



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER
ORDINARY COUNCIL MEETING
WEDNESDAY, 22 SEPTEMBER 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 Koreelah Room, Tenterfield Shire Council Chambers, on **Wednesday, 22 September 2021** commencing at **9.30 am**.

Daryl Buckingham
Chief Executive

COMMUNITY CONSULTATION – PUBLIC ACCESS

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

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

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

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

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

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

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

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

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

CONFLICT OF INTERESTS

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

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

Disclosures to be Recorded (s 453 Act)

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

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## ORDER OF BUSINESS

1. Opening & Welcome
2. Civic Prayer & Acknowledgement of Country
3. Apologies
4. Disclosure & Declarations of Interest
5. Confirmation of Previous Minutes
6. Tabling of Documents
7. Urgent, Late & Supplementary Items of Business
8. Community Consultation (Public Access)
9. Mayoral Minute
10. Recommendations for Items to be Considered in Confidential Section
11. Open Council Reports
  - Our Community
  - Our Economy
  - Our Environment
  - Our Governance
12. Reports of Delegates & Committees
13. Notices of Motion
14. Resolution Register
15. Confidential Business
16. Meeting Close

# AGENDA

## 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

(ITEM MIN21/21) CONFIRMATION OF PREVIOUS MINUTES .....7

## 6. TABLING OF DOCUMENTS

## 7. URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

## 8. COMMUNITY CONSULTATION (PUBLIC ACCESS)

## **9. MAYORAL MINUTE**

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

## **11. OPEN COUNCIL REPORTS**

### **OUR COMMUNITY**

|                 |                                                                                                |    |
|-----------------|------------------------------------------------------------------------------------------------|----|
| (ITEM COM21/21) | CATEGORISATION OF RESERVES IN ACCORDANCE WITH CROWN LAND MANAGEMENT ACT .....                  | 25 |
| (ITEM COM22/21) | ALCOHOL FREE ZONES - TENTERFIELD, DRAKE & URBENVILLE - 31 OCTOBER 2021 TO 30 OCTOBER 2025..... | 37 |

### **OUR ECONOMY**

### **OUR ENVIRONMENT**

|                 |                                                                                      |    |
|-----------------|--------------------------------------------------------------------------------------|----|
| (ITEM ENV14/21) | PLANNING PROPOSAL - LEP AMENDMENT SCHEDULE 5 - HERITAGE HOUSEKEEPING AMENDMENT ..... | 41 |
| (ITEM ENV15/21) | 2021/22 LOCAL HERITAGE PLACES FUND APPLICATIONS.....                                 | 45 |

### **OUR GOVERNANCE**

|                 |                                                                                                    |    |
|-----------------|----------------------------------------------------------------------------------------------------|----|
| (ITEM GOV36/21) | MONTHLY OPERATIONAL REPORT - JULY/AUGUST 2021 ....                                                 | 47 |
| (ITEM GOV43/21) | CHRISTMAS/NEW YEAR CLOSEDOWN - 2021/2022.....                                                      | 48 |
| (ITEM GOV55/21) | CIVIC OFFICE - UPDATE OF POLICY .....                                                              | 50 |
| (ITEM GOV56/21) | LOCAL GOVERNMENT NSW ELECTION & ANNUAL CONFERENCE - 28 FEBRUARY TO 2 MARCH 2022 .....              | 52 |
| (ITEM GOV57/21) | RISK MANAGEMENT AND INTERNAL AUDIT FOR LOCAL COUNCILS IN NSW - DRAFT GUIDELINES - AUGUST 2021..... | 55 |
| (ITEM GOV58/21) | 2020/21 FINANCIAL STATEMENTS TO BE REFERRED FOR AUDIT .....                                        | 59 |
| (ITEM GOV59/21) | CAPITAL EXPENDITURE REPORT AS AT 31 JULY 2021 .....                                                | 64 |
| (ITEM GOV60/21) | CAPITAL EXPENDITURE REPORT AS AT 31 AUGUST 2021.....                                               | 66 |
| (ITEM GOV61/21) | FINANCE & ACCOUNTS - PERIOD ENDED 31 JULY 2021 ....                                                | 68 |

|                 |                                                                                                               |    |
|-----------------|---------------------------------------------------------------------------------------------------------------|----|
| (ITEM GOV62/21) | FINANCE & ACCOUNTS - PERIOD ENDED 31 AUGUST 2021.....                                                         | 71 |
| (ITEM GOV63/21) | ELECTION OF THE DEPUTY MAYOR - 4 SEPTEMBER 2021 TO 4 DECEMBER 2021 .....                                      | 75 |
| (ITEM GOV64/21) | COUNCIL DELEGATES ON COMMITTEES, EXTERNAL BOARDS & ASSOCIATIONS - PERIOD 4 SEPTEMBER TO 4 DECEMBER 2021 ..... | 81 |

**12. REPORTS OF DELEGATES & COMMITTEES**

**13. NOTICES OF MOTION**

**14. RESOLUTION REGISTER**

|                |                                                           |    |
|----------------|-----------------------------------------------------------|----|
| (ITEM RES4/21) | COUNCIL RESOLUTION REGISTER - AUGUST/SEPTEMBER 2021 ..... | 84 |
|----------------|-----------------------------------------------------------|----|

**15. CONFIDENTIAL BUSINESS**

**16. MEETING CLOSED**

**(ITEM MIN21/21) CONFIRMATION OF PREVIOUS MINUTES**

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**REPORT BY:** Elizabeth Melling

**RECOMMENDATION**

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

- **Ordinary Council Meeting – 28 July 2021**
- **Extraordinary Council Meeting – 11 August 2021**

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

**ATTACHMENTS**

- |          |                                                                       |          |
|----------|-----------------------------------------------------------------------|----------|
| <b>1</b> | Unconfirmed Minutes Ordinary Council Meeting - Wednesday 28 July 2021 | 13 Pages |
| <b>2</b> | Unconfirmed Extraordinary Meeting Minutes - 11 August 2021            | 4 Pages  |



# MINUTES



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 28 JULY 2021**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday 28 July 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**

Chief Executive (Daryl Buckingham)  
Acting Executive Assistant & Media (Elizabeth Melling)  
Director Engineering (Fiona Keneally)  
Manager Finance & Technology (Paul Della)

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

**WEBCASTING OF MEETING**

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

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

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

**OPENING AND WELCOME**

**CIVIC PRAYER**

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

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

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

Nil

**DISCLOSURE & DECLARATIONS OF INTEREST**

**151/21** **Resolved** that Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

| <b>Name</b>       | <b>Type</b>                         | <b>Item</b>                                   |
|-------------------|-------------------------------------|-----------------------------------------------|
| Mayor Peter Petty | Less than Significant Non Pecuniary | ECO13/21 Road Asset Management Plan July 2021 |

(Bob Rogan/Bronwyn Petrie)

**Motion Carried**

**(ITEM MIN20/21) CONFIRMATION OF PREVIOUS MINUTES**

**152/21** **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting – 23 June 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**

Thank you to Cr. Greg Sauer for Chairing last meeting from Mayor Peter Petty

**TABLING OF DOCUMENTS**

Nil

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

**(ITEM COM19/21) BLACK SUMMER BUSHFIRE RECOVERY GRANS PROGRAM**

- 153/21** **Resolved** that the Addendum Agenda relating to ITEM COM19/21 – Black Summer Bushfire Recovery Grants Program to be received and noted.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**

**COMMUNITY CONSULTATION (PUBLIC ACCESS)**

Nil

**MAYOR MINUTE**

Nil

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

- 154/21** **Resolved** that the following items be considered in the Confidential Section of the meeting:

- Item ECO14/21 Light Vehicle Supply Tender

(Gary Verri/Tom Peters)

**Motion Carried**

**OPEN COUNCIL REPORTS**

**OUR COMMUNITY**

**(ITEM COM16/21) COMMUNITY DONATIONS AND CONTRIBUTIONS POLICY REVIEW**

**SUMMARY**

The purpose of this report is to provide an update to Council's Community Donations and Contributions Policy.

(John Macnish/Bronwyn Petrie)

**RECOMMENDATION**

That Council:

- (1) Place the revised Community Donations and Contributions Policy out for 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 submissions are received from the public on this Policy that submissions be presented at a Council meeting for discussion prior to adopting the policy.

**AMENDMENT**

Add (4) That Councils "Community Donations and Contribution Policy" be changed to include "All Progress Associations."

(John Macnish/Bronwyn Petrie)

**Amendment Carried**

**155/21 Resolved** that Council:

- (1) Place the revised Community Donations and Contributions Policy out for 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 submissions are received from the public on this Policy that submissions be presented at a Council meeting for discussion prior to adopting the policy.
- (4) That Councils "Community Donations and Contribution Policy" be changed to include "All Progress Associations."

(John Macnish/Bronwyn Petrie)

**Motion Carried**

*Acting Tourism & Marketing Manager, Emma Johnson entered the meeting, the time being 9.46 am.*

**(ITEM COM17/21) GRANT FUNDING UPDATE RE: 2021 PETER ALLEN FESTIVAL**

**SUMMARY**

This Report is to provide an update on information in relation to the funding from Regional Tourism Bushfire Recovery Grant program where Council received from grant applicant 'Destination Network Country & Outback NSW' to fund the Peter Allen Festival.

- 156/21** **Resolved** that Council note the change in delivery partner from the Tenterfield Chamber of Tourism, Industry & Business to The Cuskelly College of Music to plan and execute the 2021 Peter Allen Festival to be held 5-7 November 2021.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**

Acting Tourism & Marketing Manager, Emma Johnson left the meeting, the time being 9.49 am.

**(ITEM COM18/21) BLACK SUMMER BUSHFIRE RECOVERY GRANTS PROGRAM**

**SUMMARY**

The purpose of this Report is to provide Council with the opportunity to propose projects for grant funds under the Black Summer Bushfire Recovery Grants Program.

**RECOMMENDATION:**

That Council:

- (1) Endorse the five (5) Projects listed below for Application:
  - Redevelopment of the Bruxner Park toilet and access - \$550,000;
  - Jubullum Village Youth Park - \$550,000;
  - Upgrades to Jubilee Park and installation of an outdoor basketball court \$280,000;
  - Pool equipment upgrades - \$300,000; and
  - Dead tree removal within Tenterfield Shire - \$170,000.
- (2) Council support Angry Bull Trails Application by applying for the balance of funding under the Black Summer Bushfire Recovery Grants Program, with Council funding a dedicated grant writer to assist the Angry Bull Trails to apply for the remaining \$2.6 million allocated under this fund;
- (3) Should Angry Bull Trails Ltd advise that they are not willing to submit an Application with the support provided, staff may apply for items identified in the Operational Plan or previously resolved by Council, in line with resources to develop the Applications e.g. Drake Drainage Project.

**MOTION**

That Council defer the entire "Officer's Recommendation" until a specific Councillor Workshop in August 2021 to further the project specifics to apply for.

(Brian Murray/Tom Peters)

**Motion Lost**

**AMENDMENT**

That Council:

- (1) Undertake a Councillor Workshop on Wednesday 4 August 2021, to progress all funding grant ideas, priorities and further progress Applications.
- (2) Support Angry Bull Trails Ltd Application under the Black Summer Bushfire Recovery Grants Program by providing a grant of up to \$10,000 to Angry Bull Trails Ltd to engage a dedicated grant writer to assist them in applying. With this amount to be recouped to Council should the grant application be successful.

(Bronwyn Petrie/Michael Petrie)

**Amendment Carried**

**157/21** **Resolved** that Council:

- (1) Undertake a Councillor Workshop on Wednesday 4 August 2021, to progress all funding grant ideas, priorities and further progress Applications.
- (2) Support Angry Bull Trails Ltd Application under the Black Summer Bushfire Recovery Grants Program by providing a grant of up to \$10,000 to Angry Bull Trails Ltd to engage a dedicated grant writer to assist them in applying. With this amount to be recouped to Council should the grant application be successful.

(Bronwyn Petrie/Michael Petrie)

**Motion Carried**

**SUSPENSION OF STANDING ORDERS**

**158/21** **Resolved** that standing Orders be suspended.

(Donald Forbes/Michael Petrie)

**Motion Carried**

*The Meeting adjourned for Morning Tea, the time being 10.33 am.*

*The Meeting reconvened with Acting Manager Economic Development & Community, Rebekah Kelly present, the time being 10.53 am.*

**RESUMPTION OF STANDING ORDERS**

**159/21** **Resolved** that Standing Orders be resumed.

(Brian Murray/Bob Rogan)

**Motion Carried**

**OUR ECONOMY**

**(ITEM ECO12/21) PARTNERSHIP AGREEMENT BETWEEN SERVICE NSW AND TENTERFIELD SHIRE COUNCIL**

**SUMMARY**

The purpose of this Report is to seek Councils support for the renewal of the Partnership Agreement between Tenterfield Shire Council and Service NSW.

**160/21 Resolved** that Council:

- (1) Council delegates Authority to the Chief Executive to enter into an Agreement with Service NSW; and
- (2) Any necessary documents to be authorised for execution under the Common Seal of Council.

