Mayors and Councillors should receive superannuation payments in addition to their fees are:

- 1) It will ensure the Mayor and Councillors are adequately remunerated for the performance of their duties;
- 2) It will address a historic anomaly that has seen Mayors and Councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce; and
- 3) It is hoped it will encourage more women to stand as candidates for election to Councils.

The arguments for these are outlined in the Discussion Paper and Council staff won't attempt to taint them with additional commentary but from a financial perspective if introduced, the likely additional cost is \$14,072.44 while the percentage is set at 9.5%, recognising that this is likely to increase to 12% in the future.

In terms of the options suggested by the Office of Local Government, the following four options are provided in the Discussion Paper:

- 1) Maintaining the status quo; or
- 2) Amending the NSW Local Government Act 1993 to require councils to pay a portion of the Mayor and Councillor fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the Mayor and Councillors; or
- 3) Amending the NSW Local Government Act 1993 to require Councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the Mayor and Councilors in addition to the payment of Mayor and Councillor fees; or
- 4) Amend the NSW Local Government Act 1993 to give Councils the option to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the Mayor and Councillors in addition to the Mayor and Councillor fees.

COUNCIL IMPLICATIONS:

- 1. Community Engagement / Communication (per engagement strategy)**
The Discussion Paper on Councillor Superannuation was placed on public exhibition for the required period and no public submissions were received.
- 2. Policy and Regulation**
Not applicable.
- 3. Financial (Annual Budget & LTFP)**
Choosing an option to pay superannuation to the Mayor and Councillors would add an additional \$14,072.44 in expenditure based on the current Superannuation Guarantee Levy of 9.5% and the current payments to the Mayor and Councillors.

Our Governance No. 42 Cont...

4. Asset Management (AMS)

Not applicable.

5. Workforce (WMS)

Not applicable.

6. Legal and Risk Management

Not applicable.

7. Performance Measures

Not applicable.

8. Project Management

Not applicable.

Terry Dodds
Chief Executive

Prepared by staff member:

Paul Della; Noelene Hyde

Approved/Reviewed by Manager:

Terry Dodds, Chief Executive

Department:

Office of the Chief Executive

Attachments:

1 Councillor Superannuation
Discussion Paper

14
Pages



Office of
Local Government

COUNCILLOR SUPERANNUATION

Discussion paper

March 2020

Strengthening local government

ACCESS TO SERVICES

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OFFICE HOURS

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(Special arrangements may be made if these hours are unsuitable)
The office is wheelchair accessible.

ALTERNATIVE MEDIA PUBLICATIONS

Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact Client Services on 02 4428 4100.

DISCLAIMER

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www.olg.nsw.gov.au

Minister's foreword



Since becoming the Minister for Local Government, I have actively engaged with local councils across New South Wales. I am constantly impressed by the passion held by our mayors and councillors, and frequently find myself commenting on the incredible work ethic of many who continually deliver for their communities.

I am proud to be a part of a Government that is committed to supporting councils to deliver for their local communities. Since 2011 this Government has provided more than \$9 billion to local councils to deliver and improve local infrastructure, services and facilities for their communities. About half of this funding has gone to regional and rural communities which are struggling through one of the worst droughts on record and are recovering and rebuilding after the recent natural disasters. This funding boost has helped local councils provide the very things that make our communities tick – from local infrastructure to essential services and programs that unite local residents.

Under Commonwealth legislation, councils are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors because they are not employees of councils. Recently I was pleased to host a workshop where the obstacles that deter women from nominating to be a councillor or mayor were identified, and the lack of superannuation payments was one of the barriers raised. It can also be said that this goes some way in deterring people under 35 from representing their community on their local council.

As you know, mayors and councillors currently receive a level of remuneration that is independently set by the Local Government Remuneration Tribunal based on the application of a range of criteria. It is currently possible for councils to make superannuation contributions on behalf of mayors and councillors on a pre-tax basis out of the fees they receive from the council as determined by the Tribunal.

However, the Government recognises that not everyone agrees with the current arrangements and acknowledges the calls for councils to be required to make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fees. The purpose of this discussion paper is to encourage further discussion about this issue and assist the Government in better understanding the views of the local government sector and the broader community.

The discussion paper:

- provides information on the current system for setting councillor remuneration and the legislation governing superannuation contributions for elected officials
- sets out the arguments for and against the payment of superannuation contributions for mayors and councillors, and
- provides different options and legislative models.

I welcome your input into this conversation and look forward to hearing your views.

The Hon Shelley Hancock MP
Minister for Local Government

1. Should mayors and councillors in NSW receive superannuation payments in addition to their fees?

Reasons that mayors and councillors should receive superannuation payments in addition to their fees can be summarised as follows:

- it will ensure that mayors and councillors are adequately remunerated for the performance of their duties
- it will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce, and
- it is hoped it will encourage more women to stand as candidates for election to councils.

Each of these arguments are examined below.

Are NSW mayors and councillors adequately remunerated?

In NSW, the remuneration received by mayors and councillors is independently set by an expert tribunal, the Local Government Remuneration Tribunal.

Under section 239 of the NSW *Local Government Act 1993* (the Act), the Tribunal is required to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.

To ensure that mayors and councillors receive remuneration that is commensurate with, and reflects their workload and responsibilities, the Tribunal is required to consider a range of criteria under section 240 of the Act in determining remuneration categories. These include:

- the size, physical terrain, population and the distribution of the population of each local government area
- the nature and volume of business dealt with by each council
- the nature and extent of the development of each local government area
- the diversity of the communities each council serves
- the regional, national and international significance of the council, and
- any other matters the Tribunal considers relevant to the provision of efficient and effective local government.

The Tribunal last undertook a significant review of the categories and the allocation of councils into each of the categories in 2017. The Tribunal has indicated that it will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.

Under section 241 of the Act, the Tribunal is required to determine, no later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

As noted above, in determining the maximum and minimum fees payable in each of the categories, the Tribunal is required under section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as the Industrial Relations Commission.

The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

However, the Tribunal is able to determine that a council can be placed into another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A(3) of the Act. This means that where, for whatever reason, the workload or responsibilities of the mayor and councillors increase, they may receive an increase in remuneration that reflects their increased workload even if that increase exceeds the 2.5% public sector wages cap.

The current remuneration levels for mayors and councillors in each category are set out below:

Table 1: Minimum and maximum fees for NSW mayors and councillors

| Category | Councils in Category | Councillor/Member Annual Fee | | Mayor/Chairperson Additional Fee* | | |
|---|-------------------------|------------------------------|---------|-----------------------------------|---------|---------|
| | | Minimum | Maximum | Minimum | Maximum | |
| General Purpose Councils – Metropolitan | Principal CBD | 1 | 27,640 | 40,530 | 169,100 | 222,510 |
| | Major CBD | 1 | 18,430 | 34,140 | 39,160 | 110,310 |
| | Metropolitan Large | 8 | 18,430 | 30,410 | 39,160 | 88,600 |
| | Metropolitan Medium | 9 | 13,820 | 25,790 | 29,360 | 68,530 |
| | Metropolitan Small | 11 | 9,190 | 20,280 | 19,580 | 44,230 |
| General Purpose Councils – Non - metropolitan | Regional City | 2 | 18,430 | 32,040 | 39,160 | 99,800 |
| | Regional Strategic Area | 2 | 18,430 | 30,410 | 39,160 | 88,600 |
| | Regional Rural | 37 | 9,190 | 20,280 | 19,580 | 44,250 |
| | Rural | 57 | 9,190 | 12,160 | 9,780 | 26,530 |
| County Councils | Water | 4 | 1,820 | 10,140 | 3,920 | 16,660 |
| | Other | 6 | 1,820 | 6,060 | 3,920 | 11,060 |

* Mayors and county council chairpersons receive their fee **in addition to** the fee they receive as a councillor/member.

