



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING WEDNESDAY, 19 MAY 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 **Ordinary Council Meeting** will be held in the Torrington Community Hall, Torrington, on **Wednesday, 19 May 2021** commencing at **9.30 am**.

Kylie Smith
Acting 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. 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

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. CONFIRMATION OF PREVIOUS MINUTES

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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

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OUR ECONOMY

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OUR ENVIRONMENT

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13. NOTICES OF MOTION

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15. CONFIDENTIAL BUSINESS

16. MEETING CLOSED

(ITEM MIN4/21) CONFIRMATION OF PREVIOUS MINUTES

REPORT BY: Elizabeth Melling

RECOMMENDATION

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

- **Ordinary Council Meeting – 28 April 2021**

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

ATTACHMENTS

- 1** Ordinary Council Minutes - 28 April 2021 11 Pages

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 28 APRIL 2021

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion, rear of Memorial Hall, Tenterfield on Wednesday, 28 April 2021 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

Acting Chief Executive (Kylie Smith)
Web Assistant & Admin (Christie Fitzpatrick)
Acting Chief Corporate Officer (Paul Della)
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.

Website: www.tenterfield.nsw.gov.au

Email: council@tenterfield.nsw.gov.au

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.

Advice received from Cr Don Forbes that he would be a late attendance.

DISCLOSURE & DECLARATIONS OF INTEREST

79/21 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
Mayor Peter Petty	Less than Significant Non Pecuniary – Family member lives on Roos Road. Will remain in meeting and vote.	ECO9/21 – Road Asset Management Plan 2021.

(Greg Sauer/Gary Verri)

Motion Carried

(ITEM MIN3/21) CONFIRMATION OF PREVIOUS MINUTES

80/21 **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting – 24 March 2021

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

(Brian Murray/Michael Petrie)

Motion Carried

TABLING OF DOCUMENTS

- Councillor Brian Murray –Item GOV32/21 refers – Investigation Report – Alleged Breaches of Tenterfield Shire Council Code of Conduct By Councillor Brian Murray.

Tabled *Notice to Delay* document which was accepted and read to the meeting by Chair, Mayor Peter Petty.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil

MAYORAL MINUTE

Nil

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM9/21) TENTERFIELD WAR MEMORIAL BATHS - MASTER PLAN PUBLIC EXHIBITION

SUMMARY

The purpose of this report is to present the submissions received from community as a result of the Public Exhibition of the Draft Tenterfield War Memorial Baths Master Plan.

81/21 **Resolved** that Council:

- (1) Notes the submissions that were received;

- (2) Defers any decision on the Master Plan for the Tenterfield War Memorial Baths until further investigation of alternative, more affordable options are completed.

(Gary Verri/Brian Murray)

Motion Carried

Manager Asset & Program Planning, Dave Counsell, entered the Meeting, the time being 9.35 am.

(ITEM COM10/21) TENTERFIELD BIKE PLAN REVIEW

SUMMARY

The purpose of this report is to present Council with an update of the Tenterfield Bike Plan following public display for submissions.

82/21

Resolved that Council:

- (1) Note the submissions to the Tenterfield Bike Plan as detailed in the report; and
- (2) Adopt the Tenterfield Bike Plan November 2020.

(Bronwyn Petrie/Bob Rogan)

Motion Carried

(ITEM COM11/21) PEDESTRIAN ACCESS MOBILITY PLAN REVIEW

SUMMARY

The purpose of this report is to present a review of the Tenterfield Pedestrian Access and Mobility Plan.

83/21

Resolved that Council adopt the revised Tenterfield Pedestrian Access and Mobility Plan – (2020) with the following inclusions relating to villages;

- Drake village – Renew existing pathway along Bruxner Highway between Allison Street and Plumbago Creek bridge;
- Drake village – Construct new pathway along Bruxner Highway between Plumbago Creek bridge and Timbarra Street;
- Urbenville village – Renew existing pathway along Beaurty Street between Urben Street and Boomi Street;
- Urbenville village – Construct new pathway along Urben Street between Beaurty Street and Tooloom Street;
- Liston village – construct pathway along Mt Lindesay Road.

(Brian Murray/Gary Verri)

Motion Carried

OUR ECONOMY

(ITEM ECO9/21) ROAD ASSET MANAGEMENT PLAN 2021

SUMMARY

This report presents a revision of the Road Asset Management Plan.

84/21 **Resolved** that Council:

- (1) Note the submissions relating to the Road Asset Management Plan August 2020; and
- (2) Place the revised Road Asset Management Plan April 2021 on Council's website for 28 days seeking public submissions; and
- (3) Receive a report following the 28 day submission period to consider any further submissions; and if no submissions are received, that Council adopt the Road Asset Management Plan April 2021.

(Greg Sauer/Michael Petrie)

Motion Carried

(ITEM ECO10/21) TIMBER BRIDGES LOAD LIMITS REVIEW

SUMMARY

This report relates to timber bridge load limits and reviews the status of restrictions implemented as an interim strategy to minimise the risk of timber bridge failure until Council was able to upgrade the structures to meet current standards.

85/21 **Resolved** that Council:

- (1) Note the report reviewing the status of timber bridge load limits; and
- (2) Agree to the removal of any remaining speed humps on bridge approaches; and
- (3) Seek the advice of the Local Traffic Committee to review regulatory speed restrictions on bridges for replacement with appropriate advisory speeds on selected remaining timber bridges where necessary; and
- (4) Defer further level 3 testing until completion of the currently funded timber bridge replacements program.

(Greg Sauer/Tom Peters)

Motion Carried

OUR ENVIRONMENT

(ITEM ENV7/21) MOLESWORTH STREET DRAINAGE EASEMENT

SUMMARY

This report relates to the construction of a storm water drainage system through private property out into Molesworth Street. It is necessary that Council obtain an easement over the area of land that includes the storm water pipe.

RECOMMENDATION:

That Council:

- (1) Note the proposed storm water easement amendment; and
- (2) Agree to the proposed storm water easement and payment of any compensation of the affected lands; and
- (3) Fund associated easement survey plan amendments and reasonable legal costs involved in obtaining the easement; and
- (4) Delegate the Chief Executive to negotiate any compensation amount once an independent valuation has been undertaken and execute any associated documents to finalise the easement.

(Brian Murray/Michael Petrie)

AMENDMENT

That the matter be deferred until the roles and responsibilities are determined in relation to stormwater discharge onto Lots 1 and 13.

(Brownyn Petrie/Bob Rogan)

Amendment Carried

86/21

Resolved that the matter of the Molesworth Street Draining Easement be deferred until the roles and responsibilities are determined in relation to stormwater discharge onto Lots 1 and 13.

(Brian Murray/Michael Petrie)

Motion Carried

Councillor Don Forbes entered the meeting, the time being 10.43 am.

SUSPENSION OF STANDING ORDERS

87/21

Resolved that Standing Orders be suspended.

(Gary Verri/Greg Sauer)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.44 am.

The Meeting reconvened with the same members present but without Manager Asset & Program Planning, Dave Counsell, the time being 11.00 am.

RESUMPTION OF STANDING ORDERS

88/21 **Resolved** that Standing Orders be resumed.

(Greg Sauer/Gary Verri)

Motion Carried

OUR GOVERNANCE

(ITEM GOV29/21) MONTHLY OPERATIONAL REPORT - MARCH 2021

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 2020/2021 Operational Plan.

89/21 **Resolved** that Council receives and notes the status of the Monthly Operational Report for March 2021.

(Michael Petrie/Bob Rogan)

Motion Carried

(ITEM GOV30/21) FORBES SHIRE COUNCIL - 150 YEAR CELEBRATION

SUMMARY

The purpose of this report is for Council to endorse attendance of Mayor Peter Petty at Forbes Shire Council's 150 Year Celebrations on Saturday, 8 May 2021.

90/21 **Resolved** that Council endorse the attendance of Mayor Peter Petty at Forbes Shire Council's 150 Year Celebrations on Saturday, 8 May 2021.

(Greg Sauer/Gary Verri)

Motion Carried

(ITEM GOV35/21) SOUTHERN QLD INLAND & NSW BORDER REGIONAL WATER ALLIANCE - TENTERFIELD SHIRE COUNCIL MEMBERSHIP

SUMMARY

The Southern Queensland Inland & NSW Border Regional Water Alliance has recently been formed comprising the Mayors of the proposed member Councils of Western Downs Regional Council (Qld), Southern Downs Regional Council (Qld), Goondiwindi Regional Council (Qld), Lockyer Valley Regional Council (Qld), Toowoomba Regional Council (Qld) and Tenterfield Shire Council (NSW).

91/21 **Resolved** that Council endorse in principle:

- (1) Tenterfield Shire Council as a member of Southern Qld Inland & NSW BorderRegional Water Alliance Limited subject to approval of the Constitution of the Company; and
- (2) Tenterfield Shire Council Mayor as a Director of Southern Qld Inland & NSW Border Regional Water Alliance Limited.

(Gary Verri/Michael Petrie)

Motion Carried

Manager Customer Service, Governance & Records Erika Bursford and Acting Manager Finance & Technology Jessica Wild entered the meeting, the time being 11.26 am.

(ITEM GOV31/21) OPERATIONAL PLAN 2021/2022

SUMMARY

The purpose of this report is for Council to place on public exhibition the draft Tenterfield Shire Council Operational Plan 2021/2022, from 28 April 2021 to 25 May 2021.