(Donald Forbes/Michael Petrie)

**Motion Carried**

*Acting Manager Economic Development & Community Engagement, Rebekah Kelly left the meeting and Manager Asset & Program Planning, David Counsell entered the meeting, the time being 10.55 am.*

**(ITEM ECO13/21) ROAD ASSET MANAGEMENT PLAN JULY 2021**

**SUMMARY**

This Report presents the revision of the Road Asset Management Plan.

**RECOMMENDATION:**

That Council note the Report and adopt the Road Asset Management Plan July 2021.

**AMENDMENT**

That Council note the report and adopt the Road Asset Management Plan July 2021, with the removal of "E" Class Roads from the Rural Unsealed Roads (Table 3.4 & 3.5 and Appendix b) and returned to previous status.

(Bronwyn Petrie/John Macnish)

**Amendment Carried**

*Voting for the amendment: Councillor Tom Peters, Councillor Michael Petrie, Councillor Gary Verri, Councillor Peter Petty, Councillor Bronwyn Petrie, Councillor Greg Sauer and Councillor John Macnish. Total (7).*

*Voting against the amendment: Councillor Don Forbes, Councillor Brian Murray and Councillor Bob Rogan. Total (3).*

**161/21 Resolved**

That Council note the report and adopt the Road Asset Management Plan July 2021, with the removal of "E" Class Roads from the Rural Unsealed Roads (Table 3.4 & 3.5 and Appendix b) and returned to previous status.

(Greg Sauer/Brian Murray)

**Motion Carried**

*Manager Asset & Program Planning, David Counsell left the meeting, the time being 11.28 am.*

**OUR ENVIRONMENT**

Nil

**OUR GOVERNANCE**

**(ITEM GOV49/21) MONTHLY OPERATIONAL REPORT - JUNE 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.

**162/21 Resolved** that Council receives and notes the status of the Monthly Operational Report for June 2021.

(Don Forbes/Brian Murray)

**Motion Carried**

*Manager Property & Buildings, Heidi Ford entered the meeting, the time being 11.35 am.*

**(ITEM GOV50/21) NOMINATION OF NATIVE TITLE MANAGERS**

**SUMMARY**

Council is required to give notice to the Minister for Planning, Industry and Environment – Crown Lands of the name and contact details of Council's nominated Native Title Managers.

**163/21 Resolved** that Council:

- (1) Nominate the Engineering Officer, Jessica Gibbins and Property Specialist, Neville Vincent Coonan as its Native Title Managers; and further
- (2) That Council give Notice to the Minister for Planning, Industry and Environment of contact details of Council's Engineering Officer and Property Specialist as required under Section 8.8 of the Crown Land Management Act 2016.

(Michael Petrie/Donald Forbes)

**Motion Carried**



Manager Property & Buildings, Heidi Ford left the meeting, the time being 11.40 am.

**(ITEM GOV51/21) MAYORAL VEHICLE TRAVEL**

**SUMMARY**

The purpose of this Report is to detail the number of kilometers travelled by the Mayor annually for the purpose of determining whether a vehicle should be provided to the Mayor.

**164/21** **Resolved** that Council:

- (1) Receive and note this report.
- (2) That a vehicle not be provided solely for Mayoral use based on the number of kilometers currently travelled by the Mayor.

(Gary Verri/Michael Petrie)

**Motion Carried**

**(ITEM GOV52/21) REPORT ON LOAN BALANCES**

**SUMMARY**

The purpose of this Report is to inform Council of its loan balances as at 30 June 2021.

**165/21** **Resolved** that Council notes the loan balance as at 30 June 2021 was \$13,708,476.21 (\$13,932,571.71 as at 31 March 2021).

(Gary Verri/Bob Rogan)

**Motion Carried**

**(ITEM GOV53/21) CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 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.

**166/21** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 30 June 2021.

(Brian Murray/Greg Sauer)

**Motion Carried**

**(ITEM GOV54/21) FINANCE & ACCOUNTS - PERIOD ENDED 30 JUNE 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.

**167/21** **Resolved** that Council:

- (1) Receive and note the Finance and Accounts Report for the period ended 30 June 2021.
- (2) Adopts a Purchase of Niche Fee at the cemetery of \$270 (including GST) for the 2021/22 Financial Year.

(Michael Petrie/Gary Verri)

**Motion Carried**

**REPORTS OF DELEGATES & COMMITTEES**

**(ITEM RC20/21) REPORTS OF COMMITTEES & DELEGATES - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 27TH NATIONAL GENERAL ASSEMBLY - 20 TO 23 JUNE 2021 CANBERRA**

**168/21** **Resolved** that the report of the Mayor of the 2021 - 27<sup>th</sup> National General Assembly be received and noted.

(Peter Petty/Bob Rogan)

**Motion Carried**

**(ITEM RC21/21) REPORTS OF COMMITTEES & DELEGATES - DESTINATION & VISITOR ECONOMY CONFERENCE 2021 REPORT**

**169/21** **Resolved** that the report of Councillors Bob Rogan, Bronwyn Petrie and Gary Verri of the Destination and Visitor Economy Conference 2021 be received and noted.

(Bob Rogan/Gary Verri)

**Motion Carried**

**(ITEM RC22/21) REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACE ADVISORY COMMITTEE**

**170/21** **Resolved** that Council:

- (1) Receive and note the Reports from the Parks, Gardens & Open Space Advisory Committee meetings, as listed above; and
- (2) Note the amended "Community Donations and Contributions" Policy as proposed (ITEM Com16/21) for consideration.

(Brian Murray/Gary Verri)

**Motion Carried**

**(ITEM RC23/21) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE MEETING - 16 JUNE 2021**

**171/21** **Resolved** that the report from the Internal Audit Committee meeting of 16 June 2021 be received and noted.

(Donald Forbes/Bob Rogan)

**Motion Carried**

**NOTICES OF MOTION**

**(ITEM NM1/21) NOTICE OF MOTION - RENAMING OF LISMORE ELECTORATE**

**SUMMARY**

The purpose of this motion is to change the name of the Lismore Electorate to the Bruxner Electorate.

**172/21** **Resolved** that Council write to the NSW Electoral Commission asking to implement the necessary steps to change the name of the Lismore Electorate to the Bruxner Electorate.

(Gary Verri/Greg Sauer)

**Motion Carried**

**(ITEM NM2/21) NOTICE OF MOTION - NAMING OF COUNCIL ADMINISTRATION BUILDING OR CHAMBERS**

**SUMMARY**

The purpose of this Motion is to name the Administration Building or the Council Chambers "Koreelah".

**RECOMMENDATION:**

That Council:

- (1) Name the Council Administration building the Koreelah Building; or
- (2) Name the Council Chambers the Koreelah Room

**AMENDMENT**

That Council:

- (1) Name the Council Chambers the Koreelah Room.

(Don Forbes/Bronwyn Petrie)

**Amendment Carried**

**173/21** **Resolved** that Council:

- (1) Name the Council Chambers the Koreelah Room

(Don Forbes/Bronwyn Petrie)

**Motion Carried**

**RESOLUTION REGISTER**

**(ITEM RES6/21) COUNCIL RESOLUTION REGISTER - JULY 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.

**174/21** **Resolved** that Council notes the status of the Council Resolution Register to July 2021.

(Bob Rogan/Brian Murray)

**Motion Carried**

**CONFIDENTIAL BUSINESS**

**SUSPENSION OF STANDING ORDERS - CONFIDENTIAL BUSINESS**

**175/21** **Resolved** that Standing Orders be suspended and:

- a) the meeting be closed to the public and members of the press because of the need for confidentiality, privilege or security, as specified below and provided for under Section 10A(2) of the Local Government Act, 1993; and
- b) the Agenda and associated correspondence, unless specified are not to be released to the Public as they relate to a matter of either personal hardship, personal matters, trade secrets or matters which cannot be lawfully disclosed.

(Brian Murray/Donald Forbes)

**Motion Carried**

*The recording device was turned off and the meeting moved into closed committee, the time being 12.20 am.*

**(ITEM ECO14/21) LIGHT VEHICLE SUPPLY TENDER**

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

**SUMMARY**

Council has had a Motor Vehicle Supply Agreement with Norther Rivers Motors Pty Ltd (Lismore Toyota). The agreement expired on the 31<sup>st</sup> October 2020. Tenders were invited from interested parties to meet Council motor vehicle supply requirements.

**176/21** **Resolved** that Council:

- (1) Receive and note the report "Light Vehicle Supply Tender"; and
- (2) Accept the Tender of Northern Rivers Motors Pty Ltd, entering into a 3 year Contract, with a 2 x 3 year option to extend.

(Brian Murray/Donald Forbes)

**Motion Carried**

**RESUMPTION OF STANDING ORDERS**

**177/21** **Resolved** that the meeting move out of Closed Committee and Standing Orders be resumed.

(Greg Sauer/Bob Rogan)

**Motion Carried**

*The meeting moved out of Closed Committee and the recording device turned on, the time being 12.26 am*

*The Mayor read the resolution as resolved by Council whilst in Closed Committee.*

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 12.27 pm.

.....  
Councillor Peter Petty  
Mayor/Chairperson

# MINUTES



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

## **MINUTES OF EXTRAORDINARY COUNCIL MEETING WEDNESDAY 11 AUGUST 2021**

MINUTES OF THE **Extraordinary Council Meeting** OF TENTERFIELD SHIRE held at the Koreelah Room - Tenterfield Shire Council Chambers on Wednesday 11 August 2021 commencing at 3.00pm

**ATTENDANCE**

Councillor Peter Petty (Mayor)  
Councillor Greg Sauer (Deputy Mayor)  
Councillor Tom Peters  
Councillor Bronwyn Petrie  
Councillor Michael Petrie

**ATTENDANCE VIA ZOOM**

Councillor Bob Rogan  
Councillor Gary Verri  
Councillor Don Forbes

**ALSO IN ATTENDANCE**

Chief Executive (Daryl Buckingham)  
Acting Executive Assistant & Media (Elizabeth Melling)  
Manager Finance & Technology (Paul Della)  
Corporate Administration Officer (Jodie Condric)

**ATTENDANCE VIA ZOOM**

Director Infrastructure (Fiona Keneally)  
Chief Corporate Officer (Kylie Smith)

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

**WEBCASTING OF MEETING**

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

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

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

**OPENING AND WELCOME**

**CIVIC PRAYER**

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

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

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

**178/21** Resolved that Council note the apologies from Cr. John Macnish, Cr. Brian Murray and Cr. Don Forbes.

(Greg Sauer/Tom Peters)

**Motion Carried**

**DISCLOSURE & DECLARATIONS OF INTEREST**

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 |
|------|------|------|
| Nil  |      |      |

**TABLING OF DOCUMENTS**

Nil

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

Nil

**COMMUNITY CONSULTATION (PUBLIC ACCESS)**

Nil

**MAYOR MINUTE**

Nil

**OPEN COUNCIL REPORTS**

**OUR COMMUNITY**

**(ITEM COM20/21) BUSHFIRE COMMUNITY, RESILIENCE FUND -  
COUNCIL LED COMMUNITY GRANT APPLICATIONS**

**SUMMARY**

The purpose of this Report is to provide Council with the opportunity to propose projects for grant funds under the Black Summer Bushfire Recovery Grants Program.

**OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) Endorse seven (7) Projects totaling \$4,242,000 under the Black Summer Bushfire Recovery Grants Program, being for:-**
  - Drake Village Revitalisation (Drake Hall alternative access road and associated drainage, Pathways and Open Space along Bruxner Highway to Timbarra Street & parking and road crossing to include Bus Stop Parking and Highway Crossing – \$2,900,000;**
  - Rural Addressing all LGA area including Drake and Torrington (For current properties with no RAN) - \$220,000;**
  - Removal Dead Trees in Tenterfield Shire (Roadside Vegetation, Dead Trees Tenterfield Park and the remainder of Dead Trees from Dead Tree Program – \$344,000;**
  - Mingoola Hall upgrades to include a stand-alone accessibility friendly disabled toilet - \$120,000;**
  - Northern Border Walk Signage Directional Cross Road Signs, Location Signs - \$198,000;**
  - Installation of Industrial Ceiling Fans, Emergency Lighting and Upgrade of Switchboard at Memorial Hall - \$220,000; and**
  - Pool Equipment Upgrades (Pool Heating, Blankets and Other Equipment) - \$240,000.**
- (2) Endorse one (1) project to upgrade Bruxner Park Stairs and Ramp Improvements under a suitable Grant Fund.**



**AMENDMENT**

That Council:

(1) Endorse an additional project, being for:-

- \$100,000 under the Black Summer Bushfire Grants to employ local artists to produce a range of art works across the Shire for the Shire.