A comparison of average remuneration received by mayors and councillors in NSW with the remuneration received by their counterparts in other jurisdictions indicates that NSW councillors receive similar or higher levels of remuneration than their counterparts in other jurisdictions other than Queensland.

Table 2: Interjurisdictional comparison of councillor remuneration (as paid at March 2020)

| Jurisdiction | Average | Lowest Fee | % NSW fee | Highest fee | % NSW fee |
|-----------------|---------|------------|-----------|-------------|-----------|
| NSW | 24,860 | 9,190 | | 40,530 | |
| QLD | 141,066 | 53,049 | 577% | 160,938 | 397% |
| VIC | 27,999 | 8,833 | 96% | 47,165 | 116% |
| TAS | 23,372 | 9,546 | 104% | 37,198 | 92% |
| WA | 17,634 | 3,589 | 39% | 31,678 | 78% |
| NT ¹ | 13,283 | 4,428 | 48% | 22,137 | 55% |
| SA | 16,215 | 6,500 | 71% | 25,930 | 64% |

Table 3: Interjurisdictional comparison of mayors' remuneration (as paid at March 2020)

| Jurisdiction | Average | Lowest Fee | % NSW fee | Highest fee | % NSW fee |
|--------------|---------|------------|-----------|-------------|-----------|
| NSW | 141,005 | 18,970 | | 263,040 | |
| QLD | 185,824 | 106,100 | 1,030% | 265,549 | 101% |
| VIC | 131,877 | 62,884 | 331% | 200,870 | 76% |
| TAS | 58,430 | 23,863 | 125% | 92,997 | 35% |
| WA | 94,443 | 4,102 | 22% | 184,784 | 70% |
| NT | 73,856 | 24,619 | 130% | 123,093 | 47% |
| SA | 101,500 | 26,000 | 137% | 177,000 | 67% |

¹ NT's councillor and mayoral fees are based on the Councillor Member Allowances for July 2018-2019

Have NSW mayors and councillors been denied a financial benefit received by other members of the workforce through the payment of the superannuation guarantee?

The superannuation guarantee was introduced in 1992-93, with compulsory contributions rising at regular intervals from 3 per cent of wages in that year to 9 per cent in 2002-03 and 9.5 per cent in 2013-14. The superannuation guarantee is scheduled to rise incrementally from 9.5 per cent of wages today to 12 per cent by July 2025.

While superannuation guarantee payments are made in addition to an employee’s wages, as the Grattan Institute has demonstrated², higher compulsory superannuation contributions are ultimately funded by lower wages. When the superannuation guarantee increases, this is wholly or mostly borne by workers who receive smaller pay rises and lower take-home pay. For example, when the superannuation guarantee increased by from 9 per cent to 9.25 per cent in 2013, the Fair Work Commission stated in its minimum wage decision that the proposed minimum wage increase was “*lower than it otherwise would have been in the absence of the Super Guarantee increase*”.

Given the evidence that superannuation guarantee payments are in effect paid for by workers through lower wages, it would be over simplifying the situation to assume that workers are receiving a 9.5% supplementary payment that is being denied to NSW mayors and councillors.

The last increase in the superannuation guarantee came into effect in 2013/14 when the contribution rate increased from 9.25% to 9.5%. A comparison of increases in average weekly earnings with increases in NSW mayors’ and councillors’ remuneration as determined by the Tribunal since then indicates that NSW mayors and councillors have, on average, enjoyed slightly higher increases in remuneration than the rest of the community.

Table 4: Comparison of increases in average weekly earnings with increases in mayors’ and councillors’ remuneration

| Financial year | Average weekly ordinary time earnings Aust - annual average increase June to June each year | Councillor remuneration increase 1 July |
|----------------------------|---|---|
| 1 July 2014 – 30 June 2015 | 2.3% | 2.5% |
| 1 July 2015 – 30 June 2016 | 2.0% | 2.5% |
| 1 July 2016 – 30 June 2017 | 2.2% | 2.5% |
| 1 July 2017 – 30 June 2018 | 1.8% | 2.5% |
| 1 July 2018 – 30 June 2019 | 2.7% | 2.5% |
| 1 July 2019 – 30 June 2020 | 3.1% | 2.5% |

² See John Daley and Brendan Coates (2018) [Money in retirement: More than enough](#). Grattan Institute. November 2018

Were councils to be required to make an additional payment on behalf of mayors and councillors equivalent to the superannuation guarantee amount (currently 9.5% of their fees) this would, in effect confer on mayors and councillors a 9.5% increase in their remuneration outside of the normal process for setting mayors' and councillors' remuneration by the Local Government Remuneration Tribunal.

This will not be a one-off increase. With the superannuation guarantee set to increase to 12% in the years up to 2025, this would see further increases to mayors' and councillors' remuneration over and above any increases approved by the Tribunal.

While the receipt of a 9.5% increase in their remuneration through the payment of the superannuation guarantee is likely to be widely supported by mayors and councillors, it is important that the community is consulted and support shown by them before changes are made.

At present it is not clear whether ratepayers would support seeing the revenue they contribute to their local councils being diverted from providing services and infrastructure to fund a 9.5% increase in remuneration for their elected representatives.

Will payment of the superannuation guarantee encourage more women to stand as candidates at council elections?

Payment of the superannuation guarantee for mayors and councillors has been promoted as an equity measure to address disparities in men's and women's superannuation balances.

Research has demonstrated that the principal impediments to more women standing as candidates at local government elections are:

- lack of awareness of local government and the role of councils and councillors
- feeling unqualified
- balancing carer and work commitments
- the investment of time required to be an effective councillor, and
- perceptions of the culture of councils and councillor conduct.³

The payment of the superannuation guarantee would benefit male and female councillors alike. In the short term, male mayors and councillors will be the principal beneficiaries of any increase in remuneration through the receipt of an additional superannuation payment given that they currently comprise 69% of councillors in NSW⁴.

Major stakeholders promoting an increase in the number of females represented on councils including Local Government NSW, Women for Election Australia, Australian Local Government Women's Association and the Country Women's Association of NSW recently noted that "a key barrier for women standing for election to local government can be the lack of access to superannuation, with women unwilling to take on more work with insufficient remuneration". The stakeholders also noted "women tend to have far lower superannuation balances than men, often due to time out of the workforce caring for family members".

³ See Manion, Jo and Sumich, Mark (2013), [Influencing Change – Views of elected representatives on leadership, decision making and challenges for Local Government in NSW](#)

⁴ See Office of Local Government (2019), [NSW Candidate and Councillor Diversity Report 2017](#)

Will payment of the superannuation guarantee encourage younger people to stand as candidates at council elections?

Two separate studies undertaken by the University of Melbourne in 2014⁵ and 2015⁶ found that younger people tend not to be engaged by and are uninterested in superannuation or retirement planning. HECS repayments and saving to purchase a first home tend to be higher financial priorities for younger people than saving for retirement.

The average tenure of councillors is between one to two terms. More than three quarters (77%) of councillors elected at the 2012, 2016 and 2017 elections had served two terms or less. Assuming that councillors were to receive the superannuation guarantee of 9.5% with respect to their fees over one or two terms, as demonstrated by table 5, the value of the capital contributions made to their superannuation funds would, at retirement, represent a small proportion of their accumulated lifetime superannuation capital.