92/21

Resolved that Council:

- (1) Place the draft Tenterfield Shire Council Operational Plan 2021/2022 on public exhibition on Council's website for 28 days for community review and comment, and
- (2) That a further report be brought back to Council for adoption of the Tenterfield Shire Operational Plan 2021/2022.

(Gary Verri/Brian Murray)

Motion Carried

Acting Manager Finance & Technology Jessica Wild left the meeting, the time being 11.34 am.

(ITEM GOV32/21) INVESTIGATION REPORT - ALLEGED BREACHES OF TENTERFIELD SHIRE COUNCIL CODE OF CONDUCT BY COUNCILLOR BRIAN MURRAY

SUMMARY

The purpose of this report is to present an independent Code of Conduct investigation outcomes and recommendations from O'Connor Marsden & Associates (OCM) to Council related to allegations of breaches of Council's Code of Conduct by Councillor Brian Murray in the course of Council meetings on 24 June 2020 and 2 July 2020, and complaints up to 6 July 2020.

93/21

Resolved that Council:

- (1) Censures Councillor Brian Murray for misconduct under Section 440(G) of the NSW Local Government Act 1993, for five breaches of Tenterfield Shire Council's Code of Conduct.
- (2) Publicly publishes the findings and determinations of the Code of Conduct investigation report in the minutes of the meeting of 28 April 2021, being:

- 2.1 At the Ordinary Meeting of Tenterfield Shire Council on 24 June 2020, Councillor Brian Murray breached clause 3.6 of the Tenterfield Shire Council Code of Conduct 2018 by harassing Mr [REDACTED] through making offensive and humiliating statements against Mr [REDACTED] and the Angry Bull Mountain Bike Trails Project, such statements being 'it's 'bull', that the Angry Bull Mountain Bike Trails Project is a 'sham' or a 'scam' and by falsely stating that an approach by the Angry Bull Mountain Bike Trails Project had been made, or would be made, to Tenterfield Shire Council for a free block of land within the industrial estate.
- 2.2 At the Extra-Ordinary Meeting of Tenterfield Shire Council on 2 July 2020, Councillor Brian Murray breached clause 3.6 of the Tenterfield Shire Council Code of Conduct 2018 by harassing Mr [REDACTED] through making an offensive and humiliating statement against Mr [REDACTED], such statement being that the Angry Bull Mountain Bike Trails Project was either 'hunky dory' or 'hokey dokey', thereby insinuating that an inappropriate meeting had taken place with Council staff through which a 'deal' had been brokered.
- 2.3 That between 24 June 2020 and 6 July 2020, Councillor Brian Murray breached clauses 3.1 and 3.2 of the Tenterfield Shire Council Code of Conduct by making a false complaint of a breach of Council's Code of Conduct by Councillor [REDACTED] to Council's Chief Executive Officer, Mr Terry Dodds.
- 2.4 That between 24 June 2020 and 6 July 2020, Councillor Brian Murray breached clauses 3.1(b) and 3.1(c) of the Tenterfield Shire Council Code of Conduct by providing confidential information obtained in his position as a Councillor on the Tenterfield Shire Council to Mr [REDACTED], a member of the public, contrary to clauses 8.9(d), 8.11(d) and 8.11(g) of the Tenterfield Shire Council Code of Conduct.
- 2.5 That on 20 August 2020, Councillor Brian Murray breached clauses 3.1(a), 3.1(c) and 3.2 of the Tenterfield Shire Council Code of Conduct by dishonestly misleading OCM Principal, Mr Stephen Osborne, during an interview concerning a complaint made by Councillor Murray to Tenterfield Shire Council Chief Executive Officer Terry Dodds regarding Councillor [REDACTED].

(Gary Verri/Greg Sauer)

Motion Carried

Manager Customer Service, Governance & Records Erika Bursford left the meeting, the time being 11.43 am.

Acting Manager Finance & Technology Jessica Wild entered the meeting, the time being 11.43 am.

(ITEM GOV33/21) FINANCE & ACCOUNTS - PERIOD ENDED 31 MARCH 2021

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.

- 94/21** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 March 2021.

(John Macnish/Bronwyn Petrie)

Motion Carried

(ITEM GOV34/21) CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 2021

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.

- 95/21** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 March 2021.

(Greg Sauer/Donald Forbes)

Motion Carried

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC10/21) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE MEETING - 10 MARCH 2021

SUMMARY

A meeting of the Audit & Risk Committee was held on Wednesday, 10 March 2021.

- 96/21** **Resolved** that the report from the Internal Audit Committee meeting of 10 March 2021 be received and noted.

(Don Forbes/Michael Petrie)

Motion Carried

(ITEM RC11/21) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING - 8 APRIL 2021

SUMMARY

A meeting of the Tenterfield Shire Local Traffic Committee Meeting was held on Thursday, 8 April 2021.

- 97/21** Resolved that the report of the Tenterfield Shire Local Traffic Committee meeting of Thursday, 8 April 2021 be received and noted.

(Peter Petty/Gary Verri)

Motion Carried

(ITEM RC12/21) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC

SUMMARY

A meeting of Murray Darling Association (Region 11) was held on Friday, 12 February 2021.

- 98/21** Resolved that Council receive and note the Minutes for the Murray Darling Association (Region 11) meeting of 12 February 2021 and Delegates Report for the Murray Darling Association Inc for March 2021.

(Greg Sauer/Michael Petrie)

Motion Carried

NOTICES OF MOTION

Nil

RESOLUTION REGISTER

(ITEM RES3/21) COUNCIL RESOLUTION REGISTER - APRIL 2021

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.

- 99/21** Resolved that Council notes the status of the Council Resolution Register to April 2021.

(Michael Petrie/Bob Rogan)

Motion Carried

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 12.17 pm.

.....
Councillor Peter Petty
Mayor/Chairperson

Department:	Office of the Chief Corporate Officer
Submitted by:	Property Specialist
Reference:	ITEM COM12/21
Subject:	APPLICATION FOR COUNCIL TO BE APPOINTED AS CROWN LAND MANAGER OF THREE (3) RESERVES IN TENTERFIELD

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Community - COMM 2 - Health and quality of life are supported by a wide range of recreation and leisure opportunities.
CSP Strategy:	Relevant community services, sporting facilities, open spaces and cultural infrastructure are maintained and improved.
CSP Delivery Program	Deliver, review and update Parks, Gardens and Open Space, Maintenance Programs across the Shire.

SUMMARY

The purpose of the report is to advise Council of three (3) Crown Land Reserves that are currently devolved to Council however Council is not the Crown Land Manager. There are several proposals that are supported/approved by Council to be located on these devolved land reserves however Council does not have the authority to approve them.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Resolve to delegate authority to the Chief Executive to apply to Crown Lands to be appointed as Crown Land Manager of Public Recreation Reserve R22044 (Old Power House Reserve) Lot 12 Section 22 DP 758959, Lot 701 DP 1059521 and Lot 7029 DP 1112788;**
- (2) Resolve to delegate authority to the Chief Executive to apply to Crown Lands to be appointed as Crown Land Manager of Public Recreation Reserve R42597 Lots 7026, 7027 & 7028 DP 1126960; and**
- (3) Resolve to delegate authority to the Chief Executive to apply to Crown Lands to be appointed as Crown Land Manager of Public Recreation Reserve R22042 Lot 7306 DP 1138684.**

BACKGROUND

The report refers to the following three (3) Crown Reserves that are located in Tenterfield and are currently devolved to Council.

- (1) Public Recreation Reserve R22044 (Old Power House Reserve) Lot 12 Section 22 DP 758959, Lot 701 DP 1059521 and Lot 7029 DP 1112788. The Reserve has frontages to Crown Street, Manners Street and Miles Street. It is also referred to as the 'Skate Park'. It surrounds the 'Band Hall' which is on a small site leased to the Council from Crown Lands. The Showgrounds adjoin to the west. It is used as a park including the skate park, bike/walking track,

Our Community No. 12 Cont...

half basketball court and shed. Its proximity to the principle commercial precinct results in it being used by the public for car parking.

- (2) Public Recreation Reserve R42597 Lots 7026, 7027 & 7028 DP 1126960. The Reserve is located to the north west of Scott Street and Martin Street bend and to the south east of the Petrie Street and George Street bend. Federation Park adjoins to the west and Hockey Fields Park adjoins to the east. The Reserve follows Tenterfield Creek and a concrete bike/walking track follows the Creek. Part of the Federation Park sports oval encroaches on the western part (Lot 7026). Part of the hockey field (No 3) encroaches on to the eastern part (Lot 7027).
- (3) Public Recreation Reserve R22042 (Hockey Fields Reserve) Lot 7306 DP 1138684. The Reserve is located on the north western corner of Martin Street and Landers Street. It is developed with a grass hockey sports field. Reserve 42597 described in No 2 above adjoins to the west. Council owned 'community' land adjoins to the north

The Reserves are indicated on the attached plans. (Refer to Attachments A & B.)

REPORT:

The Reserves identified in the background section of the report are all currently devolved to Council by the Crown. Council maintains and cares for these Reserves however is not appointed as the Crown Land Manager of the Reserves under Crown Land Management Act 2016 (CLM Act). This means that Council cannot legally manage these reserves as if they were 'community' or 'operational' land under the Local Government Act 1993.