(Gary Verri/Bob Rogan)

**Motion Lost**

**Resolved**

**179/21** That Council:

(1) Endorse seven (7) Projects totaling \$4,242,000 under the Black Summer Bushfire Recovery Grants Program, being for:-

- Drake Village Revitalisation (Drake Hall alternative access road and associated drainage, Pathways and Open Space along Bruxner Highway to Timbarra Street & parking and road crossing to include Bus Stop Parking and Highway Crossing – \$2,900,000;
- Rural Addressing all LGA area including Drake and Torrington (For current properties with no RAN) - \$220,000;
- Removal Dead Trees in Tenterfield Shire (Roadside Vegetation, Dead Trees Tenterfield Park and the remainder of Dead Trees from Dead Tree Program – \$344,000;
- Mingoola Hall upgrades to include a stand-alone accessibility friendly disabled toilet - \$120,000;
- Northern Border Walk Signage Directional Cross Road Signs, Location Signs - \$198,000;
- Installation of Industrial Ceiling Fans, Emergency Lighting and Upgrade of Switchboard at Memorial Hall - \$220,000; and
- Pool Equipment Upgrades (Pool Heating, Blankets and Other Equipment) - \$240,000.

(2) Endorse one (1) project to upgrade Bruxner Park Stairs and Ramp Improvements under a suitable Grant Fund.

(Greg Sauer/Michael Petrie)

**Motion Carried**

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 3.23pm.

.....  
Councillor Peter Petty  
Mayor/Chairperson

|                      |                                                                                |
|----------------------|--------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                   |
| <b>Submitted by:</b> | Property Specialist                                                            |
| <b>Reference:</b>    | <b>ITEM COM21/21</b>                                                           |
| <b>Subject:</b>      | <b>CATEGORISATION OF RESERVES IN ACCORDANCE WITH CROWN LAND MANAGEMENT ACT</b> |

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

**SUMMARY**

Under the Crown Land Management Act 2016, Council must initially assign one or more Community Land Categories to Crown Reserves after becoming the manager. Council must notify the Minister (NSW Department of Planning, Industry and Environment) of the assigned categories. Council was appointed as the Crown Land manager of three (3) Reserves from 18 June 2021.

The purpose of the report is to advise Council of the process of assigning categories and to recommend the appropriate categories for each of the three (3) reserves.

**OFFICER'S RECOMMENDATION:****That Council:**

- (1) Categorise R22044 as General Community Use;**
- (2) Categorise R22042 as Park;**
- (3) Categorise R42597 as Sportsground and Park; and**
- (4) Advise the Minister of the assigned categorisations.**

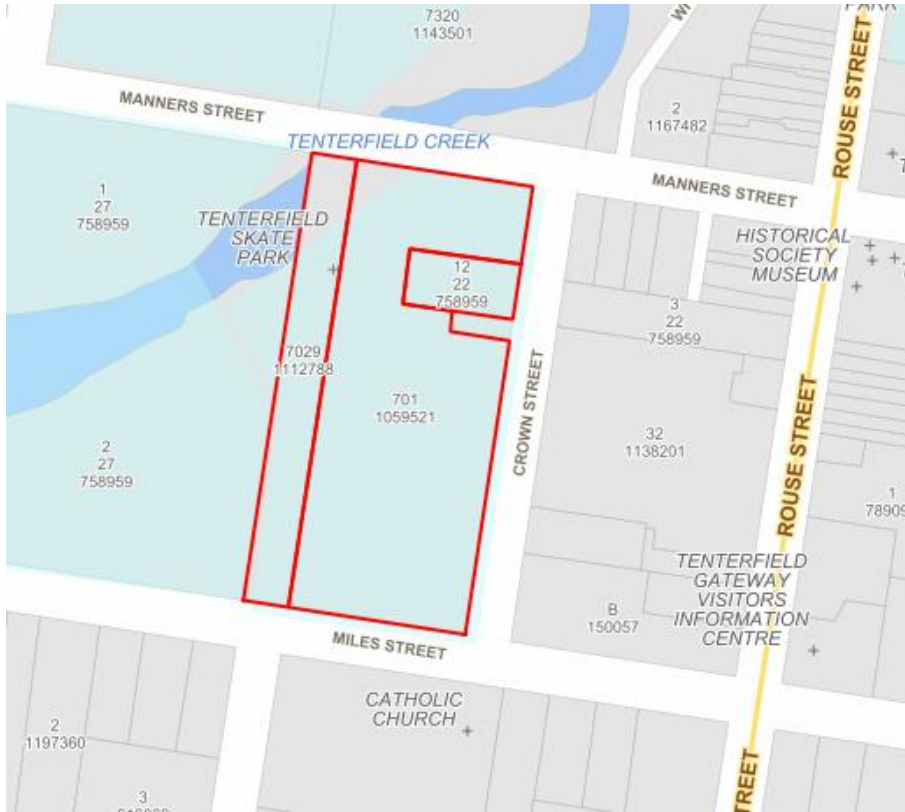
**BACKGROUND**

At the Ordinary Council Meeting dated 19 May 2021, Council resolved to apply to become the Crown Land Manager of three (3) reserves in Tenterfield. (Res 104/21)

Our Community No. 21 Cont...

The three (3) reserves are

1. Public Recreation Reserve - R22044 (Old Power House Reserve). Lot 12 Sec. 22 DP 758959, Lot 701 DP 1059521 & Lot 7029 DP 1112788.



2. Public Recreation Reserve - R22042. Martin Street Reserve. Lot 7306 DP 1138684.



Our Community No. 21 Cont...

3. Public Recreation Reserve -R42597. Lots 7026, 7027 & 7028 DP 1126960



Crown Lands approved the application on 18 June 2021. The appointments were recorded in Gazette No 254, Folio 1255.

**REPORT:**

Under Section 3.23 of the Crown Land Management Act 2016 (CLM Act), Council Crown Land Managers must assign one or more Community Land Categories to Crown Land as soon as practicable after becoming the Manager.

The Community Land Categories are referred to in section 36 of the *Local Government Act 1993* (LG Act). The Council must give written notice of initial Categorisation to the Minister for approval.

Councils must assign a Category or Categories to a Reserve that the Council considers most closely related to the Reserve purposes of the land. The following should be considered when assigning Categories under the LG Act:

- Reserve purpose — apply Categories that ensure the land is used for the purpose for which it was originally set aside by its dedication or reservation. (Note: Each of the Reserves are for the purpose of 'Public Recreation')
- Current/existing use of the Reserve —the initial Categorisation cannot be based on proposed or future use. Any change to the Categorisation to support a future use should be altered via a plan of management.
- Characteristics of the land — Councils should consider the characteristics of the land when assigning a Category of 'Natural Area' or 'Area of Cultural Significance'.

Our Community No. 21 Cont...

- Material harm — Councils should consider whether the management of the Reserve under the assigned Category is likely to materially harm the use of the land for its existing Reserve purposes.

The categories described in the LG Act for community land include:

1. Natural Area
2. Sportsground
3. Park
4. Area of Cultural Significance
5. General Community use

The core objectives of each Category are summarised on Attachment 1.

Our Community No. 21 Cont...

The recommended categorisation for each of the Reserves is as follows:

| Reserve/Dedication                                                                                      | Purpose(s)        | Categorisation        | Justification for assigned category                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------|-------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| R22044 (Old Power House Reserve).<br>Lot 12 Sec. 22 DP 758959, Lot 701 DP 1059521 & Lot 7029 DP 1112788 | Public Recreation | General Community Use | <p>The Reserve comprises 3 lots with a total land area of 1.97 hectares. It is adjacent to the town centre with frontages to Manners Street, Crown Street and Miles Street.</p> <p>Existing uses involve a mixture of passive and active recreation including a skate park, half basketball court, public parking, picnicking, open space and a concrete bike/pedestrian pathway which links to the Tenterfield Creek parklands.</p>                                                             |
| R22042. Martin Street Reserve<br>Lot 7306 DP 1138684                                                    | Public Recreation | Park                  | <p>The Reserve comprises a single lot with a land area of 5,750 square meters.</p> <p>It is open land which forms part of a former levelled playing field including other land to the north and west. There are no buildings on the reserve.</p> <p>It used for a variety of public recreation pursuits including open space, dog training &amp; off leash walking, soccer training and part of school cross country tracks. Federation sportsground and Tenterfield Creek parklands adjoin.</p> |
| R42597<br>Lots 7026, 7027 & 7028 DP 1126960                                                             | Public Recreation | Sportsground and Park | <p>Approximately 8,100 square meters of Lot 7026 is part of the Federation Park sports oval including the lighting. The section also includes a long jump. The section is therefore categorized as Sportsground.</p> <p>The remainder of the Reserve (balance of Lot 7026, Lot 7027 and Lot 7028 provide parkland with a concrete bike/pedestrian pathway following Tenterfield Creek and linking with other parks following Tenterfield Creek.</p>                                              |

The section of Lot 7026 DP 1126960 to be included in the Sportsground categorisation is indicated on the following plan.

Our Community No. 21 Cont...



### COUNCIL IMPLICATIONS:

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

Community engagement is not required at this stage. Community engagement will be part of the Plan of Management process.

#### 2. Policy and Regulation

- Crown Land Management Act 2016
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Native Title Act 1993

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

Nil

#### 4. Asset Management (AMS)

The Categorisation of the Reserves is the first step in the management of the Reserves.

#### 5. Workforce (WMS)

Our Community No. 21 Cont...

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                                   |         |
|-------------------------------|---------------------------------------------------|---------|
| Prepared by staff member:     | Neville Coonan                                    |         |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer              |         |
| Department:                   | Office of the Chief Corporate Officer             |         |
| Attachments:                  | <b>1</b> Attachment A - Categorisation of Reports | 5 Pages |



Annexure B to Guidelines—classification of Crown land managed by council Crown land managers

## Annexure B

To *Guidelines—classification of Crown land managed by council Crown land managers*

Categorisation core objectives & guidelines for assigning categories to community land under local government legislation

**Table 1. Categories and objectives**

| Category     | Objectives (LG Act)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Guidelines for categorisation (LG Regulation)                                                                                                                                                                                                                                                                                                            |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Natural area | <p>The core objectives for management of community land categorised as a natural area are to:</p> <ul style="list-style-type: none"> <li>a) conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and</li> <li>b) maintain the land, or that feature or habitat, in its natural state and setting, and</li> <li>c) provide for the restoration and regeneration of the land, and</li> <li>d) provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and</li> <li>e) assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i>.</li> </ul> | <p>The land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36 (5) of the Act.</p> |
| Sportsground | <p>The core objectives for management of community land categorised as a sportsground are to:</p> <ul style="list-style-type: none"> <li>a) encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and</li> <li>b) ensure that such activities are managed having regard to any adverse impact on nearby residences.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>The land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.</p>                                                                                                                                                                                                               |

Annexure B to Guidelines—classification of Crown land managed by council Crown land managers

| Category                      | Objectives (LG Act)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Guidelines for categorisation (LG Regulation)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Park                          | <p>The core objectives for management of community land categorised as a park are to:</p> <ul style="list-style-type: none"> <li>a) encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and</li> <li>b) provide for passive recreational activities or pastimes and for the casual playing of games, and</li> <li>c) improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>The land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Area of cultural significance | <ul style="list-style-type: none"> <li>1) The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.</li> <li>2) Those conservation methods may include any or all of the following methods: <ul style="list-style-type: none"> <li>a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,</li> <li>b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,</li> <li>c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,</li> <li>d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),</li> <li>e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.</li> </ul> </li> <li>3) A reference in subsection (2) to land includes a reference to any</li> </ul> | <p>The land is:</p> <ul style="list-style-type: none"> <li>a) an area of Aboriginal significance, because the land: <ul style="list-style-type: none"> <li>i. has been declared an Aboriginal place under section 84 of the <i>National Parks and Wildlife Act 1974</i>, or</li> <li>ii. whether or not in an undisturbed state, is significant to Aboriginal people in terms of their traditional or contemporary cultures, or</li> <li>iii. is of significance or interest because of Aboriginal associations, or</li> <li>iv. displays physical evidence of Aboriginal occupation (for example, items or artefacts such as stone tools, weapons, engraving sites, sacred trees, sharpening grooves or other deposits, and objects or materials that relate to the settlement of the land or place), or</li> <li>v. is associated with Aboriginal stories, or</li> <li>vi. contains heritage items dating after European settlement that help to explain the relationship between Aboriginal people and later settlers, or</li> </ul> </li> <li>b) an area of aesthetic significance, by virtue of: <ul style="list-style-type: none"> <li>i. having strong visual or sensory appeal or cohesion, or</li> <li>ii. including a significant landmark, or</li> <li>iii. having creative or technical qualities, such as architectural excellence, or</li> </ul> </li> <li>c) an area of archaeological significance, because the</li> </ul> |

Annexure B to Guidelines—classification of Crown land managed by council Crown land managers

| Category              | Objectives (LG Act)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Guidelines for categorisation (LG Regulation)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       | buildings erected on the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>area contains:</p> <ul style="list-style-type: none"> <li>i. evidence of past human activity (for example, below-ground features such as building foundations, occupation deposits, features or artefacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined), or</li> <li>ii. any other deposit, object or material that relates to the settlement of the land, or</li> </ul> <ul style="list-style-type: none"> <li>d) an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history, or</li> <li>e) an area of technical or research significance, because of the area's contribution to an understanding of Australia's cultural history or environment, or</li> <li>f) an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons.</li> </ul> |
| General community use | <p>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to:</p> <ul style="list-style-type: none"> <li>a) public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</li> <li>b) purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).</li> </ul> | <p>The land:</p> <ul style="list-style-type: none"> <li>a) may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and</li> <li>b) is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Annexure B to Guidelines—classification of Crown land managed by council Crown land managers