Table 5: Comparison of superannuation contribution amounts that would be made on the maximum annual fee in each category of council at a rate of 9.5% over 1 term (4 years) and 2 terms (8 years).

| Category | | Number of Councils in Category | Councillor/Member Maximum Annual Fee | 4 years at 9.5% | 8 years at 9.5% |
|---|-------------------------|--------------------------------|--------------------------------------|-----------------|-----------------|
| General Purpose Councils – Metropolitan | Principal CBD | 1 | 40,530 | 15,401 | 30,802 |
| | Major CBD | 1 | 34,140 | 12,973 | 25,946 |
| | Metropolitan Large | 8 | 30,410 | 11,556 | 23,112 |
| | Metropolitan Medium | 9 | 25,790 | 9,800 | 19,600 |
| | Metropolitan Small | 11 | 20,280 | 7,706 | 15,412 |
| General Purpose Councils – Non-metropolitan | Regional City | 2 | 32,040 | 12,175 | 24,350 |
| | Regional Strategic Area | 2 | 30,410 | 11,556 | 23,112 |
| | Regional Rural | 37 | 20,280 | 7,706 | 15,412 |
| | Rural | 57 | 12,160 | 4,621 | 9,242 |
| County Councils | Water | 4 | 10,140 | 3,853 | 7,706 |

⁵ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2014), *Superannuation Knowledge, Behaviour and Attitudes in Young Adults in Australia*. CIPR Paper No. RP002/2014

⁶ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2015), *No Thought for Tomorrow: Young Australian Adults' Knowledge, Behaviour and Attitudes About Superannuation*. Law and Financial Markets Review Vol. 9, No. 2, pages 90-105

| | | | | | |
|--|-------|---|-------|-------|-------|
| | Other | 6 | 6,060 | 2,303 | 4,606 |
|--|-------|---|-------|-------|-------|

How much will it cost and who will pay?

The cost of paying the superannuation guarantee for mayors and councillors will need to be met by each council out of its existing budget.

This cost will vary from council to council depending on what fees the mayor and councillors receive and how many councillors there are on the council. The table below sets out the average annual cost to councils in each remuneration category of paying the 9.5% superannuation guarantee for the mayor and each councillor based on the maximum annual fee payable in each category.

The total estimated annual cost of paying the 9.5% superannuation guarantee for mayors and councillors for the local government sector as whole is close to \$3 million (\$2,758,739).

Table 6: Average annual cost to councils of making a 9.5% superannuation contribution for mayors and councillors

| Category | | Councils in Category | Average annual cost of paying 9.5% superannuation contribution for mayors and councillors |
|---|-------------------------|----------------------|---|
| General Purpose Councils – Metropolitan | Principal CBD | 1 | 55,792 |
| | Major CBD | 1 | 55,886 |
| | Metropolitan Large | 8 | 45,973 |
| | Metropolitan Medium | 9 | 35,911 |
| | Metropolitan Small | 11 | 21,541 |
| General Purpose Councils – Non-metropolitan | Regional City | 2 | 46,007 |
| | Regional Strategic Area | 2 | 45,973 |
| | Regional Rural | 37 | 21,543 |
| | Rural | 57 | 11,762 |
| County Councils | Water | 4 | 9,289 |
| | Other | 6 | 5,081 |

2. Why are councils not required to make superannuation guarantee payments to mayors and councillors?

The Commonwealth *Superannuation Guarantee (Administration) Act 1993* (SG Act) imposes an obligation on an employer to pay the superannuation guarantee of 9.5% of an employee's earnings to a complying superannuation fund nominated by the employee.

The obligations under the SG Act do not extend to councils with respect to the fees they pay to mayors and councillors because they are not employees of the council for the purposes of that Act. Mayors and councillors are elected to a civic office in the council and the council is not their employer.

Section 12(9A) of the SG Act expressly excludes mayors and councillors across Australia from the definition of "employee" meaning that councils are not obliged to make superannuation guarantee payments to mayors and councillors under that Act. Section 12(9A) of the SG Act provides that, "*a person who holds office as a member of a local government council is not an employee of the council*".

Section 251 of the NSW Local Government Act also makes it clear that the payment of a fee to a mayor or councillor does not constitute the payment of a salary and mayors and councillors are not to be taken to be employees of councils because of the payment of the fee.

3. Can NSW councils make superannuation contributions on behalf of mayors and councillors as a component of their fees?

There is nothing currently preventing councils from making superannuation contributions on a voluntary basis on behalf of the mayor and councillors.

The Australian Tax Office has made a definitive ruling, (ATO ID 2007/205) that allows for mayors and councillors to redirect their annual fees into superannuation on a pre-tax basis.

In practical terms, there is nothing currently preventing mayors and councillors, who wish to make concessional contributions to their superannuation funds, from entering into an arrangement with their council under which they agree to forego part of their remuneration in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Councils are also able to determine for themselves, by council resolution and/or within an appropriate council policy, if and how councillors may do this.

4. Can NSW councils make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fee?

It is open to councils under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the Commonwealth *Taxation Administration Act 1953* (TAA) to resolve that mayors and councillors are subject to Pay As You Go withholding. The resolution must be unanimous to be effective.

A resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA operates to take the mayor and councillors out of section 12(9A) of the SG Act, which recognises that they are not employees of the council, and brings them within section 12(10) of the SG Act which states that:

A person covered by paragraph 12-45(1)(e) in Schedule 1 to the Taxation Administration Act 1953 (about members of local governing bodies subject to PAYG withholding) is an employee of the body mentioned in that paragraph.

Section 12(1) effectively deems the mayor and councillors to be employees and the council to be their employer for the purposes of the SG Act. This will mean the council will be obliged to make superannuation guarantee contributions (currently 9.5% of the mayor's and councillors' fees) to complying superannuation funds in respect of fees paid to the mayor and councillors. These contributions would be paid in addition to the fees received by the mayor and councillors.

It should be noted however that a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA will also result in mayors and councillors being treated as employees for a wide range of other taxation purposes. Among other things:

- the council will have to withhold amounts from the payment of fees to the mayor and councillors in accordance with section 12-45(1)(e) of Schedule 1 of the TAA
- the council will be subject to fringe benefits tax under the Commonwealth *Fringe Benefits Tax Assessment Act 1986* on the taxable value of expenses paid to and facilities provided to the mayor and councillors under the council's councillor expenses and facilities policy adopted under section 252 of the LGA, and
- the council will be obliged under Commonwealth *Child Support (Registration and Collection) Act 1988* to withhold payments from fees paid to the mayor and councillors for the purposes of making child support/maintenance/carer payments.

It is unclear however whether a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA is permissible under sections 248(2) and 249(3) of the Act where it would have the consequence of requiring a council to make a superannuation guarantee contribution in respect of the fees paid to councillors and the mayor that, taken together with their fees, exceeds the maximum amount determined by the Local Government Remuneration Tribunal.

It is also unclear what impact section 242A of the Act would have in relation to a council's resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA. Section 242A of the Act places an obligation on the Local Government Remuneration Tribunal when determining the remuneration of mayors and councillors, to apply the same policies on increases in remuneration as those that the Industrial Relations Commission is required to apply under section 146C of the NSW *Industrial Relations Act 1996* when making or varying awards or orders relating to the conditions of employment of public sector employees.

It is possible that where a council is obliged to make superannuation guarantee contributions on behalf of the mayor and councillors in addition to their fee, the Tribunal may, in turn, be obliged under section 242A to make a determination reducing the mayor's and councillors' fees to ensure that the fee and superannuation contribution do not result in an increase that exceeds the 2.5% public sector wages cap.

5. What is the position in Queensland?

Section 226 of the Queensland *Local Government Act 2009* gives councils the option to pay an amount into a complying superannuation fund on behalf of the mayor and councillors up to an amount payable with respect to employees of the council. The amount paid is in addition to the amount the mayor and councillor receive as a fee. Alternatively, councils may contribute a portion of the mayor's or councillors' fees to complying superannuation fund as is the case in NSW.