The principle advantages supporting being appointed as Crown Land Manager are:

- (1) To be able to approve/erect structures and buildings on the Reserves in accordance with approved Plans of Management (PoM).
- (2) To be able to enter into leases or licenses for users of the parks to complete developments owned by the lessee/licensee.

The Reserves are located, following Tenterfield Creek are all integral to future community activity and development of community infrastructure in Tenterfield.

There are several proposals/grant applications over these parks. Council will need to be the Crown Land Manager to approve the uses and structures and to enter into leasing arrangement with the proponents. Potential uses/developments include:

- (1) Public Recreation Reserve R22044 (Old Power House Reserve): Pump Track, Horse Sculpture and Trail Head 1 of Angry Bulls Trail Ride.
- (2) Public Recreation Reserve R42597: Dog & Cow Sculpture and longer term desire to fence Federation Park.

Council supported the location of the Horse Sculpture and the Dog & Cow Sculpture as part of the Sculpture Walk. Resolution 57/21 on 24 March 2021.

Council allocated \$30,000 for Angry Bull Mountain Bike Trail design and committed to support the development of mountain biking within Tenterfield Shire within operational constraints. Resolution 248/20 on 25 November 2020. The proposed trail head on

Our Community No. 12 Cont...

Crown Street (Trail Head 1) proposes significant development on Public Recreation Reserve R22044.

Council has been appointed as the Crown Land Manager to Shirley Park (R76526) and Jubilee Park (R57957). Council is the owner of Milbrook Park, balance of Federation Park and Hockey Park, Rotary Park and the Memorial Baths. Being appointed as Crown Land Manager of the 3 reserves that are the subject of this report would result in Council having management of all of the Parks.

Process of Managing Crown Reserves

Being appointed as the Crown Land Manager is the first step in the proper management of the Crown Reserves. On the basis that Council does become the Crown Land Manager for the Reserve(s), it will need to

- (1) Seek approval of the initial categorisation of each reserve from the Council Crown Land Management Team and;
- (2) Prepare a Draft Plan of Management (PoM) for each Reserve which needs to be sent to the Council Crown Land Management Team for approval. After that approval is obtained, Council will need to give public notice of the PoM as required by the Local Government Act 1993 and consider any submissions received. If it resolves to amend the PoM it needs Crown Lands approval as the land owner. If no amendments are made, Council can adopt the PoM, provide Crown Lands with a copy of the adopted PoM and proceed with matters authorised in the PoM.

Any approval for development or leasing once the above has been completed would also be subject to:

- (1) The material harm test in section 2.19 of the Crown Land Management Act 2016.
- (2) The receipt of advice from the Native Title Manager.
- (3) Aboriginal Land Claims.

The process of becoming the Crown Land Manager and then classifying and categorizing the Reserves takes a considerable period of time and can involve multiple interactions with Crown Lands. It is recommended that Council proceed with the application. To delay until a particular proposal comes forward that involves one of the Reserves and would require Council to be the Crown Land Manager to facilitate the proposal, would likely result in significant delays and potentially missed opportunities.

Aboriginal Land Claims

There are two Aboriginal Land Claims over two of the lots included in the subject Reserves that have been made known to Council as follows:

- (1) Public Recreation Reserve R22044 (Old Power House Reserve) Lot 12 Sec. 22 DP 758959. Aboriginal Land Claim 31658 was lodged by the New South Wales Aboriginal Land Council on behalf of the Moombahlene Local Aboriginal Land Council on 13 October 2010.

Our Community No. 12 Cont...

(2)Public Recreation Reserve R4259. Lot 7027 DP 1126960. Aboriginal Land Claim 31776 - Lodged by the New South Wales Aboriginal Land Council on behalf of the Moombahlene Local Aboriginal Land Council on 13 October 2010.

(3)Public Recreation Reserve R22042 (Hockey Fields Reserve). No Claims

No approvals for structures or leases can be granted until the Aboriginal Land Claims are assessed by Crown Lands and determination has been made.

There are exceptions, and some works/actions/dealings may be completed with consent of the Local Aboriginal Land Council. Council can request that the Claims are dealt with by the Crown as a priority. Assessment of priority claims can take up to 6-12 months to be completed.

The two lots over which Aboriginal Land Claims are known to have been lodged are indicated on Attachment C.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Community consultation has been completed regarding the Sculpture walk and Angry Bulls proposals. Additional community consultation will be required at the preparation of the PoM's stage.

2. Policy and Regulation

- Local Government Act 1993
- Crown Land Management Act 2016
- Native Title Act 1993
- Aboriginal Land Rights Act 1983
- Aboriginal Land Rights Regulation 2014.

3. Financial (Annual Budget & LTFP)

Council already maintains and cares for the Reserves. Being appointed as Crown Land Manager does not therefore have additional financial imposts. The ability to enter into leases has the potential to reduce future depreciation cost as assets can be in the ownership of the lessee.

It will involve staff time and cost to complete the classification and categorization process and to prepare PoM's.

4. Asset Management (AMS)

Care and maintenance is currently undertaken by Council. Being appointed as Crown Land Manager will result in Council having more control over the future use of the reserves.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Council being the Crown Land Manager together with the process behind classification/categorization and approval of PoM's provides a sound framework for Council to make future decisions and therefore mitigate risk.

Our Community No. 12 Cont...

7. Performance Measures

Council being the Crown Land Manager and will allow Council to act more quickly to approve/support future community infrastructure development and utility of the reserves by Council or by lessee's.

8. Project Management

Nil

Paul Della

Acting Chief Corporate Officer

Prepared by staff member:

Neville Coonan

Approved/Reviewed by Manager:

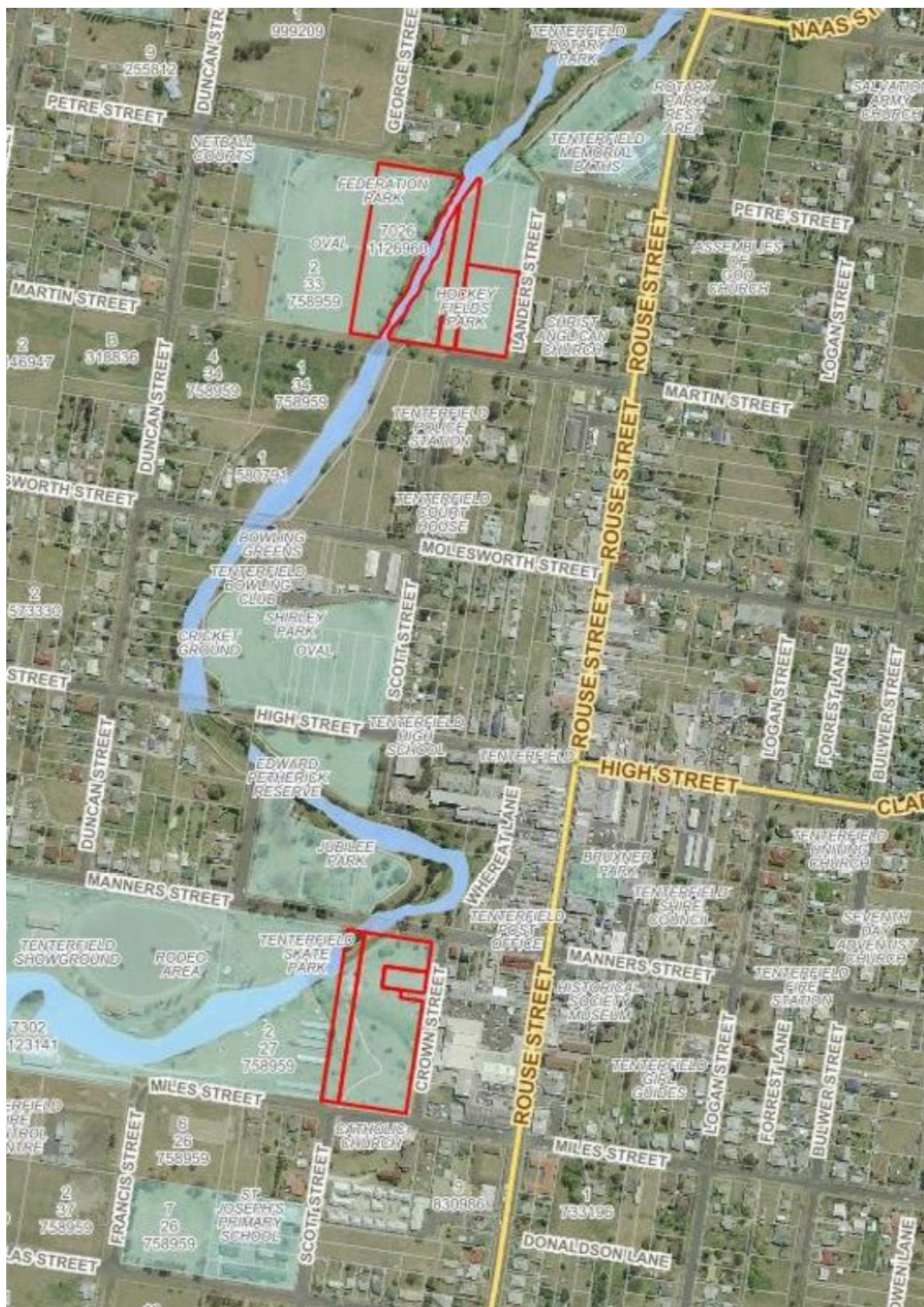
Paul Della, Acting Chief Corporate Officer

