



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER
EXTRAORDINARY COUNCIL
MEETING
FRIDAY, 29 JANUARY 2021

Notice is hereby given in accordance with the provisions of the *Local Government Act 1993*, and pursuant to Clause 3.3 of Council's Code of Meeting Practice that an **Extraordinary Council Meeting** will be held in the RSL Pavilion, rear of Tenterfield Memorial Hall, on **Friday, 29 January 2021** commencing at **10.30 am**.

Kylie Smith
Actg Chief Executive

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. Business of the Meeting
6. Meeting Close

AGENDA

WEBCASTING OF MEETING

This meeting will be 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.

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. BUSINESS OF THE MEETING

(ITEM COM1/21) BUSHFIRE COMMUNITY, RESILIENCE FUND - COUNCIL
LED COMMUNITY GRANT APPLICATIONS5

6. MEETING CLOSED

Department:	Office of the Chief Corporate Officer
Submitted by:	Corporate Administration Officer
Reference:	ITEM COM1/21
Subject:	BUSHFIRE COMMUNITY, RESILIENCE FUND - COUNCIL LED COMMUNITY GRANT APPLICATIONS

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Community - COMM 1 - Tenterfield Shire is a vibrant, welcoming and safe community.
CSP Strategy:	Develop major cultural and community events and festivals in partnership with the community and other stakeholders.
CSP Delivery Program	Enrich the community by supporting a variety of diverse cultural events and activities.

SUMMARY

The purpose of this report is to provide a summary and recommendations on community applications made under the Bushfire Community, Resilience Fund – Council Led Community Grant with funding for projects and events that will provide community wellbeing, social and broader recovery and future disaster resilience.

A total of seven (7) applications were received.

OFFICER'S RECOMMENDATION:

That Council:

(1) Adopts the allocation of funding as recommended by the Council's Assessment Panel as follows:

- **Tenterfield Show Society - Lift the Country Spirits Music Concert – Autumn Festival - \$15,000**
- **Tenterfield Autumn Leaves Festival Inc – Tenterfield Autumn Leaves Festival - \$25,000**
- **Tenterfield Physical Culture Club - Workshop/Interclub Competition - \$7,500**
- **The Saddlers Mountain Bike Club Tenterfield – Gravel Ride Cycling Event - \$15,000**

(2) Notifies the successful and unsuccessful applicants.

BACKGROUND

Council has been fortunate to receive funding from Resilience NSW for the Bushfire Community & Resilience Fund Grant, Phase 2 – Stream 1. This funding is designed with the outcome of supporting communities to overcome the social impacts of the bushfires by funding projects and events that will provide community wellbeing, social and broader recovery and future disaster resilience.

Our Community No. 1 Cont...

The total amount Council has received for this funding is \$62,500 with a maximum of \$25,000 being applied for each event. Applications opened to the community on 16 December 2020 and closed on Friday 15 January 2021.

REPORT:

A total of seven (7) applications for the Bushfire Community, Resilience Fund – Council Led Community Grant have been received for events within our local government area.

Applications received were presented by Council staff and reviewed by Council's Assessment Panel at a workshop on Friday, 22 January 2021. The Assessment Panel was made up by Deputy Mayor Greg Sauer, Councillor Garry Verri, Councillor Bronwyn Petrie, Councillor John Macnish, Councillor Brian Murray, Councillor Tom Peters and Councillor Bob Rogan.

The attachment identifies the applications made, name of the events/project, amount applied for, and recommendations for funding from the Assessment Panel.

Successful applicants will be notified on Monday, 1 February 2021 via email. Funds will be dispersed once Council has received an invoice from the community group. The successful applicants will need to supply Council with the following documents two (2) months prior to the event taking place:

- Public Liability Insurance
- Full set of plans and scope of work
 - The scope of work needs to cover; description of event, number of people attending, where it will be held, set up and clean up dates, number of volunteers helping, who the event organiser is, what equipment will be used, etc.
- Copies of all completed forms/approvals required by Council to hold the proposed event.

The successful applicants will need to complete the event/project by 31 December, 2021 and an acquittal will need to be supplied to Council no later than 28 February 2022. The acquittal process comprises of:

- A completion report of the project;
- An income & expenditure certificates;
- Statutory Declaration advising all money spent and event held;
- Electronic copies of the project materials, photos, report; and
- Any additional documents, e.g. advertisements

Should any applicants decide to not accept the funding, or any projects not be completed by the funding deadline, it is envisaged that the Assessment Panel will reconvene and reallocate remaining funds to the applicants with a shortfall or that were not successful in the first round.

Our Community No. 1 Cont...

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

Funding availability and call for applications was advertised between 16 December 2020 and 15 January 2021.

2. Policy and Regulation

- Nil.

3. Financial (Annual Budget & LTFF)

Council must repay the funding on demand if:

- 1) Any part of the funding spent in breach of the Deed;
- 2) All of the funding if the project does not commence within 60 days from the date that the Deed was signed by both parties;
- 3) Any part of the funding which remains unspent if the project has been inactive for 60 days or more; or
- 4) All unexpended funding.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

7. Performance Measures

Nil

8. Project Management

Nil

Kylie Smith

Chief Corporate Officer & Acting Chief Executive

Prepared by staff member:

Jodie Condrick

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer & Acting Chief Executive

Department:

Office of the Chief Corporate Officer

Attachments:

1 Application List for Council's Assessment Panel

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Tenterfield Shire Council – Bushfire Community, Resilience Fund – Council Led Grant

No.	Organisation	Project	Amount \$	Assessment Panel Recommended Amount	Comments	Fit Guidelines Y/N
1	Tenterfield Show Society	Lift the Country Spirits Music Concert – Autumn Festival	\$15,412.50	\$15,000		Y
2	Make it Tenterfield Inc	Capacity and Knowledge building through creativity	\$12,320.00	\$0.00		Y
3	Tenterfield Autumn Leaves Festival Inc	Tenterfield Autumn Leaves Festival	\$25,000.00	\$25,000		Y
4	Tenterfield Physical Culture Club	Workshop/Interclub Competition	\$10,000.00	\$7,500		Y
5	The Saddlers Mountain Bike Club Tenterfield	Gravel Ride Cycling Event	\$25,000.00	\$15,000		Y
6	Tenterfield Autumn Festival Committee	Autumn Festival	\$ 9,480.00	\$0.00		Y
7	Tenterfield Show Society Inc	Tenterfield Show Society Camp draft	\$ 8,000.00	\$0.00		Y
Total			\$ 105,212.50	\$ 62,500		
Budget			\$ 62,500.00			
Available for allocation =			\$ 62,500.00			