6. Options

Option 1: Maintaining the status quo

Under this option, councils will continue not to be obliged to make superannuation guarantee payments on behalf of the mayor and councillors. Mayors and councillors who wish to make concessional contributions to their superannuation funds can continue to enter into an arrangement with the council under which they agree to forego part of their fee in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Option 2: Amending the NSW *Local Government Act 1993* to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Under this option, the Act would be amended to require councils to pay a proportion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Option 3: Amending the NSW *Local Government Act 1993* to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

Under this option, all councils will be required to pay an amount equivalent to the superannuation guarantee contribution payable with respect to the mayor's and councillors' fees, into a complying superannuation fund nominated by the mayor and councillors. The payment would be made in addition to the payment of the mayor's and councillors' fees.

A supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Option 4: Amend the NSW *Local Government Act 1993* to give councils the option to pay an amount equivalent to the superannuation guarantee into a

**complying superannuation fund nominated by the mayor and councillors
in addition to the mayor's and councillors' fees.**

This option is based on the Queensland model. Under this option, the payment of an additional superannuation contribution in addition to the mayor's and councillors' fees would be optional for councils. Councils would also have the option to make a superannuation contribution on behalf of the mayor and councillors as a portion of the mayor's or councillors' fees.

As with option 3, a supporting amendment would be required to exempt the additional payment from section 242A of the Act.

7. Have Your Say

We now want to hear from you.

**Key
questions
to
consider**

- **Should councils be required to make superannuation contributions for the mayor and councillors?**
- **Should contributions be made as a portion of mayors' and councillors' fees or in addition to them?**
- **Which is your preferred option?**
- **Do you have an alternative suggested option?**

Submissions may be made in writing by COB Friday 7 August 2020 to the following addresses.

Post
Locked Bag 3015
NOWRA NSW 2541

Email:
olg@olg.nsw.gov.au

Submissions should be labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

| | |
|----------------------|---|
| Department: | Office of the Chief Corporate Officer |
| Submitted by: | Manager Finance & Technology |
| Reference: | ITEM GOV43/20 |
| Subject: | FINANCE & ACCOUNTS - PERIOD ENDED 30 JUNE 2020 |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| CSP Strategy: | Council is a financially sustainable organisation, delivering value services to the Community. |
| CSP Delivery Program | Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels. |

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.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Receive and note the Finance and Accounts Report for the period ended 30 June 2020;**
- (2) Receive and note the abridged and summarized update to the Long Term Financial Plan (noting that a further full update will be provided to a subsequent meeting);**
- (3) Reduce the Water Standpipe Fee from \$25 per kilolitre to \$6.50 per kilolitre**

BACKGROUND

Recommendation 1

In accordance with Clause 212 of the Local Government (General) Regulation 2005 the Responsible Accounting Officer must provide 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.

Recommendation 2

It is a requirement under the IP&R framework that an update to the Long Term Financial Plan (LTFP) be provided each year. Normally this is due by 30 June of any given financial year but due to COVID an extension was granted to 31 July 2020 for the 2019/20 Financial Year.

The purpose of this recommendation is to meet this statutory requirement noting that this is an abridged and summarised version of the LTFP and that while a full revision is

Our Governance No. 43 Cont...

not required until after the next Council election, finance staff and asset management staff continue to work on refining the detailed version of the LTFP and a further update will be provided later in this financial year.

Recommendation 3

Fees and Charges were adopted at the June Ordinary Council meeting for the 2020/2021 Financial Year and although there was some discussion at the meeting about reducing the charge for the Standpipe Fee from the \$25 as per the draft Operational Plan, this was not formally resolved at the meeting, so to correct this, a recommendation along these lines has been included in this report.

REPORT:

MONTHLY FINANCE UPDATE

A reconciliation of cash books of all funds has been carried out with the appropriate bank statements. A certified schedule of all Council's investments showing the various amounts invested is shown as an attachment to this report.

(a) Reconciliation of Accounts

A reconciliation of the cash books of all funds have been carried out with the appropriate bank statements as at 30 June 2020.

Cash Book Balances on this date were as follows:-

| | | |
|------------------------|----------------|--------|
| General (Consolidated) | \$6,393,629.39 | Credit |
| General Trust | \$ 313,266.50 | Credit |

Please note this balance is high due to some income being received at the end of the month that has yet to be invested.

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 30 June 2020 showing the various invested amounts and applicable interest rates.

Concealed Water Leakage Concession Policy Update

For the month of June 2020 four concessions were granted to the value of \$2,756.90 under Council's Concealed Water Leakage Concession Policy.

LONG TERM FINANCIAL PLAN UPDATE

The Long Term Financial Plan update shows a declining operational result from 2021/22 as a result of additional depreciation costs and cost imposts on Council from other layers of Government and a budgeted reduction in Roads to Recovery income in this financial year.

Council will over the course of this financial year continue its path towards improving asset and depreciation information and this coupled with the potential for a reduction in depreciation costs if the Bruxner Way is transferred back to the State Government may result in some improvement to these figures.

Having said that, the new Council will more than likely have to consider a Special Rates Variation to boost income especially if the Community wishes to have new facilities such

Our Governance No. 43 Cont...

as a new Swimming Pool (including a hydrotherapy pool). It should be noted that there would be community consultation as part of this process in line with the Independent Pricing and Regulatory Tribunal requirements. At the moment Council has no financial capacity to fund such new items.

FEE FOR BULK WATER SALES FROM COUNCIL'S STANDPIPES

The fee adopted in the 2020/2021 Operational Plan for bulk water sales from Council's standpipes was \$25. The option of lowering this to \$6.50 was discussed but did not end up being included in the recommendation of changes during the Council meeting when the Fees and Charges were adopted and therefore was not voted on. The recommendation within this report rectifies this omission and will bring the fee down to \$6.50 per Kl.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil.

2. Policy and Regulation

- Investment Policy (Policy Statement 1.091)
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Ministerial Investment Order
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government Circulars

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Tamai Davidson
Actg Chief Corporate Officer

Our Governance No. 43 Cont...

| | | |
|-------------------------------|---|-----------|
| Prepared by staff member: | Paul Della; Jessica Wild | |
| Approved/Reviewed by Manager: | Tamai Davidson, Actg Chief Corporate Officer | |
| Department: | Office of the Chief Corporate Officer | |
| Attachments: | 1 Investment Report as at 30 June 2020 | 1 Page |
| | 2 LTFP Operating Result from Continuing Operations | 1 Page |
| | 3 LTFP Capital Expenditure Program | 1 Page |
| | 4 LTFP Loan Repayment Summary | 1 Page |

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 30 JUNE 2020

| Financial Institution | Issuer Rating | Investment Term | Maturity Date | Interest Rate | Amount | Percentage Exposure | |
|------------------------------|---------------|-----------------|---------------|---------------|--------------|---------------------|----------------|
| NAB | AA- | 30 Days | 27/Jul/20 | 0.45% | 4,000,000.00 | 47.81% | |
| TOTAL NAB INVESTMENTS | | | | | | 4,000,000.00 | 47.81% |
| Commonwealth Bank | AA- | At Call | | 0.75% | 1,366,250.13 | 16.33% | |
| Commonwealth Bank | AA- | 1 Month | 01/Jul/20 | 0.50% | 3,000,000.00 | 35.86% | |
| TOTAL CBA INVESTMENTS | | | | | | 4,366,250.13 | 52.19% |
| INVESTMENTS TOTAL | | | | | | 8,366,250.13 | 100.00% |

Summary

I hereby certify that the investments as shown herein, have been invested in accordance with Section 625 of the Local Government Act 1993, and associated Regulations, and in accordance with Council policy and procedures.