Department:

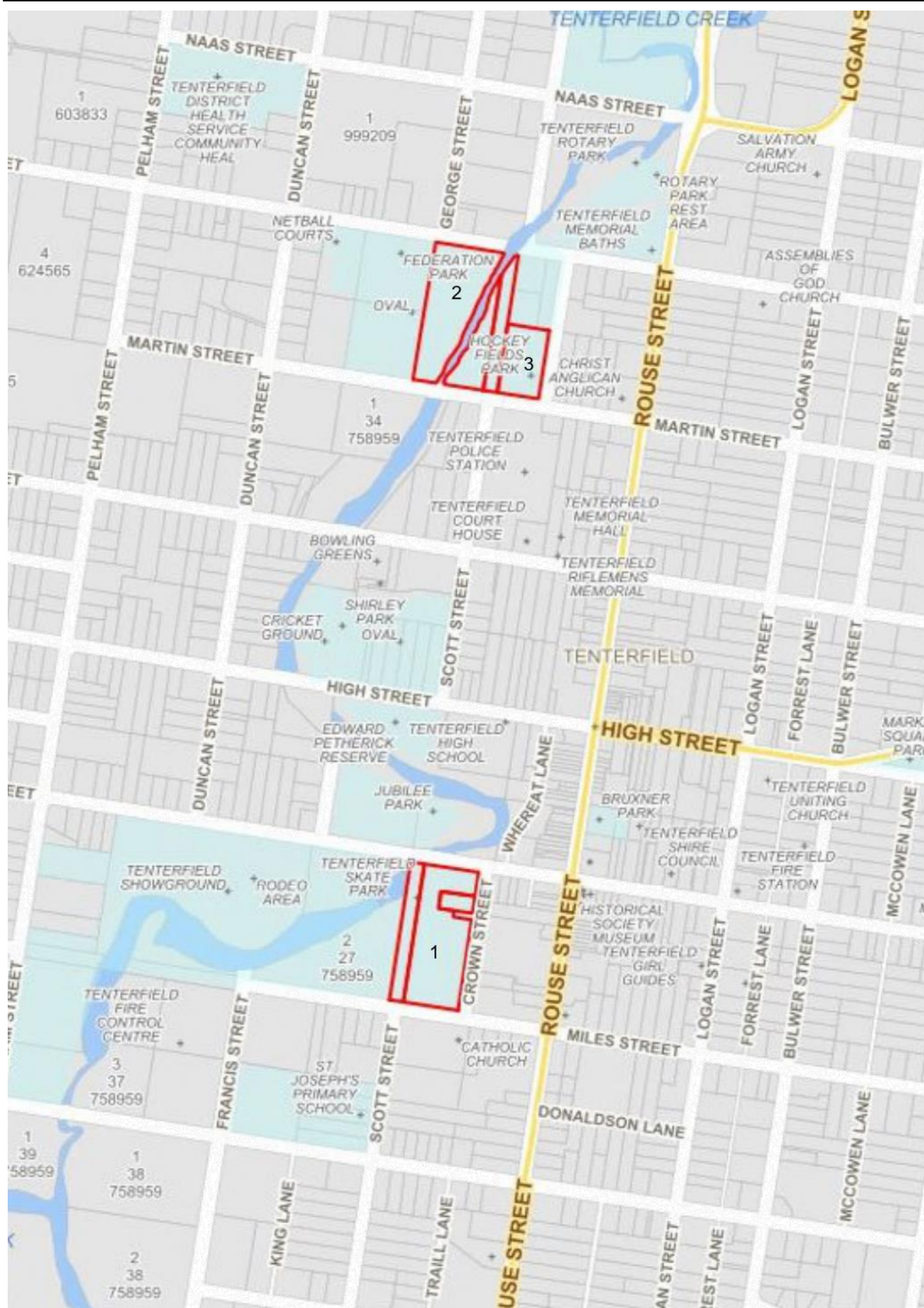
Office of the Chief Corporate Officer

Attachments:

- | | | |
|----------|------------------------------|--------|
| 1 | Plan of Reserves - Aerial | 1 Page |
| 2 | Plan of Reserves - Cadastral | 1 Page |
| 3 | Aboriginal Land Claims | 1 Page |

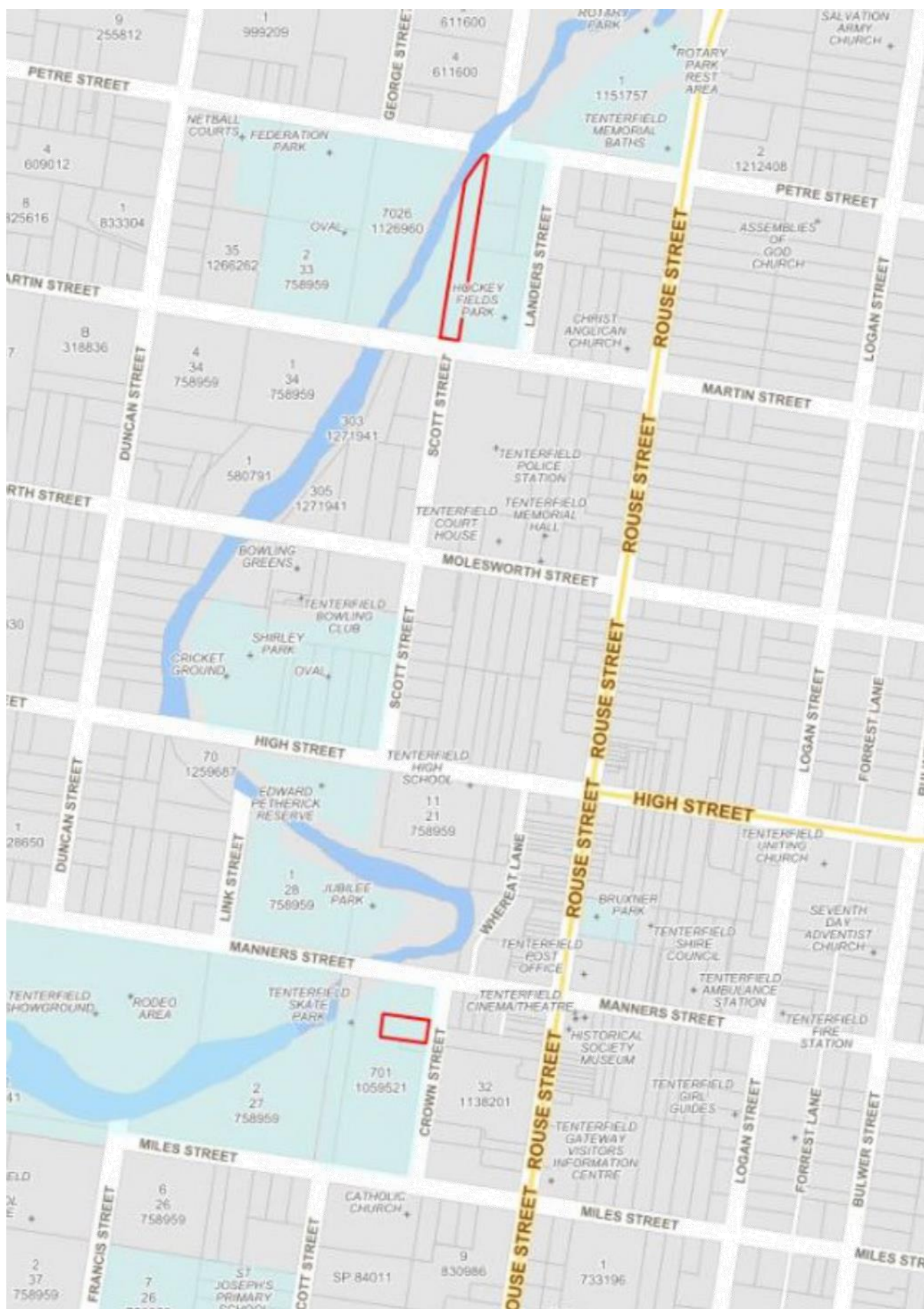


Attachment 2
Plan of Reserves -
Cadastral



Ordinary Council - 19 May 2021
APPLICATION FOR COUNCIL TO BE APPOINTED AS
CROWN LAND MANAGER OF THREE (3) RESERVES
IN TENTERFIELD

Attachment 3
Aboriginal Land Claims



Department:	Office of the Chief Corporate Officer
Submitted by:	Acting Chief Corporate Officer
Reference:	ITEM ENV8/21
Subject:	VARIATION OF SEWAGE DISCHARGE FACTOR POLICY

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 continually reviews its service provision to ensure best possible outcomes for the community.
CSP Delivery Program	Deliver continuous improvements in Council's business, processes and systems.

SUMMARY

The purpose of this report is to outline Council's policy requirements for non-residential customers to apply for a variation of the Sewage Discharge Factor in relation to their water account.

OFFICER'S RECOMMENDATION:

That Council:

- 1) That the variation of sewage discharge factor policy be placed on public consultation for 28 days; and**
- 2) If no submissions are received from the public on this policy that it be adopted at the end of the public consultation period; or**
- 3) If submission are received from the public on this policy that submissions be presented at a council meeting for discussion prior to adopting the policy.**

BACKGROUND

Council traditionally charges a 95% Sewage Discharge Factor to all businesses.

Some businesses have argued that this percentage should be lower because of the type of equipment they use or industry they are in.