## \*Further categories for land categorised as natural area

Table 2. Further categories for natural areas

| Category | Objectives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Guidelines for categorisation (LG Regulation)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bushland | <p>The core objectives for management of community land categorised as bushland are to:</p> <ul style="list-style-type: none"> <li>a) ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and</li> <li>b) protect the aesthetic, heritage, recreational, educational and scientific values of the land, and</li> <li>c) promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and</li> <li>d) restore degraded bushland, and</li> <li>e) protect existing landforms such as natural drainage lines, watercourses and foreshores, and</li> <li>f) retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and</li> <li>g) protect bushland as a natural stabiliser of the soil surface.</li> </ul> | <p>The land contains primarily native vegetation and that vegetation:</p> <ul style="list-style-type: none"> <li>a) is the natural vegetation or a remainder of the natural vegetation of the land, or</li> <li>b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</li> </ul> <p>1) Such land includes:</p> <ul style="list-style-type: none"> <li>a) bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or</li> <li>b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or</li> <li>c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.</li> </ul> |
| Wetland  | <p>The core objectives for management of community land categorised as wetland are to:</p> <ul style="list-style-type: none"> <li>a) protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>The land includes marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a waterbody that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

Annexure B to Guidelines—classification of Crown land managed by council Crown land managers

| Category    | Objectives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Guidelines for categorisation (LG Regulation)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             | <ul style="list-style-type: none"> <li>b) restore and regenerate degraded wetlands, and</li> <li>c) facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The land includes such features as a long cliff-like ridge or rock, and</p> <p>The land includes significant or unusual geological, geomorphological or scenic qualities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Escarpment  | <p>The core objectives for management of community land categorised as an escarpment are to:</p> <ul style="list-style-type: none"> <li>a) protect any important geological, geomorphological or scenic features of the escarpment, and</li> <li>b) facilitate safe community use and enjoyment of the escarpment.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                             | <p>The land includes such features as a long cliff-like ridge or rock, and</p> <p>The land includes significant or unusual geological, geomorphological or scenic qualities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Watercourse | <p>The core objectives for management of community land categorised as a watercourse are to:</p> <ul style="list-style-type: none"> <li>a) manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and</li> <li>b) manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and</li> <li>c) restore degraded watercourses, and</li> <li>d) promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.</li> </ul> | <p>The land includes:</p> <ul style="list-style-type: none"> <li>a) any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel that has been artificially improved, or in an artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and</li> <li>b) associated riparian land or vegetation, including land that is protected land for the purposes of the <i>Rivers and Foreshores Improvement Act 1948</i> or state-protected land identified in an order under section 7 of the <i>Native Vegetation Conservation Act 1997</i>.</li> </ul> |
| Foreshore   | <p>The core objectives for management of community land categorised as foreshore are to:</p> <ul style="list-style-type: none"> <li>a) maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and</li> <li>b) facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.</li> </ul>                                                                                                                                                                                                            | <p>The land is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|                      |                                                                                                      |
|----------------------|------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                         |
| <b>Submitted by:</b> | Corporate Administration Officer                                                                     |
| <b>Reference:</b>    | <b>ITEM COM22/21</b>                                                                                 |
| <b>Subject:</b>      | <b>ALCOHOL FREE ZONES - TENTERFIELD, DRAKE &amp; URBENVILLE - 31 OCTOBER 2021 to 30 OCTOBER 2025</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                             |                                                                                           |
|-----------------------------|-------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Community</b> - COMM 1 - Tenterfield Shire is a vibrant, welcoming and safe community. |
| <b>CSP Strategy:</b>        | Encourage families and young people to live, enjoy and stay in Tenterfield Shire.         |
| <b>CSP Delivery Program</b> | Encourage activities for young people and families in Tenterfield Shire.                  |

#### **SUMMARY**

The aim of this report is to request Council to re-establish the current Alcohol Free Zones (EFZ) in Tenterfield, Drake and Urbenville.

#### **OFFICER'S RECOMMENDATION:**

##### **That Council:**

- (1) Receive and note the report "Alcohol Free Zones - Tenterfield, Drake and Urbenville".**
- (2) Engage in consultation re the re-establishment of the following alcohol free zones, effective from 31 October 2021 to 30 October 2025:**

##### **Tenterfield**

**All public places that are public roads, footpaths or public car parks within the area bounded by the following:**

- **Naas Street between Pelham Street and East Street**
- **East Street between Naas Street and Douglas Street**
- **Douglas Street between East Street and Pelham Street**
- **Pelham Street between Douglas Street and Naas Street**

##### **Drake**

**Proposed Zones are as follows:**

- **Bruxner Highway / Fairfield Street between Stuart Street and Picarbin Street**
- **Alison Street (South) from Bruxner Highway / Fairfield Street to Drake Community Hall**
- **Alison Street (North) from Bruxner Highway / Fairfield Street to Koreelah Street**

##### **Urbenville**

Our Community No. 22 Cont...

**Proposed Zones are as follows:**

- **Stephen Street between Boomi Street and Tooloom Street.**
- **Beaury Street between Boomi Street and Tooloom Street.**
- **Boomi Street between Beaury Street and Stephen Street.**
- **Welch Street between Beaury Street and Stephen Street.**
- **Urban Street between Deane Street and Lindsay Street.**
- **Tooloom Street between Beaury Street and Lindsay Street.; and further**

**(3) Subject to no objections, the Alcohol Free Zones as detailed in the report be re-established by Council.**

**BACKGROUND**

The current AFZs in Tenterfield, Drake and Urbenville expire on the 30 October 2021.

In accordance with Section 644 B of the Local Government Act 1993 (the Act), AFZ can only be for a maximum period of four (4) years. Under Section 644B (4) "*An alcohol-free zone may be **re-established** from time to time, in accordance with this Part, for further periods each not exceeding 4 years*".

AFZs only apply to the following:

- a. *a public road or part of a public road, or*
- b. *a public place that is a car park or part of a car park."*

The current zones are as follows:

**Tenterfield**

All public places that are public roads, footpaths or public car parks within the area bounded by the following:

- Naas Street between Pelham Street and East Street
- East Street between Naas Street and Douglas Street
- Douglas Street between East Street and Pelham Street
- Pelham Street between Douglas Street and Naas Street

**Drake**

All public places that are public roads, footpaths or public car parks within the area bounded by the following:

- Bruxner Highway / Fairfield Street between Stuart Street and Picarbin Street
- Alison Street (South) from Bruxner Highway / Fairfield Street to Drake Community Hall
- Alison Street (North) from Bruxner Highway / Fairfield Street to Koreelah Street

**Urbenville**

All public places that are public roads, footpaths or public car parks within the area bounded by the following:

Our Community No. 22 Cont...

- Stephen Street between Boomi Street and Tooloom Street.
- Beaury Street between Boomi Street and Tooloom Street.
- Boomi Street between Beaury Street and Stephen Street.
- Welch Street between Beaury Street and Stephen Street.
- Urben Street between Deane Street and Lindsay Street.
- Tooloom Street between Beaury Street and Lindsay Street.

## **REPORT:**

### **Tenterfield**

Council has liaised with the local Sargent who has no objections to having the same alcohol free zones in the Tenterfield area. They are still needed and Police want them in place for another term.

### **Drake and Urbenville**

Casino Police has requested that the Alcohol Free Zones remain in place in its current form and also that the existence of Alcohol Free Zones provides an invaluable tool for Police in ensuring the quiet and good order of small communities and that it would certainly not be in the best interests of the Drake community to have the Zone lifted.

Similarly they have recommended that the Urbenville Alcohol Free Zones remain in the current form. The Alcohol Free Zones are working well and again they assist in maintaining the quiet and good order of the local community.

In order to re-establish the AFZs by 30 October 2021, it is necessary for Council to adopt a resolution to that effect.

## **COUNCIL IMPLICATIONS:**

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

Council is required under the Local Government Act 1993 No 30, Section 644A to prepare a proposal and publish in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned. Council is to also invite representations and objections from persons and groups within the area, indicating that any representations or objections by them be made within fourteen (14) days after the date on which the notice is published.

Council must give a copy of its proposal to each of the following persons indicating that any representations or objections by them must be made within 30 days after the date on which the copy is given:

- The officer in charge of the police station within or nearest to the proposed "alcohol – free zone; and
- Each holder of a license in force under the Liquor Act 2007 for premises that border on, or adjoin or are adjacent to, the proposed alcohol-free zone.

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

- The Zones will be in force for four (4) years from 31 October 2021.

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



Our Community No. 22 Cont...

Any costs associated with new or replacement signage will be funded from existing budget allocations.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Without re-establishing these signs Police and Council's Enforcement Officers will not be able to enforce the law in relation to drinking in a public place.

**7. Performance Measures**

The current AFZs have been working well and will assist the Police in dealing with alcohol consumption in key public roads, footpaths and car parks.

Council's Enforcement Officers along with the Police are in support of re-establishing the AFZ's in our Shire as the Police can dispose of any alcohol that they find in the area the signs also discourage the community from drinking in the prescribed areas. The AFZ's are a great deterrent to stop people from consuming alcohol on the street after the pubs have closed, this reduces anti-social behaviour and malicious damage in the CBD.

**8. Project Management**

Nil.

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | Jodie Condrick                            |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer      |
| Department:                   | Office of the Chief Corporate Officer     |
| Attachments:                  | There are no attachments for this report. |

|                      |                                                                                       |
|----------------------|---------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                          |
| <b>Submitted by:</b> | Manager Planning & Development Services                                               |
| <b>Reference:</b>    | <b>ITEM ENV14/21</b>                                                                  |
| <b>Subject:</b>      | <b>PLANNING PROPOSAL - LEP AMENDMENT SCHEDULE 5 - HERITAGE HOUSEKEEPING AMENDMENT</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

#### **SUMMARY**

The purpose of this report is to advise Council of the outcome of the advertisement of Planning Proposal 2021-3616 Heritage Housekeeping Amendment and seek Council's resolution to finalise the amendment to *Tenterfield Local Environmental Plan 2013* to allow for the addition of eight (8) new heritage items to Schedule 5.

#### **OFFICER'S RECOMMENDATION:**

##### **That Council:**

- (1) Support the finalisation and making of the Planning Proposal as exhibited.**
- (2) Forward the Planning Proposal to Parliamentary Counsel for drafting of the Instrument and their opinion;**
- (3) Authorise Council staff to make any necessary minor amendments to the proposal during the drafting of the instrument in consultation with Parliamentary Counsel and the Department of Planning, Industry and Environment; and**
- (4) Delegate to the Chief Executive the power to make the plan on behalf of Council as the local plan-making authority under section 3.36(2) under the *Environmental Planning and Assessment Act, 1979*.**

#### **BACKGROUND**

Planning Proposal PP\_2021\_3616 has been prepared to make an amendment to *Tenterfield LEP 2013* through the addition of eight (8) items to Schedule 5 Environmental Heritage of *Tenterfield LEP 2013*.

At its Ordinary meeting of 24 February 2021, Council resolved to endorse the Planning Proposal and forward to the Department of Planning, Industry and Environment for a Gateway determination.

Our Governance No. 57 Cont...

The Gateway determination was issued by the Department on 7 June 2021, with some minor amendments made to the PP as follows;

1. Prior to public exhibition the planning proposal is to be amended to:
  - (a) update the property description for item I140 to consistently refer to 'Part' lot or not throughout the planning proposal and correct the description for Lot 70 to DP 705186;
  - (b) list the trees on Clarence and Cowper Streets for proposed item I141 as two separate items with different item numbers;
  - (c) update the property description for item I144 to correctly refer to Lot 1 DP 1161580;
  - (d) update Part 4 Mapping to include the proposed amended map tile HER\_003B; and
  - (e) include relevant discussion of the Tenterfield Local Strategic Planning Statement.