By:

Responsible Accounting Officer

 P. Della

* Except as highlighted in the associated Council Report.

| TENTERFIELD SHIRE COUNCIL | | | | | | | | | | | |
|--|-------------------|-------------------|--------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------|
| OPERATING POSITION FORECAST | | | | | | | | | | | |
| | \$ | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 |
| Revenue from Continuing Operations | | | | | | | | | | | |
| Rates & Annual Charges | 10,521,694 | 10,955,377 | 11,405,616 | 11,876,491 | 12,370,402 | 12,885,467 | 13,424,118 | 13,987,478 | 14,579,323 | 15,199,567 | |
| User Fees & Charges | 2,509,393 | 2,615,922 | 2,726,010 | 2,843,035 | 2,963,847 | 3,094,057 | 3,228,264 | 3,369,995 | 3,516,431 | 3,672,429 | |
| Interest & Investment Revenue | 459,729 | 548,824 | 558,095 | 567,547 | 577,184 | 587,009 | 597,027 | 607,241 | 617,657 | 628,277 | |
| Other Revenues | 504,659 | 530,792 | 478,302 | 551,268 | 525,803 | 539,175 | 535,093 | 549,668 | 596,999 | 558,415 | |
| Grants & Contributions provided for Operating Purposes | 9,016,678 | 8,624,838 | 8,751,502 | 8,848,361 | 8,978,864 | 9,120,631 | 9,260,391 | 9,410,928 | 9,556,076 | 9,712,432 | |
| Total Income | 23,012,152 | 23,275,753 | 23,919,525 | 24,686,702 | 25,416,100 | 26,226,339 | 27,044,894 | 27,925,311 | 28,866,487 | 29,771,120 | |
| Expenses from Continuing Operations | | | | | | | | | | | |
| Employee Benefits & On-Costs | 8,583,158 | 8,867,372 | 9,086,066 | 9,257,332 | 9,482,323 | 9,712,832 | 9,948,995 | 10,190,950 | 10,438,840 | 10,692,811 | |
| Borrowing Costs | 535,354 | 699,209 | 715,969 | 676,592 | 644,239 | 611,895 | 581,864 | 550,224 | 516,147 | 480,293 | |
| Materials & Contracts | 3,725,687 | 4,338,390 | 4,480,977 | 4,526,607 | 4,730,474 | 4,537,809 | 4,607,623 | 4,669,437 | 4,857,562 | 4,759,674 | |
| Depreciation & Amortisation | 7,569,542 | 7,701,094 | 8,364,505 | 8,366,755 | 8,369,050 | 8,371,391 | 8,373,779 | 8,376,215 | 8,378,699 | 8,381,233 | |
| Other Expenditure | 2,059,337 | 2,385,352 | 2,357,879 | 2,408,010 | 2,459,351 | 2,585,197 | 2,565,806 | 2,620,991 | 2,677,531 | 2,810,968 | |
| Net Losses from the Disposal of Assets | 265,000 | 270,300 | 275,706 | 281,220 | 286,845 | 292,581 | 298,433 | 304,402 | 310,490 | 316,700 | |
| Total Expenditure | 22,738,078 | 24,261,717 | 25,281,102 | 25,516,515 | 25,972,282 | 26,111,705 | 26,376,500 | 26,712,219 | 27,179,269 | 27,441,679 | |
| Operating Result from Continuing Operations | 274,074 | (985,964) | (1,361,577) | (829,813) | (556,181) | 114,633 | 668,394 | 1,213,092 | 1,687,218 | 2,329,442 | |

| TENTERFIELD SHIRE COUNCIL | | | | | | | | | | | | | | | | | | | | | |
|--|-------------------|-------------------|------------------|-------------------|-------------------|------------------|------------------|------------------|-------------------|------------------|------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| CAPITAL EXPENDITURE SUMMARY | | | | | | | | | | | | | | | | | | | | | |
| | \$ | 2020/21 | \$ | 2021/22 | \$ | 2022/23 | \$ | 2023/24 | \$ | 2024/25 | \$ | 2025/26 | \$ | 2026/27 | \$ | 2027/28 | \$ | 2028/29 | \$ | 2029/30 | |
| Civic Office | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Organisational Leadership | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Community Development | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Economic Growth & Tourism | 15,000 | - | 94,141 | - | - | - | - | - | - | - | - | 5,500 | - | - | - | 82,500 | - | - | - | - | 208,000 |
| Theatre & Museum Complex | 40,951 | - | 42,045 | - | 41,491 | - | 36,530 | - | 37,377 | - | 38,244 | - | 63,940 | - | 40,039 | - | - | 40,968 | - | - | 41,920 |
| Library Services | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Workforce Development | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Emergency Services | - | - | 18,000 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Total Chief Executive Officer | 55,951 | 59,491 | 136,186 | 36,530 | 37,377 | 43,744 | 63,940 | 122,539 | 40,968 | 249,920 | 230,000 | 230,000 | 230,000 | 230,000 | 230,000 | 230,000 | 230,000 | 230,000 | 230,000 | 230,000 | 230,000 |
| Finance & Technology | 380,000 | - | 380,000 | - | 380,000 | - | 230,000 | - | 230,000 | - | 230,000 | - | 230,000 | - | 230,000 | - | 230,000 | - | 230,000 | - | 230,000 |
| Customer Service, Governance & Records | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Environmental Management | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Livestock Saleyards | - | - | - | - | - | - | 216,260 | - | 7,000 | - | - | - | - | - | - | 9,280 | - | - | - | - | - |
| Parks, Gardens & Open Space | 160,000 | - | 28,000 | - | 147,000 | - | 16,000 | - | 58,500 | - | 14,000 | - | - | - | - | 65,000 | - | - | - | - | 85,000 |
| Planning & Regulation | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Buildings & Amenities | 330,000 | - | 331,800 | - | 247,000 | - | 78,000 | - | - | - | - | - | - | - | - | 85,000 | - | - | - | - | 400,000 |
| Swimming Complex | 200,000 | - | 25,000 | - | 121,000 | - | 135,000 | - | 75,000 | - | 238,000 | - | 40,000 | - | 135,000 | - | - | - | - | - | 135,000 |
| Total Chief Corporate Officer | 1,070,000 | 1,458,800 | 661,260 | 538,500 | 661,260 | 430,500 | 319,000 | 628,280 | 270,000 | 850,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 |
| Asset Management & Resourcing | 150,000 | - | 308,000 | - | 22,000 | - | 50,000 | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Commercial Works | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Stormwater & Drainage | 130,200 | - | 130,200 | - | 420,200 | - | 375,200 | - | 130,200 | - | 210,200 | - | 290,200 | - | 290,200 | - | 290,200 | - | 290,200 | - | 130,200 |
| Transport Network | 20,884,730 | - | 6,378,071 | - | 6,316,879 | - | 6,211,249 | - | 6,229,428 | - | 6,229,428 | - | 6,229,428 | - | 6,229,428 | - | 6,229,428 | - | 6,229,428 | - | 6,236,616 |
| Plant, Fleet & Equipment | 860,500 | - | 1,213,540 | - | 1,402,423 | - | 1,588,851 | - | 1,337,482 | - | 1,283,724 | - | 1,337,482 | - | 1,283,724 | - | 1,283,724 | - | 1,283,724 | - | 1,283,724 |
| Waste Management | 1,509,869 | - | 3,679,477 | - | 68,000 | - | 68,000 | - | 68,000 | - | 68,000 | - | 68,000 | - | 68,000 | - | 68,000 | - | 68,000 | - | 68,000 |
| Water Supply | 501,700 | - | 317,000 | - | 317,000 | - | 484,200 | - | 378,300 | - | 378,300 | - | 378,300 | - | 378,300 | - | 378,300 | - | 378,300 | - | 375,700 |
| Sewerage Services | 1,077,900 | - | 632,300 | - | 630,000 | - | 667,500 | - | 662,600 | - | 662,600 | - | 662,600 | - | 662,600 | - | 662,600 | - | 662,600 | - | 724,719 |
| Total Chief Operating Officer | 25,114,899 | 13,432,292 | 9,233,693 | 9,516,431 | 10,070,289 | 9,272,156 | 9,179,878 | 9,991,284 | 10,449,904 | 8,796,938 | 9,240,465 | 10,449,904 | 10,449,904 | 10,449,904 | 10,449,904 | 10,449,904 | 10,449,904 | 10,449,904 | 10,449,904 | 10,449,904 | 10,449,904 |
| Total Capital Expenditure | 26,240,849 | 14,950,583 | 9,899,880 | 10,091,461 | 10,070,289 | 9,272,156 | 9,179,878 | 9,991,284 | 10,760,872 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 | 9,920,878 |