Having no process in place to allow for Council to consider a reduction has meant that such requests could not be considered as it would be unfair to all businesses if an exemption was granted on an ad hoc basis. Creating a policy framework and procedure by way of the requirement for an annual application form tidies this up and creates a fair playing field.

REPORT:

Under the new Policy (attached), business owners will be able to apply each year for a variation to the standard sewage discharge factor of 95%, if they feel it is not representative of their business.

Before making the decision to apply for a variation, business owners should consider the evidence they will use to assess the reasonableness of the variation requested.

Our Environment No. 8 Cont...

Such evidence may include the use of appropriately installed and calibrated sewage discharge measuring equipment or it could be based on manufacturer's documentation of the equipment used in your business or an industry standard.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Being a new policy, a public consultation period of 28 days will apply.

2. Policy and Regulation

- A copy of the new Policy is attached.

3. Financial (Annual Budget & LTFP)

A lowering of the Sewage Discharge Factor below the 95% standard rate is likely to have a minimal impact on Council's budgeted income.

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.

Paul Della

Acting Chief Corporate Officer

Prepared by staff member:

Paul Della

Approved/Reviewed by Manager:

Kylie Smith, Acting Chief Executive

Department:

Office of the Chief Corporate Officer

Attachments:

- | | | |
|----------|--|---------|
| 1 | Sewage Discharge Factor Variation Application Form | 3 Pages |
| 2 | Policy Sewage Discharge Factor - Final | 3 Pages |

	Tenterfield Shire Council PO Box 214 TENTERFIELD NSW 2372 Email: council@tenterfield.nsw.gov.au Ph: (02) 6736 6000 Fax: (02) 6736 6005	Application for Variation of Sewer Discharge Factor
Note to Applicant: If a variation is approved it will be applied to the next water billing period. Variations cannot be performed for previous water billing period. Personal information that Council collects from you is for the purposes of the Privacy and Personal Information Protection Act 1998.		
APPLICANT <u>(THIS FORM WILL NOT BE PROCESSED UNLESS ALL FIELDS ARE COMPLETED)</u>		
Applicant's Name:		
If application is on behalf of a company or business:		
What is company/business name:		
Phone No. (daytime): Mobile: Fax No:		
Postal Address:		
Are you the Property Owner: YES <input type="checkbox"/> NO <input type="checkbox"/>		
If you are not the property owner, please select your relationship to the owner:		
<input type="checkbox"/> TENANT / BUSINESS OWNER <input type="checkbox"/> OTHER:		
PROPERTY DETAILS		
Lot No: Section No: DP/Strata Plan:		
Unit No: House No: Street:		
Town/Village:		
PROPERTY OWNER INFORMATION:		
What is the Property Owner's Name:		
What is the Property Owner's Address:		
Owner's Contact No: Landline: Mobile:		
Email:		
Do you have the owner's consent? This section must be signed by the property owner. The owner's authorisation to make this application must be obtained. This is a mandatory requirement of Section 78 of the Local Government Act 1993.		
As owner of the above property, I consent to the making of this application and to the entry onto such land by authorised officers of Council for the purpose of determining this application, and any associated inspections.		
Signature: Date:		

PROPERTY INFORMATION:

Business Type:
(eg. Factory/Office/Restaurant/Workshop)

Business Activities:

Days/Hours of Operation:

Is Business Seasonal: YES ☐ NO ☐

If YES, please provide details:

How many Water Meters service the property:

Serial Number/s:

No. of Toilets: No. of Urinals: No. of Showers:

Is there evaporative cooling? YES ☐ NO ☐

If YES please circle type: Domestic Commercial Industrial

Is there a Swimming Pool? YES ☐ NO ☐

Current Sewer Discharge Factor:%

Sewer Discharge Factor sought:%

Additional Information to support your claim:

Please attach any supporting evidence such as installation of discharge or flow meters, deduct meters, meter readings, technical information, production records or areas of gardens/landscape to support this application.

Declaration: I declare that all information supplied in this application is true and correct

Signature: Date:

WATER USAGE/WASTEWATER GENERATION:

A. Annual (average) water supplied to Property (refer Rates Notice)kL

B. Garden/Landscape usekL Metered? ☐ YES ☐ NO
 (Allowance) ☐ ESTIMATED

If estimated, basis for estimation:

C. Used in ProductkL ☐ YES ☐ NO
 (Allowance) ☐ ESTIMATED

If estimated, basis for estimation:

D. Cooling TowerskL ☐ YES ☐ NO
 (Allowance) ☐ ESTIMATED

If estimated, basis for estimation:

E. Evaporation LosskL ☐ YES ☐ NO
 (Allowance) ☐ ESTIMATED

If estimated, basis for estimation:

F. OtherkL ☐ YES ☐ NO
 (Allowance) ☐ ESTIMATED

If estimated, basis for estimation:

Total Allowances B + C + D + E + F =(G)

Your estimation of the discharge factor:
 Average water supplied to property $\frac{[A] - [G]}{[A]} \times 100$
 =%

Please attach any supporting evidence such as meter readings, technical information, production records or areas of gardens/landscape to support this application.

DECLARATION

I declare that all of the information supplied in this application is true and represents typical water use at my property.

Signature: Date:



VARIATION OF SEWAGE DISCHARGE FACTOR

Summary:

The purpose of this policy is to outline Council's requirements for non-residential customers to apply for a variation of the Sewage Discharge Factor in relation to their water account.

Policy Number	(Insert)
File Number	N/A
Document version	V1.0
Adoption Date	19 May 2021 Pending
Approved By	Council
Endorsed By	Executive Management Team
Minute Number	(Insert)
Consultation Period	(Insert dates) – 14 days unless statutory period
Review Due Date	May 2024 – 3 years
Department	Finance & Technology
Policy Custodian	Manager Finance & Technology
Related Legislation	Local Government Act 1993; Tenterfield Shire Council Fees & Charges; NSW Department of Planning, Industry and Environment Liquid Trade Waste Management Guidelines
Delegations of Authority	Manager Finance & Technology

1. Overview

The purpose of this Policy is to provide a mechanism for business owners to apply annually for a variation to the Standard Sewage Discharge Factor.

2. Policy Principles

Council's policy is for a Standard Sewage Discharge Factor of 95% to apply to all businesses.

Under this Policy, business owners are able to apply for a variation to this discharge factor, if they feel it is not representative of the amount of water that they send to sewer. Such an application must be made each year.

Before making the decision to apply for a variation, business owners should consider the evidence they will use to assess the reasonableness of the variation requested.

Such evidence may include the use of appropriately installed and calibrated sewage discharge measuring equipment or it could be based on manufacturer's documentation of the equipment used in a business or it could be based on an industry standard for a type of business.

2.1 Application Criteria

- 2.1.1** If using sewage discharge measuring equipment, you must install this at your expense in the location and meeting requirements needed to provide an accurate reading of the amount of discharge to the sewer and a minimum of one billing cycle's sewer discharge data must be provided to Council.
- 2.1.2** If using documentation in relation to the equipment used by your business, a copy of this documentation must be provided to Council with your application.
- 2.1.3** If relying on an industry standard, appropriate evidence must be provided to Council of said standard.
- 2.1.4** An Application for Variation of Sewage Discharge Factor form must be completed on an annual basis (Copy attached).
- 2.1.5** On approval of the application the revised Sewer Discharge Factor percentage will apply for the current and future water billing periods until the next financial year when a new application will be required.

3. Policy Objectives

The objective is give the non-residential customer the opportunity to apply for a variation in SDF percentage.

4. Policy Statement

This Policy provides the non-residential customer with an opportunity to reduce the operating cost to the business via a reduction of the SDF percentage by measuring the actual percentage of waste returned to the Council's main sewerage

system or by providing documentary evidence from the manufacturer of the equipment used by the business as to what the SDF percentage typically is.

5. Scope

This policy applies to all non-residential water customers within the Tenterfield Shire Council connected to the mains sewerage system.

6. Accountability, Roles & Responsibility

Elected Council

To approve Council Policies.

Chief Executive, Executive and Management Teams

Not applicable.

Management Oversight Group

Not applicable.

Individual Managers

The Manager of Finance & Technology is responsible for this Policy

7. Definitions

Sewage Discharge Factor Percentage – represents that amount of water used in the business processes that is then discharged to the sewer.

Water Account – an account issued by Council for the water related usage charges. Non-Residential properties are also charged for sewer and trade waste usage charges via the Water Account where these services are applicable

8. Related Documents, Standards & Guidelines

Local Government Act 1993;
Tenterfield Shire Council Fees & Charges;
NSW Department of Planning, Industry and Environment Liquid Trade Waste Management Guidelines

9. Version Control & Change History

Version	Date	Modified by	Details
V1.0		Council	Adoption of Original Policy

Department:	Office of the Chief Executive
Submitted by:	Acting Executive Assistant & Media
Reference:	ITEM GOV36/21
Subject:	MONTHLY OPERATIONAL REPORT - APRIL 2021

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 2020/2021 Operational Plan.

OFFICER'S RECOMMENDATION:

That Council receives and notes the status of the Monthly Operational Report for April 2021.