As a result of point (b) the two avenues of trees are listed as separate items, resulting in eight (8) new items as opposed to the seven (7) originally considered. All items are detailed in the table below.

|   | Locality          | Name of Item                                                                    | Address                                    | Property Description                                                                      | Significance | Proposed Item Number |
|---|-------------------|---------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------------------------------------------------------------|--------------|----------------------|
| 1 | Liston            | St John the Baptist Church including original movable fittings and lights       | 5119 Mount Lindesay Road, Liston           | Lot 7, Section 13, DP 758616                                                              | Local        | I139                 |
| 2 | Mole River        | 'Trenayr' Farm Building Complex & Tobacco Barns                                 | 2021 Mole River Road, Mole River           | Part of Lot 10, DP 751508 & Part of Lot 70, DP 705186                                     | Local        | I140                 |
| 3 | Tenterfield       | Pin Oak Trees, Town Entry: Clarence Street                                      | Clarence Street/ Bruxner Highway           | Road Reserve of Clarence Street                                                           | Local        | I141                 |
| 4 | Tenterfield       | Pin Oak Trees, Town Entry Cowper Street                                         | Cowper Street                              | Road Reserve of Cowper Streets                                                            | Local        | I142                 |
| 5 | Tenterfield       | House 'Tallula'                                                                 | 92 Duncan Street                           | Lot 8 DP 711846                                                                           | Local        | I143                 |
| 6 | Torrington        | All Saints Church Torrington including Bell, Interior Fabric and moveable items | 2735 Torrington Road                       | Lot 328 DP 751488                                                                         | Local        | I144                 |
| 7 | Willsons Downfall | Cemetery                                                                        | Off Mount Lindesay Road, Willsons Downfall | Lots 7008 & 7009 DP 1055391<br>Lot 1 DP 1161580<br>Lot 1 DP 668360<br>Lot 7003 DP 1032092 | Local        | I145                 |
| 8 | Timbarra          | Survey Tree                                                                     | Cnr Timbarra Road & Tablelands Road        | Road Reserve adjacent to Lot 47 DP 751496                                                 | Local        | I146                 |

(Note- Table was updated on 15 June 2021 in accordance with the Gateway Determination to update some property descriptions create two separate items for the Pin Oak Avenues.)

#### REPORT:

At the completion of the consultation process one (1) submission was received from a representative of the St John the Baptist Church, Liston, querying the lot number. The

Our Governance No. 57 Cont...

exhibited PP indicates Lot 7 Section 13 DP 758616 which is the lot on which the Church stands. It is noted that the lot adjoining to the north, being Lot 8 is also owned by the Anglican Church, however is not proposed to be listed. Should there be any future development on this parcel of land it will need to take in to account the curtilage of the Church and its significance and would be assessed on its merits at that time under the Development Application process.

### **COUNCIL IMPLICATIONS:**

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

In accordance with the requirements of the *Environmental Planning & Assessment Act, 1979*, the Planning Proposal and supporting documents were publicly exhibited from 5 July 2021 to 21 July 2021 (a copy of the exhibited PP is at Attachment to this report).

One (1) submission was received in support of the Planning Proposal, seeking clarification on lot number as discussed above.

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

The steps in the process to formally amend *Tenterfield LEP 2013* are set out through the *Environmental Planning & Assessment Act, 1979* and processed by the NSW Department of Planning, Industry & Environment through the Gateway Process.

The Gateway Process follows the following steps:

1. The Planning Proposal – the relevant authority (usually Council) prepares the planning proposal.
2. Gateway – the Minister decides whether the planning proposal can proceed (with or without variation) and subject to other matters including further studies being undertaken, public consultation, public hearing, agency consultation and time frames.
3. Community consultation –the proposal is publicly exhibited as required by the Minister.
4. Assessment – the relevant planning authority reviews public submissions and decides to make any alterations to the plan. Alterations are then sent back to the Minister and if agreed to Parliamentary Counsel then prepares a draft local environmental plan.
5. The making of the LEP – with the Minister’s approval the local environmental plan is published on the NSW legislation website and becomes law.

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

Nil

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

Nil

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

Nil

Our Governance No. 57 Cont...

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                                                                                    |
|-------------------------------|----------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Tamai Davidson                                                                                     |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                               |
| Department:                   | Office of the Chief Corporate Officer                                                              |
| Attachments:                  | <b>1</b> Attachment 1 (Attachment Booklet 1) Planning Proposal 2021-01 Heritage Amendment 19 Pages |

Our Governance No. 57 Cont...

|                      |                                                        |
|----------------------|--------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>           |
| <b>Submitted by:</b> | Manager Planning & Development Services                |
| <b>Reference:</b>    | <b>ITEM ENV15/21</b>                                   |
| <b>Subject:</b>      | <b>2021/22 LOCAL HERITAGE PLACES FUND APPLICATIONS</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

#### **SUMMARY**

The purpose of this report is to present to Council the applications received for the Local Places Heritage Fund for the 2021/22 financial year. This year a total of eighteen (18) applications were received for maintenance and conservation works across the Shire which have been reviewed by staff and Council's Heritage Advisor.

#### **OFFICER'S RECOMMENDATION:**

##### **That Council:**

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

#### **BACKGROUND**

Each year, Council allocates funding to contribute to the Local Places Heritage Grants Program, which is co-funded by the Office of Environment & Heritage (\$5,500 contributions). A total of \$25,500.00 is made available for works which contribute to the maintenance and conservation of heritage within the Tenterfield Shire.

#### **REPORT:**

Applications are presented after consideration by Council's Manager, Planning & Development Services and Heritage Advisor and email review by Council's Heritage Specific Purpose Committee (August in person meeting unable to be held due to Covid 19 and public health order restrictions). The attachment identifies the applications made, works proposed and recommendations for funding.

Offers of funding will be forwarded to applicants upon Council's resolution. Should any applicants decide not to accept the funding, or any projects not be completed by the April 2021 deadline, it is recommended that any surplus funding be evenly distributed amongst completed projects at that time. This is consistent with Council's practice with prior funds.

Our Governance No. 57 Cont...

A total of eighteen (18) applications for the 2021-22 financial year have been received for works in the local government area. There is a broad range of works and projects proposed and it is recommended that eligible projects be supported and offered funding.

### **COUNCIL IMPLICATIONS:**

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

Funding availability and call for applications was advertised during August-September 2021 and on Council's website and in 'Your Local News.'

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

Tenterfield Heritage Strategy 2018-2021 points of relevance;

- Continue to operate a Local Heritage Fund to provide assistance to owners of heritage assets.
- Allocate Council funds to run the programme and optimise grant funding opportunities.
- Consider how the grant programme might be supplemented through corporate sponsorship to meet potential increased future demand from additional heritage listings.
- Endorsement of the recommended funding allocation is in line with Council's Heritage Strategy and supports the aims and actions contained within the Strategy.

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

Council has a total of \$25,500.00 to the Small Heritage Grants Program. Upon completion of the project, Council will claim an amount of \$5,500.00 from the NSW Office of Environment & Heritage under the 2021-2023 Small Heritage Grants Program.

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

Nil

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

Nil

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

Nil

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

Nil

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

Nil

**Kylie Smith**

**Chief Corporate Officer**

Prepared by staff member:

Tamai Davidson

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

- |          |                                                                                                        |             |
|----------|--------------------------------------------------------------------------------------------------------|-------------|
| <b>1</b> | Attachment 2 (Attachment Booklet<br>1) Final Summary Tenterfield Local<br>Heritage Places Fund 2021-22 | 31<br>Pages |
|----------|--------------------------------------------------------------------------------------------------------|-------------|

Our Governance No. 57 Cont...

|                      |                                                      |
|----------------------|------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                 |
| <b>Submitted by:</b> | Acting Executive Assistant & Media                   |
| <b>Reference:</b>    | <b>ITEM GOV36/21</b>                                 |
| <b>Subject:</b>      | <b>MONTHLY OPERATIONAL REPORT - JULY/AUGUST 2021</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                             |                                                                                                                                                                  |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities. |
| <b>CSP Strategy:</b>        | Council's decision making processes are open, accountable and based on sound integrated planning.                                                                |
| <b>CSP Delivery Program</b> | 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 July/August 2021.**

**Daryl Buckingham**  
**Chief Executive**

|                               |                                                                                                              |
|-------------------------------|--------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Elizabeth Melling                                                                                            |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                                            |
| Department:                   | Office of the Chief Executive                                                                                |
| Attachments:                  | <b>1</b> Attachment 3 (Attachment Booklet 114<br>2) - Monthly Operational Report - Pages<br>July/August 2021 |



Our Governance No. 57 Cont...

|                      |                                                 |
|----------------------|-------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>            |
| <b>Submitted by:</b> | Acting Executive Assistant & Media              |
| <b>Reference:</b>    | <b>ITEM GOV43/21</b>                            |
| <b>Subject:</b>      | <b>CHRISTMAS/NEW YEAR CLOSEDOWN - 2021/2022</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                                 |                                                                                                                                                                                              |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>                | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan.                           |
| <b>CSP Strategy:</b>            | Council is an employer of choice in the region, providing sound leadership and supported by a committed workforce.                                                                           |
| <b>Delivery Plan Action:</b>    | Developing attraction and retention practices across Council.                                                                                                                                |
| <b>Operational Plan Action:</b> | Foster an environment that supports and celebrates diversity and where the best person for the job gets the job, regardless of age, sex, religion, ethnicity or any other personal position. |

#### **SUMMARY**

The purpose of this report is to advise Council of proposed Christmas/New Year close down arrangements for Council staff.

#### **OFFICER'S RECOMMENDATION:**

**That Council endorse the closedown periods for the Christmas/New Year 2021/2022 period as follows:**

- **Indoor staff – close of business Friday, 17 December 2021, reopening Tuesday, 4 January 2022;**
- **Outdoor staff – close of business Thursday, 16 December 2021, reopening Thursday, 6 January 2022.**

#### **BACKGROUND**

Traditionally, Council has closed the Administration Office and Library for the period between Christmas and New Year to enable staff to spend this important time with family.

Outdoor staff are required to take approximately (10 days) annual leave (excluding public holidays and RDO's) at this time to ensure that the majority of staff are available throughout the year to undertake planned works.

#### **REPORT:**

The closedown for the Administration Office and Library for 2021/2022 is from close of business Friday, 17 December 2021, reopening Tuesday, 4 January 2022.

Gazetted public holidays during this period are Monday, 27 December 2021 (Christmas Day Holiday), Tuesday, 28 December 2021 (Boxing Day Holiday) and Monday, 3 January 2022 (New Year's Day Holiday) with staff taking annual leave and RDO's to make up the additional eight (8) days.

Our Governance No. 57 Cont...

Closedown for outdoor staff is from close of business Thursday, 16 December 2021 (Friday 17 December being an RDO) to Tuesday, 4 January 2022.

Councillors are requested to be mindful of the particularly difficult years 2019, 2020 and 2021 have been for all staff firstly with bushfires, drought, processing the huge number of grant projects and changing Local Government elections. The COVID-19 situation has only served to exacerbate the work and stress levels of staff by adding an additional level of complexity. It is suggested that a full two (2) week break for all staff will assist with a renewed enthusiasm to carry on with the new Councillor group and many projects planned for the new year.

Details in relation to arrangements for waste services and emergency contacts during the Christmas closedown period will be provided to Councillors and will be advertised in local media and available on Council's website.

### **COUNCIL IMPLICATIONS:**

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

Closedown arrangements and emergency contacts (including waste services) for the period will be advertised through "Your Local News", local media and available on Council's website and phone message.

**2. Policy and Regulation**

Nil.

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

Nil.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

It will be necessary for some staff to work through the closedown period to provide for emergencies, waste services, Council meetings etc.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Daryl Buckingham**  
Chief Executive

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | Elizabeth Melling                         |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive         |
| Department:                   | Office of the Chief Executive             |
| Attachments:                  | There are no attachments for this report. |

Our Governance No. 57 Cont...

|                      |                                        |
|----------------------|----------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>   |
| <b>Submitted by:</b> | Acting Executive Assistant & Media     |
| <b>Reference:</b>    | <b>ITEM GOV55/21</b>                   |
| <b>Subject:</b>      | <b>CIVIC OFFICE - UPDATE OF POLICY</b> |

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

### SUMMARY

The purpose of this report is to update the listed policies aligned with Civic Office.

### OFFICER'S RECOMMENDATION:

**That Council adopt the updated Councilor Expenses & Facilities Policy 1.160 (V17.0).**

### BACKGROUND

As a result of the introduction of the Local Government Amendment (Governance and Planning) Act 2016, Expenses and Facilities Policies are now required to be adopted by a Council within 12 months of the term of a new Council, instead of annually (as previously required by section 252 of the Local Government Act 1993 (the Act)), and amendments are no longer required to be specifically notified to the Office of Local Government (OLG) (as previously required by section 253 of the Act). These changes have been advised by the Office of Local Government – Circular 16-30 Local Government Amendment (Governance and Planning) Act (Attachment 4 (Attachment Booklet 3) Circular 16-30 Local Government Amendment (Governance and Planning) Act A).

### REPORT:

The following Civic Office policy is presented for consideration of Council:

- Update – Councillor Expenses & Facilities – Policy 1.160 (V17.0)

The change being implemented relates to the timing of updates, instead of annually, the "Expenses and Facilities Policies" are to be adopted by Council within 12 months of the term of a new Council (Section 252 LGA). Amendments of this Policy are no longer required to be specifically notified to the Office of Local Government (Section 253 LGA).

### COUNCIL IMPLICATIONS:

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

Policy documents provide guidance to staff and clear guidelines on Council business to the community.

Our Governance No. 57 Cont...

## 2. Policy and Regulation

- Local Government Act 1993
- Local Government (Regulations) 2005
- Office of Local Government Guidelines for the *Payment of Expenses and Provision of Facilities for Mayors and Councillors in NSW*.