| TENTERFIELD SHIRE COUNCIL | | | | | | | | | | | | | | | | | | | | | |
|------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| PRINCIPAL LOAN REPAYMENTS | | | | | | | | | | | | | | | | | | | | | |
| | \$ | 2020/21 | \$ | 2021/22 | \$ | 2022/23 | \$ | 2023/24 | \$ | 2024/25 | \$ | 2025/26 | \$ | 2026/27 | \$ | 2027/28 | \$ | 2028/29 | \$ | 2029/30 | |
| Economic Growth & Tourism | 3,900 | 3,978 | 4,058 | 4,139 | 4,221 | 4,306 | 4,392 | 4,480 | 4,569 | 4,661 | | | | | | | | | | | |
| Library Services | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 | 5,292 |
| Finance & Technology | 85,958 | 86,352 | 86,754 | 87,164 | 87,582 | 88,009 | 88,444 | 88,888 | 89,340 | 89,802 | | | | | | | | | | | |
| Transport Network | 170,882 | 226,897 | 234,307 | 242,142 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 | 130,749 |
| Waste Management | 173,974 | 278,014 | 275,013 | 200,453 | 206,046 | 211,709 | 217,528 | 223,507 | 229,651 | 235,962 | | | | | | | | | | | |
| Water Supply | 243,859 | 221,577 | 233,985 | 242,497 | 251,577 | 261,390 | 271,863 | 283,087 | 295,084 | 307,999 | | | | | | | | | | | |
| Sewerage Services | 86,297 | 93,170 | 100,591 | 108,278 | 117,226 | 126,562 | 136,643 | 147,310 | 159,258 | 171,942 | | | | | | | | | | | |
| Total Loan Repayments | 770,162 | 915,280 | 939,999 | 889,964 | 802,693 | 828,017 | 854,911 | 883,312 | 913,944 | 946,407 | | | | | | | | | | | |

| | |
|----------------------|--|
| Department: | Office of the Chief Corporate Officer |
| Submitted by: | Manager Finance & Technology |
| Reference: | ITEM GOV44/20 |
| Subject: | CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 2020 |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| CSP Strategy: | Council is a financially sustainable organisation, delivering value services to the Community. |
| CSP Delivery Program | Collaborate and deliver resources with other organisations to ensure a variety of cost effective services across the service area. |

SUMMARY

The purpose of this report is to show the progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

OFFICER'S RECOMMENDATION:

That Council receive and note the Capital Expenditure Report for the period ended 30 June 2020.

BACKGROUND

The Capital Expenditure report indicates to Council the financial progress of each project against the forecast expenditure for that project. The information has also been set out to show which Council service the expenditure relates to.

REPORT:

Some of Council's capital works projects were delayed as a result of the need to focus resources on unplanned works as a result of emergency activities in relation to natural disasters and water supply issues.

Capital works have ramped up over the past few months and this is reflected in the YTD figures.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil.

2. Policy and Regulation

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government Circulars

3. Financial (Annual Budget & LTFP)

Nil.

Our Governance No. 44 Cont...

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Tamai Davidson

Actg Chief Corporate Officer

Prepared by staff member:

Paul Della; Jessica Wild

Approved/Reviewed by Manager:

Tamai Davidson, Actg Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

1 Attachment 8 (Attachment Booklet 3
5) - Capital Expenditure Report as Pages
at 30 June 2020

| | |
|----------------------|--|
| Department: | Office of the Chief Corporate Officer |
| Submitted by: | Manager Finance & Technology |
| Reference: | ITEM GOV45/20 |
| Subject: | REPORT ON LOAN BALANCES |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| CSP Strategy: | Council is a financially sustainable organisation, delivering value services to the Community. |
| CSP Delivery Program | Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels. |

SUMMARY

The purpose of this report is to inform Council of its loan balances as at 30 June 2020.

OFFICER'S RECOMMENDATION:

That Council notes the loan balance as at 30 June 2020 was \$10,309,615.28 (\$9,586.841.37 as at 31 March 2020).

BACKGROUND

Council resolved at its meeting on 24 August, 2011 (Resolution 380/11) that a report be provided every three (3) months summarizing Councils debt levels and that the report should include the date the loan is taken out, the amount of the original loan, the current balance owing, the term of the loan, the interest rate and the payment details.

REPORT:

Loan payments are being made in accordance with the loan agreements. Council's loan balance as at 30 June 2020 was \$10,309,615.28 (\$9,586.841.37 as at 31 March 2020).

It should be noted that two loans were fully paid down throughout the course of the 2019/2020 Financial Year, one being for the Urbenville Medical Centre and one for the construction of two bridges.

The increase in loan balance as at the end of June was due to Council taking out a loan with the Commonwealth Bank as per Councils 2019/20 Operational Plan.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Council's projected loan borrowings are included in the 2019/20 Operational Plan.

2. Policy and Regulation

- Section 621 of the Local Government Act allows a Council to borrow at any time for any purpose allowed under the Act subject to any restrictions imposed by the Minister in accordance with Section 624 of the Act.
- Borrowing Policy

Our Governance No. 45 Cont...

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Tamai Davidson

Actg Chief Corporate Officer

Prepared by staff member:

Paul Della; Jessica Wild

Approved/Reviewed by Manager:

Tamai Davidson, Actg Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

1 Loan Register as at 30 June 2020 1 Page

Tenterfield Shire Council
Loans Schedule
30-June-2020

| Loans Details | | | | | | | | | | Principal |
|---------------|--|-----------|--------------------------------|---------------|----------|------------------|----------------------------|--------------------------------------|--|----------------------|
| FUND | PURPOSE | AMOUNT | OBTAINED FROM | DATE OBTAINED | DUE DATE | RATE OF INTEREST | INTERVALS AT WHICH PAYABLE | Principal Balance as at 30 June 2020 | | |
| General Fund | Urbenville Medical Centre | 150,000 | National Australia Bank | 14-05-10 | 14-05-20 | 9.20% | Half Yearly | 0 | | 0 |
| General Fund | Construction of two bridges on Mt Lindsay Road | 1,000,000 | Commonwealth Bank of Australia | 30-06-10 | 30-06-20 | 8.02% | Half Yearly | | | 0 |
| General Fund | Main Street Upgrade | 1,200,000 | National Australia Bank | 25-02-15 | 25-02-25 | 3.70% | Half Yearly | | | |
| Sewer | New Sewerage Treatment Plant | 2,500,000 | National Australia Bank | 30-05-08 | 30-05-33 | 7.81% | Half Yearly | | | 654,862.01 |
| Water | Dam Wall Construction (1) | 3,450,000 | ANZ | 25-05-18 | 25-05-38 | 3.95% | Half Yearly | | | 1,849,250.05 |
| Water | Dam Wall Construction (2) | 3,051,000 | Commonwealth Bank of Australia | 05-06-19 | 06-06-22 | 2.52% | Half Yearly | | | 3,213,201.60 |
| Water | Urbenville Water Treatment Plant | 375,000 | National Australia Bank | 05-02-09 | 05-02-33 | 6.47% | Half Yearly | | | 2,932,066.32 |
| Waste | Rehabilitation | 1,250,000 | National Australia Bank | 21-12-12 | 21-12-22 | 5.45% | Quarterly | | | 281,654.21 |
| General Fund | Infrastructure 2019/20 | 1,000,000 | Commonwealth Bank of Australia | 15-06-20 | 15-06-40 | 2.90% | Half Yearly | | | 378,581.09 |
| TOTAL | | | | | | | | | | 10,309,615.28 |

(ITEM RC16/20) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC

REPORT BY: Greg Sauer

The following items are attached for information:

- Minutes of Region 11 Annual General Meeting held on Thursday, 11 June 2020
- MDA Delegate's Report – June 2020

RECOMMENDATION

That Council receive and note the report for the Murray Darling Association Inc, and note the election of Cr Greg Sauer to the Region 11 Executive for the coming 12 month period.

ATTACHMENTS

- 1 Minutes of Annual General Meeting - 11 June 2020 2 Pages
- 2 MDA Delegate's Report for Tabling at Council - June 2020 2 Pages



Murray Darling Association Inc.

admin@mda.asn.au
www.mda.asn.au
T (03) 5480 3805
ABN: 64 636 490 493

463 High Street
P.O. Box 1268

Region 11 Annual General Meeting
11am, Thursday 11 June, 2020
Gunnedah Shire Council and Via ZOOM

MINUTES – June 2020

1. ATTENDANCE

1.1 Present

| | |
|--------------------------|---|
| Cr John Campbell – Chair | Gunnedah Shire Council |
| Emma Bradbury# | Chief Executive Officer, Murray Darling Association |
| Cr Greg Sauer# | Tenterfield Shire Council |
| Cr Jamie Chaffey | Gunnedah Shire Council |
| Mr Andrew Johns | Gunnedah Shire Council |
| Cr Doug Hawkins # | Liverpool Plains Shire Council |
| Annabelle Guest* | Regional Engagement Officer, Murray-Darling Basin Authority |

Alexandra

* Non-member– attendance by invitation

Attendance by teleconference

1.2 Apologies

| | |
|------------------------|--------------------------------|
| Cr Cathy Redding | Narrabri Shire Council |
| Cr Andrew Hope | Liverpool Plains Shire Council |
| Mayor Ian Woodcock | Walgett Shire Council |
| Cr Manuel Martinez | Walgett Shire Council |
| Cr Frances Young | Gwydir Shire Council |
| Cr John Coulton | Gwydir Shire Council |
| Cr David Coulton | Gwydir Shire Council |
| Cr Peter Petty | Tenterfield Shire Council |
| Cr Don Forbes | Tenterfield Shire Council |
| Cr Philip O'Connor | Brewarrina Shire Council |
| Acting General Manager | Brewarrina Shire Council |

Action: That the apologies be accepted

Move G Sauer/J Campbell

Carried

2 DECLARATIONS OF INTEREST

Nil

3 MINUTES

That the minutes of the Murray Darling Association Inc. held on 14 June 2019 as typed and circulated, be confirmed as a true record of the proceedings of that meeting.

Action: Move G Sauer/ A Guest Carried

4 ELECTION OF CHAIR AND REGIONAL EXECUTIVE

All positions were declared vacant by the Chair.

The Chief Executive Officer confirmed there was only one nomination for Region Chair so Cr Campbell was elected unopposed.

The following positions were confirmed for the coming 12 month period:

Chair – Cr John Campbell

Region Executives – Cr Jamie Chaffey and Cr Greg Sauer

5 NEXT MEETING

TBA

6 CLOSE

The meeting closed at 11:07am

MDA Delegate's Report for tabling at council June 2020



The Murray Darling Association (MDA) is Australia's peak body representing local government across the Murray-Darling Basin. The following delegate's report provides a detailed report for tabling at council, including a summary of MDA Board Meeting 398, MDA reports, CEO's report, region meetings and the latest edition of the Basin Bulletin.

1. MDA Board Meeting 398

The Murray Darling Association held its Ordinary Meeting of the Board Meeting 398 on Monday 18th of May 2020. The minutes are now available [here](#).

Key motions include:

Motion 6.3: That the Board

- a) Note the Lower Lakes Independent Science Review
- b) Provide the [following feedback](#) on the Lower Lakes Independent Science Review for public distribution

J MacAllister / P Miller

Carried

Motion 7.4: That the board approves the delivery of the 2020 National Conference and AGM as a virtual event to be held in the 2nd week in September.

D Thurley / D Patterson

Carried

2. Communication reports

The following reports have been prepared for MDA members, the board and the broader Basin community throughout May.

| Date | Report No | Topic | Author | Approved |
|------------|------------------------|--|----------------|-------------|
| 05/05/2020 | 200504 | Briefing paper: The Lower Lakes Independent Science Review | James Marshall | E. Bradbury |
| 28/05/2020 | 200525 | MDA welcomes Lower Lakes Independent Science Review | Jessica Maher | E. Bradbury |
| 02/06/2020 | 200302 | MDA calls on Basin governments to ensure reliable and transparent systems of compliance to address Floodplain Harvesting | Jessica Maher | E. Bradbury |

3. CEO's Report

During the past few months, the MDA's Chief Executive Officer Emma Bradbury has actively engaged with MDA members, stakeholders and key partner organisations to work on the following projects:

- **Local Government Centre of Excellence**
Following the MDA's Strategic Planning Workshop in March 2020, the MDA executive has been in discussion with several partner organisations for the development of a Murray-Darling Local Government Centre of Excellence. The Centre of Excellence will lead Basin communities in education, science, leadership, policy, agricultural innovation, regional and economic development.
- **MDA Vision 2025**
Following 18 months of extensive consultation, the MDA's Vision 2025 is nearing completion, and is due to be released to the Board and members within the coming month.
- **Basin Communities Leadership Program**
Following the easing of restrictions on COVID-19, the MDA is preparing for its first Basin Communities Leadership Program face-to-face workshop in Mildura on August 27 and 28. Applications are still open, and can be accessed via our website [here](#).

For more information, a comprehensive CEO's report is available [here](#).

4. Region Meetings

Region meetings are an important platform for Basin communities to collaborate and work together within and across their regions. The following region meetings were held throughout the March – April 2020 period:

| Region | Meeting Type | Date | Minutes |
|-----------|------------------------|--------------|--------------------------------|
| Region 6 | Ordinary Meeting | 15 May 2020 | Available here |
| Region 2 | Ordinary Meeting | 27 May 2020 | Available soon |
| Region 5 | Ordinary Meeting | 1 June 2020 | Available soon |
| Region 4 | Ordinary Meeting | 9 June 2020 | Available soon |
| Region 11 | AGM & Ordinary Meeting | 11 June 2020 | Available soon |

5. Basin Bulletin Issue 34 – May Newsletter

The MDA publishes the Basin Bulletin newsletter monthly. This month's newsletter (Issue 34) included the following stories:

- Welcoming incoming Region 12 Chair Cr Samantha O'Toole, Balonne Shire council
- MDA's response to the Lower Lakes Independent Science Review
- Welcoming our first BCLP cohort from the Lower Lakes
- Basin News Snapshot – round-up of the latest Basin news

Basin Bulletin Issue 34 can be accessed [here](#).