Kylie Smith
Acting Chief Executive

Prepared by staff member:	Elizabeth Melling
Approved/Reviewed by Manager:	Kylie Smith, Acting Chief Executive
Department:	Office of the Chief Executive
Attachments:	1 Attachment 1 (Attachment Booklet 112 1) - Monthly Operational Report - Pages April 2021

Department:	Office of the Chief Executive
Submitted by:	Acting Executive Assistant & Media
Reference:	ITEM GOV37/21
Subject:	ANNUAL REMUNERATION FOR COUNCILLORS AND THE MAYOR - 2021-2022

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 continually reviews its service provision to ensure best possible outcomes for the community.
Delivery Plan Action:	Deliver continuous improvements in Council's business, processes and systems.
Operational Plan Action:	Ensure adequate and effective internal controls are in place for all financial management and purchasing functions.

SUMMARY

The purpose of this report is to address the recent determination of the NSW Local Government Remuneration Tribunal which handed down an increase in the fees payable to Councillors and the Mayor of 2.0% for the 2021/2022 financial year.

The increase applies to both the minimum and maximum allowable rates for both Councillors and the Mayor. Council is required to determine at which rate it sets fees for both Councillors and the Mayor within the minimum and maximum allowable amounts for the upcoming financial year.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Notes the Report and Determination of the NSW Remuneration Tribunal 23 April 2021; and**
- (2) Sets the level of fees payable to all Councillors at \$12,400 per annum effective from 1 July 2021 to 30 June 2022; and**
- (3) Sets the additional fee payable to the Mayor at \$27,060 per annum effective from 1 July 2021 to 30 June 2022; and**
- (4) Sets the reimbursement amount for approved travel using own vehicle at \$0.68 per km (under 2.5 litres) or \$0.78 per km (2.5 litres and above) where a Council vehicle is unavailable.**

BACKGROUND

The full report of the Local Government Remuneration Tribunal (the Tribunal) is attached to this Report.

The Local Government Remuneration Tribunal is required to report to the Minister for Local Government by 1 May each year as to its determination of categories and the

Our Governance No. 37 Cont...

maximum and minimum amounts of fees to be paid to Mayors, Councillors, and Chairpersons and Members of County Councils.

The Tribunal has found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1 of Attachment 1 (Attachment Booklet 1) – Local Government Remuneration Tribunal – Annual Report & Determination. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

In accordance with section 239 of the *Local Government Act 1993*, the categories of general purpose Councils are determined as follows:

Metropolitan	Non-metropolitan
• Principal CBD	• Major Regional City
• Major CBD	• Major Strategic Area
• Metropolitan Large	• Regional Strategic Area
• Metropolitan Medium	• Regional Centre
• Metropolitan Small	• Regional Rural
	• Rural

Tenterfield Shire Council is classified in the **Rural (57)** category.

Council can choose to set their fees at either the maximum rate prescribed for the category or a lesser rate above the minimum for the category. Previously Tenterfield Shire Council has resolved to set the Councillor fee and the Mayoral fee at the upper level of the respective categories.

REPORT:

The Tribunal has determined the following range for the Rural category for the 2021-2022 financial year:

All Councillors	\$9,370 to \$12,400
Mayor	\$9,980 to \$27,060

In the 2020-2021 financial year Councillor remuneration was set as follows:

All Councillors	\$12,160 x 10
Mayor	\$26,530
Total	\$148,130

If Council were to apply the maximum annual increase of 2.0% in determining the Councillor and Mayoral fees for 2021-2022, the following fees would apply.

All Councillors	\$12,400 x 10
Mayor	\$27,060
Total	\$151,060

In addition, as per Council's *Payment of Expenses and Provision of Facilities to Councillors Policy* the Local Government (State) Award has determined an amount for the approved travel using own vehicle as follows:

Under 2.5 litres:	0.68 per km
Over 2.5 litres:	0.78 per km

Our Governance No. 37 Cont...

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil required.

2. Policy and Regulation

- As determined by the Local Government Tribunal under Sections 239 and 241 of the *Local Government Act 1993*.
- Relates to *Council's Payment of Expenses and Provision of Facilities to Councillors* Policy.

3. Financial (Annual Budget & LTFFP)

The adopted Annual Budget for 2021/2022 has included an increase of 2.5% for the annual remuneration for Councillors and the Mayor.

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
Acting Chief Executive

Prepared by staff member:

Elizabeth Melling

Approved/Reviewed by Manager:

Kylie Smith, Acting Chief Executive

Department:

Office of the Chief Executive

Attachments:

- | | | |
|----|----------------------------------|-------|
| 1 | Attachment 2 (Attachment Booklet | 16 |
| 2) | Local Government Remuneration | Pages |
| | Tribunal - Annual Report and | |
| | Determination | |

Department:	Office of the Chief Corporate Officer
Submitted by:	Acting Manager Finance & Technology
Reference:	ITEM GOV38/21
Subject:	QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2021

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 provide Council with a Quarterly Budget Review Statement in accordance with Regulation 203 of the Local Government (General) Regulation 2005 (the Regulation).

OFFICER'S RECOMMENDATION:

That Council adopts the March 2021 Quarterly Budget Review Statement, noting that the previous recommendations from the September Quarterly Budget Review still stand (notwithstanding that there was an increase to the projected deficit in the December Quarterly Budget Review that was outside of Council's control).

BACKGROUND

Regulation 203 of the Regulation states that:

- (1) Not later than two months after the end of each quarter (except the June quarter), the Responsible Accounting Officer of a Council must prepare and submit to the Council a Budget Review Statement that shows, by reference to the estimate of income and expenditure set out in the statement of the Council's Revenue Policy included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A Budget Review Statement must include or be accompanied by:
 - (a) a report as to whether or not the Responsible Accounting Officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure, and
 - (b) if that position is unsatisfactory, recommendations for remedial action.
- (3) A Budget Review Statement must also include any information required by the Code to be included in such a statement.

The Code referred to is the Code of Accounting Practice and Financial Reporting.

Our Governance No. 38 Cont...

While earlier versions of the Code had an appendix that listed minimum requirements, these were removed a few years ago as they are of no relevance to the financial statements (which is the main purpose of the Code).

In the absence of any instructions in the Code, the Quarterly Budget Review Statement publication issued in 2010 by the then Division of Local Government, NSW Department of Premier and Cabinet has been used as a guide to the preparation of this Quarterly Budget Review.

The quarterly review should act as a barometer of Council's financial health during the year and it is also a means by which Councillors can ensure that Council remains on track to meet its objectives, targets and outcomes as set out in its Operational Plan.

REPORT:

The original budget adopted by Council indicated that the Net Operating Surplus at the end of the 2020/21 financial year was expected to be \$17,515,687 (including Capital Grants and Contributions). This was based on budgeted total operating revenue of \$40,253,761 and budgeted total operating expenditure of \$22,738,074.

In the September 2020 quarterly budget review, the net effect of changes made resulted in a decrease of \$1.650M from the projected surplus of the original budget, to result in a projected Net Operating Deficit of **(\$1.375M)**. The Operating Surplus was \$37.056M when capital grants and contributions were included.

In the December 2020 quarterly budget review, the net effect of changes resulted in additional operational expenditure of \$640K, to result in a projected Net Operating Deficit of **(\$1.965M)**. The Operating Surplus is was \$37.158M when capital grants and contributions were included.

In the March 2021 quarterly budget review, there has been no change to the projected Net Operating Deficit of **(\$1.965M)**. The Operating Surplus is now \$39.149M when capital grants and contributions are included.

The Operating Performance Ratio is an example of demonstrating whether Council is making an operating surplus or deficit and can be expressed including or excluding Capital income. Both are included in this quarters' report.

The Operating Performance Ratio (excluding Capital income) is defined as:

$$\frac{\text{Total Continuing Operating Revenue (excluding Capital grants and contributions)}}{\text{Operating Expenses}}$$

Total Continuing Operating Revenue

Council originally budgeted for a positive Operating Ratio (surplus) both including and excluding Capital income of 43.51% percent and 1.19% percent respectively. This changed in the September 2020 Quarterly Budget Review to 58.73% and -5.57% respectively. After the budget changes in the December 2020 review, these ratios were 58.29% and -7.98%.

From the minor budget updates made in the March 2021 review, these ratios are now 59.29% and -7.89% respectively.

Our Governance No. 38 Cont...

Comment by the Responsible Accounting Officer:

While I have indicated that the projected financial position as at 30 June 2021 is unsatisfactory, the main reason for the worsened result is due to timing differences between when grant funding has been received versus when it is scheduled to be spent.

Having said that, it is fair to say that Council's depreciation costs have increased substantially over the past few years as new infrastructure has been built on the back of a significant increase in grant funds and other costs have increased or revenue decreased too as a result of the drought and fires. The rate peg and cost shifting from the State to Councils has also had an impact on Council's bottom line.

Council cut budgets significantly as part of the 2020/21 budget process but it was clear after the September Quarterly Budget Review that more needed to be done and as required under the act some remedial actions were proposed and adopted as part of that review including that:

a) No additional operating or capital expenditure outside of the recommendations in this review be approved by Council unless they are offset by other savings (eg with roads for example, resheeting, with a plan to reduce maintenance costs) or grant funded and even then only where there will be no additional operating costs as a result of the expenditure ie if capital related expenditure, it should be for the replacement of existing assets only, not new assets.

b) As part of Council's new Asset Management System implementation and asset revaluation processes for 2020/21, a thorough review of depreciation be undertaken to ascertain if depreciation expenditure can be reduced and that further discussions be held with the State Government re them taking back some roads from Council;

c) That correspondence be sent to the Australian Accounting Standards Board re the issue of having to recognise some grant income in a different accounting period to when the expenditure will be incurred;

d) That the issue of rate pegging and cost shifting be raised again in appropriate forums; and

e) That a plan be developed to increase operational income and further reduce operational expenditure that as per previous discussions and comments in the Monthly Operational Report, such a plan may include a special rates variation request with a view to returning Council's operating position to surplus.