## 3. Financial (Annual Budget & LTFP)

Civic Office has its own budget allocation 2021/2022.

## 4. Asset Management (AMS)

Nil.

## 5. Workforce (WMS)

Nil.

## 6. Legal and Risk Management

Up to date and clear policies assists in mitigating the risk of staff not abiding by the Local Government Act 1993, Local Government (General) Regulations and other legislative requirements.

## 7. Performance Measures

Council's policies are current, up to date and readily available to the community and Council staff.

## 8. Project Management

Nil.

### Daryl Buckingham Chief Executive

|                               |                                                                                                                               |             |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-------------|
| Prepared by staff member:     | Elizabeth Melling                                                                                                             |             |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                                                             |             |
| Department:                   | Office of the Chief Executive                                                                                                 |             |
| Attachments:                  | <b>1</b> Attachment 4 (Attachment Booklet<br>3) Circular 16-30 Local<br>Government Amendment<br>(Governance and Planning) Act | 2<br>Pages  |
|                               | <b>2</b> Attachment 5 (Attachment Booklet<br>3) Updated - Councillor Expenses<br>and Facilities Policy                        | 14<br>Pages |

Our Governance No. 57 Cont...

|                      |                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                       |
| <b>Submitted by:</b> | Acting Executive Assistant & Media                                                         |
| <b>Reference:</b>    | <b>ITEM GOV56/21</b>                                                                       |
| <b>Subject:</b>      | <b>LOCAL GOVERNMENT NSW ELECTION &amp; ANNUAL CONFERENCE - 28 FEBRUARY TO 2 MARCH 2022</b> |

|                                                               |                                                                                                                                                                                                             |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                                                             |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.                                            |
| <b>CSP Strategy:</b>                                          | We partner with the community, business and Federal and State Government in the achievement of our goals.                                                                                                   |
| <b>Delivery Plan Action:</b>                                  | Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region.                                   |
| <b>Plan Action:</b>                                           | Advocate for the permanent doubling of the Roads to Recovery Program to address the current annual funding shortfall to maintain Australia's local roads and to support national productivity improvements. |

## SUMMARY

The purpose of this report is for Council to consider Council representation and Council's voting delegate at the Local Government NSW Annual Conference to be held in Sydney from Monday, 28 February 2022 to Wednesday, 2 March 2022 and election.

## OFFICER'S RECOMMENDATION:

### That Council:

- (1) Approve the attendance of the Mayor and Chief Executive to represent Council at the Local Government NSW Annual Conference in Sydney, Monday, 28 February to Wednesday, 2 March 2022.**
- (2) Endorse the Mayor as the voting delegate of Tenterfield Shire Council for the upcoming election and Annual Conference.**
- (3) Endorse the following motions for submission to the 2022 Local Government NSW Annual Conference.**
  - (a) That LGNSW lobbies the NSW State Government to request that NSW Rural Fire Service, as a duty of care, undertake an increased level of bush fire risk management plan activities, including increased hazard reduction burns and increased numbers of fuel load assessment on both public and private land.**
  - (b) That LGNSW requests the NSW State Government to seek an amendment to the Local Land Services Act 2013 where the assumption of guilt under Section 60(N)(1) is replaced by the need for demonstration of an offence committed by the landholder.**

Our Governance No. 57 Cont...

- (c) That LGNSW lobbies the NSW State Government to implement a state bond system applying to all Renewable Energy Projects across NSW to provide funds for decommissioning and land remediation at the conclusion of the projects.**
- (d) That LGNSW call on the NSW State Government to increase resourcing for Crown Lands to address the back log of Native Title Claims and Land Claims over Crown Land to encourage the wider Community use of these reserves and implement a process (including agreement with interested parties that identifies the compensation payable to interested groups) to enable certainty when considering new or enhanced infrastructure on Crown Land where claims exist or are pending.**

### **BACKGROUND**

The Local Government NSW Annual Conference has traditionally been attended by the Mayor and General Manager with the Mayor as the voting delegate.

Council has been advised that members must advise LGNSW of the name of their nominated voting delegate for both the Annual Conference and LGNSW Board Election by 5pm (AEDT) on Tuesday 5 October 2021.

All Board positions are open for nomination from 7 September 2021 and close on 5 October 2021. Council are asked as such to endorse the above resolution to extend voting rights to the Mayor at both the Conference and the election. The ballot, if required, will open on 27 October 2021 and close at 10am (AEDT) on 24 November 2021.

### **REPORT:**

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

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

Council has been advised by LGNSW that an election of the full Board will be held, if required, from 27 October 2021 and close at 10am (AEDT) on 24 November 2021.

Council is eligible for one (1) vote in both the election and on matters raised at the Annual Conference. All Board positions are open for nomination from 7 September 2021 and close on 5 October 2021. Council are asked as such to endorse the above resolution to extend voting rights to the Mayor at both the Conference and the election. The ballot, if required, will open on 27 October 2021 and close at 10am (AEDT) on 24 November 2021.

All members can put forward motions to be considered at the Conference. Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. The recommended motions are those that were discussed at Council's - Councillor Workshop Wednesday, 8 September 2021.

Our Governance No. 57 Cont...

Members are requested to submit motions by midnight, Sunday, 30 January 2022.

### COUNCIL IMPLICATIONS:

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

Nil.

#### 2. Policy and Regulation

- *Payment of Expenses & Provision of Facilities to Councillors Policy* (Policy Statement 1.160)

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

Allocation has been made in the 2021/2022 budget for the attendance of the Mayor and/or Councillors and the Chief Executive at Conferences, however an estimate of cost per delegate is as follows:

- |                                |                                            |
|--------------------------------|--------------------------------------------|
| • Early Bird Registration      | \$979.00<br>(if paid by 29 October 2021)   |
| • Conference Dinner Ticket     | \$176.00 (per person)                      |
| • Accommodation (3 nights)     | \$350.00 per night allowable as per Policy |
| • Airfares (Ballina to Sydney) | \$600.00pp return (approx)                 |

#### 4. Asset Management (AMS)

Nil.

#### 5. Workforce (WMS)

Nil.

#### 6. Legal and Risk Management

Nil.

#### 7. Performance Measures

Nil.

#### 8. Project Management

Nil.

**Daryl Buckingham**  
**Chief Executive**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | Elizabeth Melling                         |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive         |
| Department:                   | Office of the Chief Executive             |
| Attachments:                  | There are no attachments for this report. |

Our Governance No. 57 Cont...

|                      |                                                                                                      |
|----------------------|------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                         |
| <b>Submitted by:</b> | Manager Customer Service, Governance & Records                                                       |
| <b>Reference:</b>    | <b>ITEM GOV57/21</b>                                                                                 |
| <b>Subject:</b>      | <b>RISK MANAGEMENT AND INTERNAL AUDIT FOR LOCAL COUNCILS IN NSW - DRAFT GUIDELINES - AUGUST 2021</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

#### **SUMMARY**

The purpose of this report is to provide to Council the Risk Management and Internal Audit for Local Councils in NSW draft guidelines, issued by the NSW Office of Local Government in August 2021.

#### **OFFICER'S RECOMMENDATION:**

**That Council receive and note the Risk Management and Internal Audit for Local Councils in NSW draft guidelines.**

#### **BACKGROUND**

The *NSW Local Government Act 1993* and the NSW Local Government (General) Regulation 2005 require each council in NSW to have:

- An audit, risk and improvement committee that continuously reviews and provides independent advice to the council on how it is function and managing risk.
- A robust risk management framework that accurately identifies and mitigates the risks facing the council and its operations, and
- An effective internal audit function that provides independent advice as to whether the council is functioning effectively and the council's internal controls to manage risk are working.

In 2016, the *NSW Local Government Act 1993* was amended to require councils to appoint an audit, risk and improvement committee (ARIC).

#### **REPORT:**

The Office of Local Government (OLG) has been working with councils and other key stakeholders and industry experts to develop the framework that will support the operation of ARICs and the establishment of a risk management and internal audit function in each council.



Our Governance No. 57 Cont...

A discussion paper, *A New Risk Management and Internal Audit Framework for Local Councils in NSW*, was released in late 2019 on the proposed model. OLG received over 150 submissions from the local government sector and risk management and internal audit practitioners in response to the discussion paper.

Tenterfield Shire Council provided feedback to OLG in December 2019 and highlighted six areas of concern for Council, being:

1. A one size fits all framework for ARICs is not achievable by small councils
2. An ARIC should assess the controls that Council has put in place to comply with the various governance obligations rather than continuously review
3. If the ARIC takes on a managerial/directive role, then professional indemnity needs to be assessed and considered
4. The ARIC membership excludes elected representatives
5. Any contact by the ARIC should be through the Chair and via the General Manager or delegated Director/Senior Manager
6. Additional costs related to the quality assurance processes and remuneration, with proposed four yearly external strategic reviews the ARIC creating a new industry

OLG has refined the proposed model in response to this feedback. The new framework will be governed by regulations and *Guidelines for risk management and internal audit for local councils in NSW*. These will prescribe the minimum standards for each council's audit, risk and improvement committee, risk management framework and internal audit function.

OLG is seeking the views and feedback of councils and other stakeholders on the draft *Guidelines for risk management and internal audit for local councils in NSW* by 26 November 2021.

Tenterfield's areas of concern have been addressed in this latest draft of the guidelines, being:

1. New tiered ARIC model for metropolitan, regional and rural/remote councils to better reflect the different needs of councils and their ability to attract ARIC members.
2. ARIC provides limited assurance rather than full assurance – role and reporting terminology changed to reflect this and focuses on systems/controls in place
3. More flexibility for councils to shape ARICs' role depending on council needs
4. Councils can appoint a non-voting councillor member to their ARIC (optional)
5. ARIC given unrestricted access to General Manager and Senior Staff only – access to other staff requires general manager's approval
6. Reduced ARIC costs with ARIC member fees at council's discretion and reduced external review requirements

Our Governance No. 57 Cont...

Tenterfield Shire Council is defined as a Tier 1 general purpose council in the draft guidelines, due to:

- The local government area being in a remote location with a population of less than 20,000, and
- The local government area being predominantly rural or agricultural in nature with low population growth.

## **COUNCIL IMPLICATIONS:**

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

Nil

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

- *NSW Local Government Act 1993*
- *NSW Local Government (General) Regulation 2010*

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

Council currently budgets for two external independent ARIC members with a third non-paying position taken up by a representative of another Local Council. While the guidelines will allow Council to negotiate fees appropriate to Council's Tier 1 status, additional costs will be incurred for attendance of the two paid ARIC members at annual and four yearly meetings, and commensurate increases in workload for ARIC members.

Council sets budgets for Internal Audit activities to be undertaken each year, although this budget was reduced in 2020/2021 and this current financial year, 2021/2022. While the Internal Audit activities in each year will reflect the budget size, Council will need to consider appropriate budget allocations in future years, in order to maintain an Internal Audit program in line with the draft guidelines and Council's Tier 1 status.

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

Nil

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

Personnel support to ARIC is currently delivered with a combination of casual and ad hoc administration resources, when available. With the increase in ARIC compliance requirements and duties, there will be a commensurate requirement for more formally defined permanent administration support to Council's Governance section to deliver this.

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

Nil

### **7. Performance Measures**

Nil

### **8. Project Management**

Nil

Our Governance No. 57 Cont...

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                                                                                                                             |              |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Prepared by staff member:     | Erika Bursford                                                                                                                              |              |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                                                        |              |
| Department:                   | Office of the Chief Corporate Officer                                                                                                       |              |
| Attachments:                  | <b>1</b> Attachment 6 (Attachment Booklet<br>3) Risk Management and Internal<br>audit for Local Councils in NSE<br>Guidelines - August 2021 | 112<br>Pages |

|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                 |
| <b>Submitted by:</b> | Management Accountant                                        |
| <b>Reference:</b>    | <b>ITEM GOV58/21</b>                                         |
| <b>Subject:</b>      | <b>2020/21 FINANCIAL STATEMENTS TO BE REFERRED FOR AUDIT</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

#### **SUMMARY**

The purpose of this report is to comply with statutory requirements in relation to the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2021. The Financial Statements are to be referred to Council's Auditor, with authorisation from the Mayor, a Councillor, the Chief Executive and the Responsible Accounting Officer.

#### **OFFICER'S RECOMMENDATION:**

**That Council;**

- (1) In relation to the Financial Statements and in accordance with Section 413(2)(c) of the Local Government Act 1993 (as amended):**
  - a) Council resolves that in its opinion the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2021 and Special Schedules are properly drawn up in accordance with the provisions of the Local Government Act 1993, (as amended) and the Regulations there under; and**
  - b) That the Financial Statements be approved and signed by the Mayor the Deputy Mayor, the Chief Executive and the Responsible Accounting Officer.**
- (2) That the Financial Statements be referred to Council's Auditor for audit; and**
- (3) That the audited Financial Statements be forwarded to the Office of Local Government by 31 October 2021; and**
- (4) That the Chief Executive Officer be delegated authority to place the Audited Financial Statements on public exhibition from Monday, 1 November 2021 if possible (or the soonest practicable alternative date if not) and that notice be given that Council will present its Audited Financial Statements at the Ordinary Council Meeting to be held on 24**

Our Governance No. 60 Cont...