To receive the next edition of the Basin Bulletin, please register on the MDA website (www.mda.asn.au) or [email](#) MDA Comms and Engagement Officer Jess to request to be added to the distribution list.

(ITEM RC17/20) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE - 17 JUNE 2020

REPORT BY: Erika Bursford

A meeting of the Audit & Risk Committee was held on Wednesday, 17 June 2020. Minutes of the meeting are attached.

RECOMMENDATION

That the report of the Audit & Risk Committee of 17 June 2020 be received and noted.

ATTACHMENTS

1 Minutes of Meeting 4 Pages



**MINUTES OF
AUDIT & RISK COMMITTEE MEETING
WEDNESDAY, 17 JUNE 2020**

MINUTES OF THE **Audit & Risk Committee Meeting** OF TENTERFIELD SHIRE held via Zoom on Wednesday, 17 June 2020 commencing at 1.21 pm.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Don Forbes
Mr Geoff King – Independent External Member &
Chair
Mr Peter Sheville – Independent External Member

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Chief Corporate Officer (Kylie Smith)
Manager Finance & Technology (Paul Della)
Manager Customer Service & Records (Erika Bursford)
Manager HR & Workforce Development (Wes Hoffman)
Risk Management & Safety Coordinator (Kirk Fitzpatrick)

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.

This is page 1 of the Minutes of the Audit & Risk Committee held on Wednesday, 17 June 2020

MINUTES OF AUDIT & RISK COMMITTEE

17 JUNE 2020

DISCLOSURE OF INTERESTS

That Committee members now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

| Name | Interest |
|-------------------|---|
| Mr Geoff King | <ul style="list-style-type: none"> • Independent Member of the City of Gold Coast Audit Committee • Independent Member of the Central Highlands Regional Council Audit Committee • Independent Chair of the Mt Isa City Council Audit & Risk Management Committee • Member of the Business Information Systems Advisory Committee for the University of Queensland School of Business |
| Mr Peter Sheville | <ul style="list-style-type: none"> • Partner, BDO Thailand • Chair, Mackay Regional Council Audit Committee |

APOLOGIES

Resolved that the apology for Mr Andrew Page, Independent External Member be received and noted. Also noted that Officers from the NSW Audit Office and Geoff Forsythe of Forsyths Accounting advised there was no need for their attendance at this meeting.

(Don Forbes/Peter Petty)

CONFIRMATION OF MINUTES

Resolved that the Minutes of the Internal Audit Committee meeting held on Wednesday, 4 March 2020, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Peter Sheville/Don Forbes)

(ITEM CEO16/20) AUDIT & RISK COMMITTEE ANNUAL PLAN

SUMMARY

The purpose of this report is to present the Audit & Risk Committee Annual Plan to each meeting of the Audit & Risk Committee.

ACTION:

- **Geoff King** to provide an editable word document of the Audit & Risk Self Evaluation.
- **Erika Bursford** to distribute to Committee members for completion and return.
- **Erika Bursford** to collate and present for discussion at the meeting of 9 December 2020

MINUTES OF AUDIT & RISK COMMITTEE

17 JUNE 2020

Resolved that the Audit & Risk Committee receive and note the Audit & Risk Committee Annual Plan items for June 2020.

(Peter Sheville/Peter Petty)

(ITEMCEO17/20) ENTERPRISE RISK MANAGEMENT

SUMMARY

The purpose of this report is to advise the Audit & Risk Committee of the current status of Council's Enterprise Risk Management.

ACTION:

- **Kirk Fitzpatrick** -NSW Government cost shifting needs to be managed as a risk.
- **Kirk Fitzpatrick** - Provide description to embellish the top seven (7) risks.

Resolved that the Audit & Risk Committee receive and note the current status of Council's Enterprise Risk Management.

(Peter Sheville/Don Forbes)

(ITEMCEO18/20) WORKPLACE HEALTH & SAFETY

SUMMARY

The purpose of this report is to advise the Audit & Risk Committee of a summary of Council's Work Health & Safety matters.

Resolved that the Audit & Risk Committee receive and note the current status of Council Work Health & Safety Summary.

(Don Forbes/Peter Petty)

**(ITEMCEO19/20) FRAUD, MISCONDUCT AND COMPLIANCE BREACHES -
5 MARCH 2020 TO 17 JUNE 2020**

SUMMARY

The purpose of this report is to provide details of any Fraud, Misconduct and Compliance breaches identified or allegations made, during the period 5 March 2020 to 17 June 2020.

Resolved that the Audit & Risk Committee receive and note the report on Fraud, Misconduct and Compliance.

(Peter Petty/Peter Sheville)

MINUTES OF AUDIT & RISK COMMITTEE

17 JUNE 2020

(ITEMCEO20/20) INTERNAL AUDIT PLAN UPDATE - JUNE 2020

SUMMARY

The purpose of this report is to present the Internal Audit Plan to each meeting of the Audit & Risk Committee, to advise of progress with Internal Audit activities and to report on implementation of Internal Audit recommendations.

Council engaged Centium Pty Ltd to undertake the three (3) Internal Audits for 2019/20. Final reports for the three (3) areas were provided to the Committee.

- IT Systems (from 2018/19)
- Procurement & Tendering
- Light Fleet Management & Maintenance

ACTION:

- **Kylie Smith** as Head of Internal Audit to prepare an annual Internal Audit Plan for review and approval by the Audit & Risk Committee, showing the proposed areas for audit in 2020/2021 to the next meeting.

Resolved that the Audit and Risk Committee receive and note the Internal Audit Plan Update for June 2020.

(Don Forbes/Geoff King)

Mayor Peter Petty left the meeting and did not return, the time being 2.55 pm.

(ITEMCEO21/20) QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2020

SUMMARY

The purpose of this report is to provide the Committee with a copy of the Quarterly Budget Review Statement as at 31 March 2020 for information.

The following items were noted:

- Reduction in water income due to severe water restrictions, drought and fire;
- Tenterfield Shire Council has the 4th highest asset renewal in the State.

ACTION:

- **Paul Della** - Draft Financials for 2019/2020 to be presented to the meeting of 9 September 2020.

Resolved that the Audit & Risk Committee receive and note the report.

(Don Forbes/Peter Sheville)

There being no further business the Chair declared the meeting closed at 3.07 pm.

.....
Geoff King
Chairperson

| | |
|----------------------|--|
| Department: | Office of the Chief Executive |
| Submitted by: | Executive Assistant & Media |
| Reference: | ITEM RES6/20 |
| Subject: | COUNCIL RESOLUTION REGISTER - JULY 2020 |

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

| | |
|-----------------------------|--|
| CSP Goal: | Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| CSP Strategy: | Council fosters a strong organisational culture which strives for best practice in all operations with a supportive corporate governance framework. |
| CSP Delivery Program | Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available to decision makers. |

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.

OFFICER'S RECOMMENDATION:

That Council notes the status of the Council Resolution Register to July 2020.

Terry Dodds
Chief Executive

| | | | |
|-------------------------------|---|---|--------------------|
| Prepared by staff member: | Noelene Hyde, Executive Assistant & Media | | |
| Approved/Reviewed by Manager: | Terry Dodds, Chief Executive | | |
| Department: | Office of the Chief Executive | | |
| Attachments: | 1 | Attachment 9 (Attachment Booklet 5) - Resolution Register - July 2020 | 30 Pages |