With regard to e) above, Council staff have met to discuss a plan for reducing operational expenditure and further meetings are planned to finalise a document for distribution to all staff and Councillors.

As can be seen, there have been additional cost pressure and revenue reductions to Council which have worsened the year end result by \$640K however some savings have been found across Council that mitigated this being an even higher figure and all of the reasons for the increase are outside of Council's control. While the above may not return the operating position to surplus by 30 June 2021, the aim is to continue to ensure the sustainability of Council in the longer term.

Water Fund

Our Governance No. 38 Cont...

Based on the Original Budget, the Water Fund had been expected to make a surplus of \$189,070 excluding capital grants and contributions, however based on figures to the end of September 2020, this surplus decreased slightly to \$172,213. It should be noted that as at 30 September, the Water Fund was effectively borrowing cash from the General Fund pending the receipt of outstanding amounts from the Drought Augmentation works (this funding has since been received in October).

As a result of the December 2020 review, the Water Fund operating surplus (excluding capital grants and contributions) decreased to \$115,713.

For the March 2021 review, there is no change to the Water Fund operating surplus.

Cash and Investment Review:

The cash and investment review provides an estimate of the current internal and external restrictions on Council's invested funds. These are not fully determined until the end of the Financial Year and these figures have been updated in the December Quarterly Budget Review to reflect updates to grant balances and other movement in both internally and externally restricted cash.

Developer Contributions

The balances of Developer Contribution accounts as of 31 March 2021 are:

Plan Preparation & Administration	\$3,772
Emergency Services	\$8,108
Community & Civic Facilities	\$3,999
Open Space, Sporting & Recreation	\$1,504
Roads	\$117,102
7.12 Contributions	\$3,490
Water Fund	\$15,424
Sewer Fund	\$15,634
Waste Fund	\$13,545
Stormwater Fund	\$1,460

It should be noted that Council is still awaiting payment for a number of outstanding receivables from the 2019-20 Financial Year, particularly for Disaster Recover Funding Arrangements (DRFA) works carried out after fires and storms. Once these funds are received they will also need to be internally allocated (restricted) to bring these allocations up to levels that had previously been approved and allocated for the plant fund and other projects.

The report also includes a reconciliation of Council's cash and investments on hand as at 31 March 2021.

This report also requires a statement in respect of whether all investments are in accordance with the requirements of Section 625 of the Local Government Act 1993, the accompanying Regulation and Council's Investments Policy. This statement, in combination with the monthly investment report, ensures that Council is complying with these statutory, regulatory and policy requirements.

Further, a declaration as to the preparation of bank reconciliations is also required. Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the March 2021 quarter occurred on 1 April 2021.

Our Governance No. 38 Cont...

Capital Budget Review:

The Capital Budget Review format allows Council to analyse any additional Capital expenditure to be incurred in the current financial year and the extent to which monies have already been expended. The report also indicates how Council is to fund the Capital expenditure for the year.

The September review increased Capital Works Expenditure by \$28.8 million, mainly due to grant projects carried-forward from the 2019/20 financial year, as well additional Council-funded works (the majority of which were planned 2019/20 projects which were either not begun or incomplete in that year).

The December 2020 review increased Capital Works Expenditure by \$1 million, mainly resulting from new grant-funded projects for Transport and the BCRRF grant for the Memorial Hall. There was also some additional Council-funded capital works within the Water service area.

This March 2021 review increased Capital Works Expenditure by \$1.9 million, mainly due to new grant-funded projects for bridges. In addition, \$503K in capital budgets for Sewerage infrastructure was removed, as these projects are now planned for the 2022/23 financial year.

Contracts:

The Reporting Framework requires the identification of contracts entered into in the preceding quarter, which exceed specified expenditure limits. The limit for reporting contracts in the QBRs is one percent (1%) of revenue from continuing operations, or \$50,000, whichever is less.

Consultancy and Legal Expenses:

The current expenditure to 31 March 2021 on qualifying consultancies and legal fees are identified in the QBRs and this expenditure is budgeted for and, given the size and nature of Council's operations, is considered reasonable.

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)

It is important for Council to note that the adoption of this budget review approves the variations identified in the attached report and that the cumulative effect of the budget variations should be considered when reviewing this budget.

In the September Quarterly Budget Review, the Operating Surplus was revised to \$37.056M (including capital grants) and **(\$1,375M)** (excluding capital grants).

Our Governance No. 38 Cont...

In the December Quarterly Budget Review the Operating Surplus/(Deficit) was revised to \$37.158M (including capital grants) and **(\$1.965M)** (excluding capital grants).

In the March Quarterly Budget Review the Operating Surplus/(Deficit) was revised to \$39.149 M (including capital grants) and **(\$1.965M)** (excluding capital grants).

As indicated the deficit excluding capital grants is not a satisfactory outcome in my view and therefore remedial action has been proposed in accordance with the Local Government Act.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

The Budget Review is submitted to Council in accordance with Clause 203(1) of the Local Government (General) Regulation 2005.

7. Performance Measures

The impact of the recommended budget variations on Council's main key performance indicator is detailed in the Quarterly Budget Review Statement. Due to year end accounting adjustments other performance ratios won't be available until the audited financial statements are completed.

8. Project Management

Nil.

Paul Della

Acting Chief Corporate Officer

Prepared by staff member: Jessica Wild

Approved/Reviewed by Manager: Paul Della, Acting Chief Corporate Officer

Department: Office of the Chief Corporate Officer

Attachments: **1** Attachment 3 (Attachment Booklet **9**
2) Quarterly Budget Review **Pages**
Statement as at 31 March 2021

Department:	Office of the Chief Corporate Officer
Submitted by:	Acting Manager Finance & Technology
Reference:	ITEM GOV39/21
Subject:	FINANCE & ACCOUNTS - PERIOD ENDED 30 APRIL 2021

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 receive and note the Finance and Accounts Report for the period ended 30 April 2021.

BACKGROUND

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.

REPORT:

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 April 2021.

Cash Book Balances on this date were as follows:-

General (Consolidated)	\$7,420,792.07	Credit
General Trust	\$ 466,818.12	Credit

(b) Summary of Investments

Our Governance No. 39 Cont...

The attachment to this report is a certified schedule of all Council's investments as at 30 April 2021 showing the various invested amounts and applicable interest rates.

Concealed Water Leakage Concession Policy Update

For the month of April 2021 one concession was granted to the value of \$805.13 under Council's Concealed Water Leakage Concession Policy.

603 Certificates

Number of applications for 603 Certificates as to Rates and Charges. During the sale of a property a 603 Certificate is usually requested to identify if there are any outstanding or payable fees to Council by way of rates, charges or otherwise in respect of a parcel of land. There were 34 applications for 603 Certificates in April 2021. In the calendar year to date, there have been 152 applications compared to 48 applications for the same period last year.

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.

Paul Della

Acting Chief Corporate Officer

Prepared by staff member: Jessica Wild

Approved/Reviewed by Manager: Paul Della, Acting Chief Corporate Officer

Our Governance No. 39 Cont...

Department:

Office of the Chief Corporate Officer

Attachments:

1 Investment Report as at 30 April
2021

1
Page

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 30 APRIL 2021

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
NAB	AA-	61 Days	31/May/21	0.10%	1,000,000.00	22.88%
<u>TOTAL NAB INVESTMENTS</u>					<u>1,000,000.00</u>	<u>22.88%</u>
Commonwealth Bank	AA-	1 Month	28/May/21	0.21%	1,870,000.00	42.79%
<u>TOTAL CBA INVESTMENTS</u>					<u>1,870,000.00</u>	<u>42.79%</u>
Westpac	AA-	3 Months	28/Jul/21	0.19%	1,500,000.00	34.32%
<u>TOTAL WESTPAC INVESTMENTS</u>					<u>1,500,000.00</u>	<u>34.32%</u>
INVESTMENTS TOTAL					4,370,000.00	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.

Responsible Accounting Officer

By:

P. Della

* Except as highlighted in the associated Council Report.

Department:	Office of the Chief Corporate Officer
Submitted by:	Acting Manager Finance & Technology
Reference:	ITEM GOV40/21
Subject:	CAPITAL EXPENDITURE REPORT AS AT 30 APRIL 2021

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 April 2021.

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:

The carry-forward budgets for capital projects not completed in 2019/20 were presented in the first Quarterly Budget Review. These projects account for the most significant capital expenditure variances at this stage of the financial year, which is to be expected. Council has also been successful in securing a number of new grants this year, and budgets for these have been added in the Quarterly Budget Reviews.

Staff have been reminded to proceed with their capital projects as early as possible in the year, so that the funds can be spent within the financial year as per the operational plan and budget. This will avoid excessive carry forward projects across future financial years.

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

Our Governance No. 40 Cont...

- 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.

Paul Della
Acting Chief Corporate Officer

Prepared by staff member:	Jessica Wild
Approved/Reviewed by Manager:	Paul Della, Acting Chief Corporate Officer
Department:	Office of the Chief Corporate Officer
Attachments:	1 Attachment 4 (Attachment Booklet 2) April 2021 Capital Expenditure Report 3 Pages

Department:	Office of the Chief Corporate Officer
Submitted by:	Acting Manager Finance & Technology
Reference:	ITEM GOV41/21
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 31 March 2021.