**November 2021 if possible (or the soonest practicable alternative date if not); and**

- (5) That the audited Financial Statements be presented at the meeting of Council to be held on 24 November 2021 if possible in accordance with Section 419(1) of the Local Government Act 1993 (as amended) or alternatively at the soonest practicable date as determined by the Chief Executive Officer.**

## **BACKGROUND**

As per Section 416(1) of the Local Government Act 1993 (as amended), a Council's Financial Statements for a year must be prepared and audited within four (4) months of the end of the reporting period concerned.

The statutory process that must be followed is that:

1. A statement as required under section 413(2) (c) must be made by resolution and signed by the Mayor, one (1) Councillor, the Chief Executive and the Responsible Accounting Officer.
2. The Financial Statements must then be referred to the Council's Auditor, and once audited the statements must be included in Council's Annual Report.
3. Copies of the Audited Financial Statements must then be lodged with the Office of Local Government by 31 October 2021.
4. As soon as practicable after Council receives a copy of the Auditor's report, the Statements must be placed on public exhibition for a period of seven (7) days and notice given of a meeting at which Council proposes to present its Audited Financial Statements, together with the Auditor's report. This act of giving notice of the meeting is required to be delegated to the Chief Executive as technically the notice of meeting cannot be set until the final audited Statements and Audit Report are received, however, subject to any matters raised during the audit, the Audited Statements and Audit Reports will be presented at the Council Meeting to be held on 24 November 2021.

It should be noted that Council's Audit & Risk Committee has been provided with the draft set of Financial Statements at the Audit and Risk Committee meeting held on Friday 27 August 2021 and comments received have been fed into revisions of these draft financial statements.

## **REPORT:**

A draft of the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for Council for the year ended 30 June 2021 are attached to this report to be referred for audit.

The draft 2020/21 Financial Statements were presented at the 27 August 2021 Audit & Risk Committee meeting where it was resolved that:

- (1) That the Audit & Risk Committee note the report.*

Our Governance No. 60 Cont...

- (2) *That any comments/suggestions from the Audit & Risk Committee be incorporated into the final version of the Draft Financial Statements to be presented to Council at the September Council Meeting.*
- (3) *That the Audit & Risk Committee recommends to Council that at the September Ordinary Council meeting the draft set of Financial Statements (including any changes identified by the Audit Committee and the remaining sections once completed) be referred to Council's Auditors for Audit.*

Some formatting changes were recommended at the Audit & Risk Meeting which have been incorporated into the final draft document.

Once the 2020/21 Financial Statements have been audited, the Auditor's Reports and analysis will be presented to Council and the public at Council's Ordinary Meeting to be held on 24 November 2021, in accordance with Section 419 (1) of the Local Government Act 1993 (as amended).

### **Overall Result:**

The draft Income Statement identifies a Net Operating Result for the year of \$17.493M (\$6.032M in 2019/20) including capital income.

Council's draft operating position excluding capital income and capital contributions is showing a deficit of \$2.535M compared with a \$307K deficit in 2019/20.

This result is an improvement on the draft Financial Statements that were presented to the Audit & Risk Committee on 27 August, as there was a change in the treatment of Operational Land Found Assets, from being classed as asset revaluation to other income. This improved the operating position from a deficit of \$3.038M, to the current deficit figure of \$2.535M.

It should be noted that this is a **preliminary result** and is still to be audited. The Audited Financial Statements will be presented to Council at 24 November Ordinary Council meeting. Council staff expect further guidance from the auditors on Note C1-2 as there was a negative Unrestricted Cash Balance on 30 June 2021, which is not an ongoing issue and has since returned to a positive figure.

Essentially the main factors contributing to the deficit overall include:

- A net loss on disposal of assets (non-cash item);
- Reduced interest income as a result of a State Government directive to not charge interest on overdue rates for the first six (6) months of the Financial Year.
- Expenditure on Grants where the income was recorded in the previous year;
- Additional depreciation costs;
- Boonoo Boonoo Landfill fire;
- Additional Workers Compensation Insurance; and
- Additional recycling costs.

### **Water and Sewer Fund Results**

As per the draft Special Purpose Financial Statements, the Sewer Fund has made a draft surplus of \$1.022M (\$771K in 2019/20) excluding capital income and the Water Fund has made a draft surplus of \$192K (\$328K deficit in 2019/20) excluding capital income.

Our Governance No. 60 Cont...

### **Certification**

Under section 413(2)(c) of the Local Government Act 1993 (as amended), before audit certificates can be issued, it is necessary for Council to adopt a resolution to be attached to the Financial Statements stating that:

Council's Annual Financial Statements and Special Purpose Finance Statements are being prepared in accordance with:

- The Local Government Act 1993, (as amended) and the Regulations made thereunder;
- The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- The Local Government Code of Accounting Practice and Financial Reporting.

These statements must be signed by the Mayor, one (1) other Councillor, the Chief Executive and the Responsible Accounting Officer. A copy of the required statement to be signed is included in the attached draft Financial Statements. It has been assumed, similar to past practice, that the Mayor and Deputy Mayor will sign this statement in conjunction with the Chief Executive and Manager Finance & Technology as the Responsible Accounting Officer. It should be noted that the unaudited Financial Statements reflect an opinion only, and are not legally binding.

### **COUNCIL IMPLICATIONS:**

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

The Audited Financial Statements form part of Council's Annual Report and therefore represents an integral part of the Integrated Planning and Reporting Framework. The Audited Financial Statements provide an important avenue for the review of Council's progress by any interested stakeholders including the Community and Council is required to exhibit the audited Financial Statements.

It is a requirement that as soon as practicable after receiving a copy of the Auditor's report, that the Statements must be placed on public exhibition and notice given of a meeting at which Council proposes to present its Audited Financial Statements, together with the Auditor's report. As advised above, this should occur at the November Ordinary Council Meeting.

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

There are no Policy issues arising out of this report.

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

The Financial Statements are Council's primary form of review on Council's sustainability and the financial performance of Council throughout the reporting period. For this reason, they remain a crucial part of the performance measurement framework and the financial performance as disclosed should be a serious consideration in any future decision making.

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

There are no specific asset management issues arising out of this report.

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

There are no workforce issues arising out of this report.

Our Governance No. 60 Cont...

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

The preparation, audit and review of Council's Financial Statements ensure compliance with:

- The Local Government Act 1993, (as amended) and the Regulations made there under;
- The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board;
- The Local Government Code of Accounting Practice and Financial Reporting.

## **7. Performance Measures**

There are no performance measure issues arising out of this report.

## **8. Project Management**

There are no project management issues arising out of this report.

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                                                                                                                      |           |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Prepared by staff member:     | Jessica Wild                                                                                                                         |           |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                                                 |           |
| Department:                   | Office of the Chief Corporate Officer                                                                                                |           |
| Attachments:                  | <b>1</b> Attachment 7 (Attachment Booklet 4) Tenterfield Shire Council - Annual Financial Statements for the year ended 30 June 2021 | 101 Pages |



Our Governance No. 60 Cont...

|                      |                                                      |
|----------------------|------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>         |
| <b>Submitted by:</b> | Management Accountant                                |
| <b>Reference:</b>    | <b>ITEM GOV59/21</b>                                 |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 31 JULY 2021</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <b>CSP Delivery Program</b> | 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 31 July 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 the 2020/21 year will be 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.

Staff are 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. The purpose of this is to avoid excessive carry forward projects across future financial years and to achieve the projects that Council presented in the Operational Plan for the current year.

#### **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

Our Governance No. 60 Cont...

- 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.

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                                                                           |
|-------------------------------|-------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Jessica Wild; Paul Della                                                                  |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                      |
| Department:                   | Office of the Chief Corporate Officer                                                     |
| Attachments:                  | <b>1</b> Attachment 8 (Attachment Booklet<br>5) Capital Expenditure Report -<br>July 2021 |
|                               | <b>2</b> Pages                                                                            |

Our Governance No. 60 Cont...

|                      |                                                        |
|----------------------|--------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>           |
| <b>Submitted by:</b> | Management Accountant                                  |
| <b>Reference:</b>    | <b>ITEM GOV60/21</b>                                   |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 31 AUGUST 2021</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <b>CSP Delivery Program</b> | 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 31 August 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 the 2020/21 year will be 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.

Staff are 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. The purpose of this is to avoid excessive carry forward projects across future financial years and to achieve the projects that Council presented in the Operational Plan for the current year.

#### **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

Our Governance No. 60 Cont...

- 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

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                                                                             |                   |
|-------------------------------|---------------------------------------------------------------------------------------------|-------------------|
| Prepared by staff member:     | Jessica Wild                                                                                |                   |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                        |                   |
| Department:                   | Office of the Chief Corporate Officer                                                       |                   |
| Attachments:                  | <b>1</b> Attachment 9 (Attachment Booklet<br>5) Capital Expenditure Report -<br>August 2021 | <b>2</b><br>Pages |

|                      |                                                           |
|----------------------|-----------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>              |
| <b>Submitted by:</b> | Management Accountant                                     |
| <b>Reference:</b>    | <b>ITEM GOV61/21</b>                                      |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 JULY 2021</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

#### **SUMMARY**

The purpose of this Report is for the Responsible Accounting Officer to provide, in accordance with Clause 212 of the Local Government (General) Regulation 2005 a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

#### **OFFICER'S RECOMMENDATION:**

##### **That Council:**

- (1) Receive and note the Finance and Accounts Report for the period ended 31 July 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 31 July 2021.

Cash Book Balances on this date were as follows:-

|                        |                |        |
|------------------------|----------------|--------|
| General (Consolidated) | \$6,358,368.09 | Credit |
| General Trust          | \$ 382,340.85  | Credit |

##### (b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 31 July 2021 showing the various invested amounts and applicable interest rates.

#### **Concealed Water Leakage Concession Policy Update**

For the month of July 2021 two concessions were granted to the value of \$1,641.13 under Council's Concealed Water Leakage Concession Policy.

Our Governance No. 61 Cont...

There was one application that was not approved, as it did not meet the consumption loss criteria of 100% more usage than average for a period.

### **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 38 applications for 603 Certificates in July 2021.

In the calendar year to date, there have been 281 applications compared to 118 applications for the same period last year. There have already been more applications this year in 7 months than for the full 2020 year, which had a total of 279 applications.

### **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

**Kylie Smith**

**Chief Corporate Officer**

|                               |                                               |
|-------------------------------|-----------------------------------------------|
| Prepared by staff member:     | Jessica Wild; Paul Della                      |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer          |
| Department:                   | Office of the Chief Corporate Officer         |
| Attachments:                  | <b>1</b> Investment Report as at 31 July 2021 |

1  
Page

**TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 31 JULY 2021**

| Financial Institution                   | Issuer Rating | Investment Term | Maturity Date | Interest Rate | Amount                     | Percentage Exposure  |
|-----------------------------------------|---------------|-----------------|---------------|---------------|----------------------------|----------------------|
| NAB                                     | AA-           | 31 Days         | 30/Aug/21     | 0.05%         | 1,500,000.00               | 25.00%               |
| <b><u>TOTAL NAB INVESTMENTS</u></b>     |               |                 |               |               | <b><u>1,500,000.00</u></b> | <b><u>25.00%</u></b> |
| Commonwealth Bank                       | AA-           | 1 Month         | 27/Aug/21     | 0.25%         | 3,000,000.00               | 50.00%               |
| <b><u>TOTAL CBA INVESTMENTS</u></b>     |               |                 |               |               | <b><u>3,000,000.00</u></b> | <b><u>50.00%</u></b> |
| Westpac                                 | AA-           | 3 Months        | 28/Oct/21     | 0.14%         | 1,500,000.00               | 25.00%               |
| <b><u>TOTAL WESTPAC INVESTMENTS</u></b> |               |                 |               |               | <b><u>1,500,000.00</u></b> | <b><u>25.00%</u></b> |
| <b>INVESTMENTS TOTAL</b>                |               |                 |               |               | <b>6,000,000.00</b>        | <b>100.00%</b>       |

**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.

|                      |                                                             |
|----------------------|-------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                |
| <b>Submitted by:</b> | Management Accountant                                       |
| <b>Reference:</b>    | <b>ITEM GOV62/21</b>                                        |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 AUGUST 2021</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

#### **SUMMARY**

The purpose of this Report is for the Responsible Accounting Officer to provide, in accordance with Clause 212 of the Local Government (General) Regulation 2005 a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

#### **OFFICER'S RECOMMENDATION:**

##### **That Council:**

- (1) Receive and note the Finance and Accounts Report for the period ended 31 August 2021.**
- (2) Approve the refinancing of the Tenterfield Creek Dam Wall Safety Upgrade Loan to the value of \$3,087,671.80 at an indicative interest rate of 2.63% for a fixed period of 20 years with the Commonwealth Bank.**

#### **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 31 August 2021.

Cash Book Balances on this date were as follows:-



Our Governance No. 62 Cont...

|                        |                 |        |
|------------------------|-----------------|--------|
| General (Consolidated) | \$12,154,117.16 | Credit |
| General Trust          | \$ 382,340.85   | Credit |

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 31 August 2021 showing the various invested amounts and applicable interest rates.