OFFICER'S RECOMMENDATION:

That Council notes the loan balance as at 31 March 2021 was \$13,932,571.71 (\$9,987,515.76 as at 31 December 2020).

BACKGROUND

Council resolved at its meeting on 24 August, 2011 (Resolution 380/11) that a report be provided every three (3) months summarizing Council's 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 31 March 2021 was \$13,932,571.71 (\$9,987,515.76 as at 31 December 2020).

A new fixed-rate 20-year loan for \$4,048,952.00 was obtained on 31 March 2021 after approval at the March 2021 Council Meeting.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Council's projected loan borrowings are included in the 2020/21 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

3. Financial (Annual Budget & LTFP)

Nil.

Our Governance No. 41 Cont...

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Paul Della
Acting Chief Corporate Officer

Prepared by staff member:	Jessica Wild
Approved/Reviewed by Manager:	Paul Della, Acting Chief Corporate Officer
Department:	Office of the Chief Corporate Officer
Attachments:	1 Loan Register as at 31 March 2021 1 Page

Tenterfield Shire Council
Loans Schedule
31-March-2021

Loans Details								Principal
FUND	PURPOSE	AMOUNT	OBTAINED FROM	DATE OBTAINED	DUE DATE	RATE OF INTEREST	INTERVALS AT WHICH PAYABLE	Principal Balance as at 31 March 2021
General Fund	Infrastructure 2020/21	4,048,952	Commonwealth Bank of Australia	31/03/2021	29/03/2041	2.69%	Half Yearly	4,048,952.00
General Fund	Infrastructure 2019/20	1,000,000	Commonwealth Bank of Australia	15/06/2020	15/06/2040	2.90%	Half Yearly	981,410.52
General Fund	Main Street Upgrade	1,200,000	National Australia Bank	25/02/2015	25/02/2025	3.70%	Half Yearly	533,357.58
Sewer	New Sewerage Treatment Plant	2,500,000	National Australia Bank	30/05/2008	30/05/2033	7.81%	Half Yearly	1,806,101.65
Water	Dam Wall Construction (1)	3,450,000	ANZ	25/05/2018	25/05/2038	3.95%	Half Yearly	3,151,050.44
Water	Dam Wall Construction (2)	3,051,000	Commonwealth Bank of Australia	5/06/2019	6/06/2022	2.52%	Half Yearly	2,871,874.99
Water	Urbenville Water Treatment Plant	375,000	National Australia Bank	5/02/2009	5/02/2033	6.47%	Half Yearly	269,515.17
Waste	Rehabilitation	1,250,000	National Australia Bank	21/12/2012	21/12/2022	5.45%	Quarterly	270,309.36
TOTAL								13,932,571.71

(ITEM RC13/21) REPORTS OF COMMITTEES & DELEGATES - TOURISM ADVISORY COMMITTEE - MEETING WEDNESDAY, 7 FEBRUARY 2021

REPORT BY: Bob Rogan (Chairperson)

A meeting of the Tourism Advisory Committee was held on Wednesday, 7 February 2021 at Legume Community Hall.

Minutes of the meeting are attached.

RECOMMENDATION

That the report of the Tourism Advisory Committee meeting of 7 February 2021 be received and noted.

ATTACHMENTS

- | | |
|---|------------|
| 1 Tourism Advisory Committee - Meeting Minutes - Wednesday 7 February 2021 | 3
Pages |
|---|------------|

TENTERFIELD TOURISM ADVISORY COMMITTEE

MINUTES OF MEETING HELD ON

WEDNESDAY 7 FEBRUARY 2021

LEGUME COMMUNITY HALL

Present: Bob Rogan (TSC Councillor, chairman), Gary Verri (TSC councillor), Liz Robertson (Tourist operator), Stephen Ross (Clarence River Wilderness), John Scattergood (Roseberry House), Kylie Smith (TSC Acting Chief Executive), Peter Petty (TSC Mayor), Rebekah Kelly (TSC Acting Manager Economic Development and Community Engagement Officer), Emma Johnson (TSC Acting Tourism and Marketing Manager), Wendy and Stuart Bell (Cullendore High Country), Pete Robinson (secretary). Bronwyn Petrie (TSC Councillor) joined the meeting about half way through.

Opening and welcome: Chairman Bob opened the meeting at 5:51 p.m. And acknowledged the traditional custodians of the land on which the meeting was being held and paid respect to the local elders past and present and to any Aboriginal people present.

Apologies: Lindsay Passfield (Kyogle Councillor), Tanya Jobling (Wallaby Creek).

Minutes of meeting in Legume on 26 November 2020: Secretary Pete read the minutes of the meeting held in Legume on 30th September 2020, which were accepted as an accurate summary of the issues discussed at the meeting.

Matters arising: Shire entry, village theme and Border Mountains area signs have been produced and installed. Concerns were expressed about the visibility of these signs, especially if growing vegetation is allowed to partially obscure them and create a fire risk around them. Councillor Lindsay

Passfield has previously provided a document detailing guidelines for the approval of signage on NSW

Roads, and these guidelines will be referred to when evaluating the impact these signs have on drivers. Action: Bob to enquire regards progress as to improvements to visibility.

Tank traps: Stephen gave an update on the project to upgrade the Paddy's Flat tank traps to make them more of an attraction to visitors. As a first stage, descriptive signs and photographs have been

produced and the actual site of the tank traps is to be made more visitor-friendly. The next stage is

to include other related features in the area including the nearby cemetery and the Paddy's Hill lookout, which would be part of a Paddy's Flat Road Heritage Trail.

John proposed and Stephen seconded that Council be asked to provide an update on plans and progress for the Paddy's Flat development project, including a time frame for the completion of stage one and timing for the commencement and completion of stage two - carried.

Action: Bob to follow up.

The tank traps near Thunderbolt's Hideout on the Mt. Lindesay Road were also discussed, and this

site is also to be developed as more of a tourist attraction, with a metal silhouette cut-out to be installed nearby on the roadside.

Kildare Road and Mt. Mackenzie Lookout: sealing of Kildare Road is now included on the Council's

road improvement programme. Part of the land around Mt. Mackenzie Lookout is Council's responsibility and part is managed by NSW National Parks, and negotiations are proceeding to improve access and parking in the area and to upgrade the toilet facilities. Grant funding has been

applied for.

A point was raised in relation to a discussion from the previous meeting of the Tourism Committee

between two members. As a result of that discussion exception was taken by one party in regard to comments that may have been expressed. As a consequence, an official apology was made by Mr.

Peter Petty which was accepted by Mr. Stuart Bell.

Information on grant expenditure: Rebekah gave an update on the Destination Marketing Plan. Scenic Drive brochures are in preparation and other brochures are being updated. Television advertising is continuing and promotion of the region as a visitor destination is ongoing with our neighbouring shires. Emma presented a detailed tabulated record of grants received by the shire and

how this money has been distributed and used over the past three years, and attendees were provided with their own copy of these records.

National Parks - Visitors of the Future: Gary suggested that the National Parks facilities in the shire

could be better presented if the management was based in Tenterfield rather than in various centres

like Glen Innes and Kyogle. Council has started discussions with National Parks and hopefully these

will be ongoing.

Marketing plan for northern region: Discussion then moved to Council's Tourism Marketing and Strategy Plan and it was proposed by Bob and seconded by Stuart that the Council be asked for their

recommendations in developing a marketing plan for the northern part of the shire, carried.

Action: Bob to follow up.

Tourist drive proposal, Stanthorpe-Warwick: Tourist drives were discussed and in particular a drive in the area which would include Stanthorpe and Warwick. Some work on tourist drive guides has already been done, and it was agreed that this kind of information could attract visitors and keep them in the area for longer. Hopefully more such guides will be produced in the near future. Everyone is invited to provide any information which could make these drives more interesting and attractive.

Maryland Road: Council has previously suggested that this road be closed to the public, but on reassessing its significance as a scenic route and the access it provides to National Park areas Council has now asked that it should remain open. Bob and Stuart drove the length of the road in the afternoon prior to the meeting, and Bob will forward a report to Council's Acting Chief Executive.

Action: Bob to forward report as indicated, also will provide additional information on use of surrounding roads and points of interest.

Proposal for Willsons Downfall: Liz mentioned various attractions at Willsons Downfall which could help to make it another tourist attraction in the area. Council has been provided with an overview of what is there and suggestions of what could be included in a promotion of the area, so that this could become another tourist attraction to encourage visitors to spend more time in the area. This is another ongoing project.

Next meeting: Date, time and location to be decided.

Meeting ended 7.56 p.m.

Bob Rogan - Chairman

Pete Robinson - Secretary

Department:	Office of the Chief Executive
Submitted by:	Acting Executive Assistant & Media
Reference:	ITEM RES4/21
Subject:	COUNCIL RESOLUTION REGISTER - MAY 2021

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 May 2021.

Kylie Smith
Acting Chief Executive

Prepared by staff member:	Elizabeth Melling
Approved/Reviewed by Manager:	Kylie Smith, Acting Chief Executive
Department:	Office of the Chief Executive
Attachments:	1 Attachment 5 (Attachment Booklet 37 2) - Resolution Register May 2021 Pages