**Concealed Water Leakage Concession Policy Update**

For the month of August 2021 no concessions were granted 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 40 applications for 603 Certificates in August 2021.

In the calendar year to date, there have been 321 applications compared to 138 applications for the same period last year. (For the full 2020 year there was a total of 279 applications.)

**Loan Refinancing**

In May 2018 a loan for \$3,450,000 for the Tenterfield Creek Dam Wall Safety Upgrade was taken out for a 3 year period at 3.95% interest rate. This then converted to a variable rate at the expiry of the term.

Council now has the opportunity to take out a fixed rate loan for the principal remaining on the loan of \$3,087,671.80, and given the current low interest rates it is appropriate to proceed with this option. Three quotes were obtained, for a fixed 20 year period with semi-annual repayments, with the indicative rates as shown below:

|     |            |
|-----|------------|
| CBA | 2.63% p.a. |
| ANZ | 2.68% p.a. |
| NAB | 2.80% p.a. |

As the lowest indicative rate is from the Commonwealth bank, it is recommended that Council proceed with the refinancing through the CBA. Please note, all rates provided are indicative only, so are subject to change on the day the loan is finalised.

**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

Our Governance No. 62 Cont...

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

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**Kylie Smith**  
**Chief Corporate Officer**

|                               |                                                                  |
|-------------------------------|------------------------------------------------------------------|
| Prepared by staff member:     | Jessica Wild                                                     |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                             |
| Department:                   | Office of the Chief Corporate Officer                            |
| Attachments:                  | <b>1</b> Investment Report as at 31 August 2021 <b>1</b><br>Page |

**TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 31 AUGUST 2021**

| Financial Institution                   | Issuer Rating | Investment Term | Maturity Date | Interest Rate | Amount                     | Percentage Exposure  |
|-----------------------------------------|---------------|-----------------|---------------|---------------|----------------------------|----------------------|
| NAB                                     | AA-           | 30 Days         | 29/Sep/21     | 0.05%         | 1,500,000.00               | 25.00%               |
| <b><u>TOTAL NAB INVESTMENTS</u></b>     |               |                 |               |               | <b><u>1,500,000.00</u></b> | <b><u>25.00%</u></b> |
| Commonwealth Bank                       | AA-           | 2 Months        | 26/Oct/21     | 0.30%         | 3,000,000.00               | 50.00%               |
| <b><u>TOTAL CBA INVESTMENTS</u></b>     |               |                 |               |               | <b><u>3,000,000.00</u></b> | <b><u>50.00%</u></b> |
| Westpac                                 | AA-           | 3 Months        | 28/Oct/21     | 0.14%         | 1,500,000.00               | 25.00%               |
| <b><u>TOTAL WESTPAC INVESTMENTS</u></b> |               |                 |               |               | <b><u>1,500,000.00</u></b> | <b><u>25.00%</u></b> |
| <b>INVESTMENTS TOTAL</b>                |               |                 |               |               | <b>6,000,000.00</b>        | <b>100.00%</b>       |

**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:**

\_\_\_\_\_  
 J.Wild

\* Except as highlighted in the associated Council Report.

|                      |                                                                           |
|----------------------|---------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                      |
| <b>Submitted by:</b> | Acting Executive Assistant & Media                                        |
| <b>Reference:</b>    | <b>ITEM GOV63/21</b>                                                      |
| <b>Subject:</b>      | <b>ELECTION OF THE DEPUTY MAYOR - 4 September 2021 to 4 December 2021</b> |

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

#### **SUMMARY**

The purpose of this report is for Council to elect the Deputy Mayor for the proceeding term, being from 4 September 2021 to the Local Government Elections on 4 December 2021.

#### **OFFICER'S RECOMMENDATION:**

- (1) That the Chief Executive, as Returning Officer, call for nominations for the election of Deputy Mayor for the term 4 September 2021 to the Local Government Election on 4 December 2021; and**
- (2) Council to determine the form of ballot to be used if so required, conditional on no Councillor attending the meeting via audio visual. If Councillors are attending via audio visual, the vote must be by Open Vote; and**
- (3) Following the election, the Returning Officer declare Cr ..... elected as Deputy Mayor for the period 4 September 2021 to the Local Government Election on 4 December 2021.**

#### **BACKGROUND**

The *Local Government Amendment (Governance and Planning) Bill 2016* included amendments to the Act to change the term of Mayors elected by their Councillor peers from one year to two year terms, however Section 231 (2) of the Act with respect to Deputy Mayor indicates that "the person may be elected for the Mayoral term or a shorter term".

At the September 2012 Extraordinary Council Meeting, Council resolved that Cr Greg Sauer be declared as Deputy Mayor for the next 12 months, with term expiring on 4 September 2021 (being the original Local Government Election date).

In response to the COVID-19 pandemic, in March 2020 the Minister for Local Government published orders in the Gazette under section 318B of the *Local Government Act 1993* postponing the next ordinary local government elections to 4 September 2021.

In line with this, Office of Local Government Circular 21-24 (attached to this report) outlines the requirements for election of Mayors and Deputy Mayors whose current term expires in September 2021.

Our Governance No. 63 Cont...

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

#### **REPORT:**

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

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

Schedule 7 of the *Local Government (General) Regulation 2005* prescribes three (3) methods of election of Deputy Mayors:

- Open Ballot (eg show of hands and only option open to Council given that by necessity, Councillors will be attending by audio visual)
- Ordinary Ballot, or
- Preferential Ballot

Open ballots can be undertaken remotely where a Council is conducting its meetings by audio visual link.

Ordinary and preferential ballots are secret ballots and Councillors will need to **attend the meeting in person** if the election is to be by way of an ordinary or preferential ballot.

#### **Open Voting is by a show of hands – only option open to Council**

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

#### **An Ordinary Ballot is a secret ballot – not possible due to Councillor attendance via Audio Visual**

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

#### **A Preferential Ballot is a secret ballot and the system can only be adopted if there are more than two candidates – not possible due to Councillor attendance via Audio Visual**

Voting is in order of preference, with votes being marked 1,2,3,4 etc. If a candidate receives more than half of the total votes, that person is declared elected. If not, the person with the lowest number of votes is excluded and their preferences are distributed. This procedure is followed until one candidate receives more than half of the total votes. They are then declared elected.

#### **COUNCIL IMPLICATIONS:**

- 1. Community Engagement / Communication (per engagement strategy)**  
N/A
- 2. Policy and Regulation**

Our Governance No. 63 Cont...

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

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

Nil.

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

Nil.

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

Nil.

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

Election procedures covered by the *NSW Local Government Act 1993*, *NSW Local Government (General) Regulations 2005* and the Tenterfield Shire Council Code of Meeting Practice.

Due to attendance of Councillors via audio visual, the vote is limited to an open vote.

### **7. Performance Measures**

Nil.

### **8. Project Management**

Nil.

## **Daryl Buckingham Chief Executive**

|                               |                                                                           |         |
|-------------------------------|---------------------------------------------------------------------------|---------|
| Prepared by staff member:     | Elizabeth Melling                                                         |         |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                         |         |
| Department:                   | Office of the Chief Executive                                             |         |
| Attachments:                  | <b>1</b> Office of Local Government Circular 21-24                        | 2 Pages |
|                               | <b>2</b> Nomination of Deputy Mayor - 4 September 2021 to 4 December 2021 | 1 Page  |

|                             |                                                                                                    |
|-----------------------------|----------------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | 21-24 / 13 August 2021 / A784280                                                                   |
| <b>Previous Circular</b>    | 21-20 Postponement of the local government elections to 4 December 2021                            |
| <b>Who should read this</b> | Councillors / General Managers / Governance staff                                                  |
| <b>Contact</b>              | Council Governance Team / 02 4428 4100/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> |
| <b>Action required</b>      | Council to Implement                                                                               |

## September 2021 mayoral elections

### What's new or changing

- Mayoral elections must be held in September 2021 for mayors elected in September 2019 when their two year-terms expire (see sections 230(1) and 290(1)(b) of the *Local Government Act 1993*).
- Mayors elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- The civic offices of all mayors elected by councillors will expire on election day on 4 December 2021.
- Deputy mayors hold their office for the term specified by the council's resolution. If a deputy mayor's term expires before election day on 4 December 2021, an election may need to be held for deputy mayor. It should be noted however, that councils are not required to have a deputy mayor.

### What this will mean for your council

- Mayoral elections must be conducted in accordance with Schedule 7 of the *Local Government (General) Regulation 2005*.
- Schedule 7 prescribes three methods of election of mayors:
  - open ballot (eg a show of hands)
  - ordinary ballot, or
  - preferential ballot.
- Open ballots can be undertaken remotely where a council is conducting its meetings by audio visual link.
- Ordinary and preferential ballots are secret ballots and councillors will need to attend the meeting in person if the election is to be held by way of an ordinary or preferential ballot.

### Key points

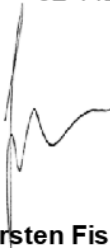
- In deciding which voting method to use for the mayoral election, councils should consider the personal circumstances of their councillors to ensure that all councillors can participate in the mayoral election.
- Councillors may attend council meetings in person under the *Public Health (COVID-19 Gathering Restrictions) Order (No 2) 2021* and the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order 2021* (Public Health Orders) for the purposes of participating in a mayoral election and staff may attend for the purposes of conducting the election.

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

- In areas subject to stay at home restrictions under the Public Health Orders a person may leave their home for the purpose of undertaking any legal obligations and a person engaged in local government elections is an “authorised worker” for the purpose of the Public Health Orders.
- Councils must comply with the Public Health Orders when holding a Mayoral election and should observe appropriate social distancing and take any other steps necessary to minimise the risk of infection by the COVID-19 virus and to ensure the health and safety of all attendees.

**Where to go for further information**

- The Office of Local Government has issued a fact sheet on conducting mayoral elections which is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Kiersten Fishburn  
Coordinator General, Planning Delivery and Local Government**

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**TENTERFIELD SHIRE COUNCIL**

**ELECTION OF DEPUTY MAYOR – 22 SEPTEMBER 2021**

We hereby nominate Councillor .....

for the office of **DEPUTY MAYOR** for the period 4 September 2021 to 4  
December 2021

1) ..... 2) .....

(Signature of Nominator)

(Signature of Nominator)

I hereby accept and consent to the above nomination.

.....

(Signature of Nominee)

**Note:** This form should be returned to the Returning Officer, Mr Daryl Buckingham, Chief  
Executive, 199 Rouse Street, Tenterfield:  
Either prior to, or at the commencement of the Ordinary Council Meeting on Wednesday, 22  
September 2021.

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|                      |                                                                                                                    |
|----------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                                               |
| <b>Submitted by:</b> | Acting Executive Assistant & Media                                                                                 |
| <b>Reference:</b>    | <b>ITEM GOV64/21</b>                                                                                               |
| <b>Subject:</b>      | <b>COUNCIL DELEGATES ON COMMITTEES, EXTERNAL BOARDS &amp; ASSOCIATIONS - Period 4 September to 4 December 2021</b> |

|                                                               |                                                                                                                                                                           |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                           |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.          |
| <b>CSP Strategy:</b>                                          | Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region. |
| <b>Delivery Plan Action:</b>                                  | Provide sound and inclusive decisions using the Community Engagement Strategy to guide our interactions.                                                                  |
| <b>Operational Plan Action:</b>                               | Comply with the regulatory and legislative requirements of Councils as outlined by the Office of Local Government and other bodies.                                       |

## SUMMARY

The purpose of this report is for Council to resolve the Councillors who are to be the Council delegates and sit on the Council and Community Committees for the three (3) months from 4 September 2021 until 4 December 2021.

## OFFICER'S RECOMMENDATION:

- (1) That Council determine the representation on external bodies, specific purpose committees and other associations as listed below for the proceeding period, 4 September 2021 to 4 December 2021;**

|                                                                     | <b>Representation</b>                        | <b>Delegate/s 2019-2021</b>                                                    |
|---------------------------------------------------------------------|----------------------------------------------|--------------------------------------------------------------------------------|
| <b>Specific Purpose Committees</b>                                  |                                              |                                                                                |
| Audit & Risk Committee                                              | Mayor + 1 Councillor                         | Mayor, Cr Don Forbes                                                           |
| Contributions/Donations Assessment Panel                            | Mayor + 3 Councillors + 1 Reserve Councillor | Mayor, Cr Michael Petrie, Cr John Macnish, Cr Bob Rogan, Reserve Cr Gary Verri |
| Australia Day Awards Committee                                      | Mayor + 3 Councillors + 1 Reserve Councillor | Mayor, Cr Don Forbes, Cr John Macnish, Cr Greg Sauer, Reserve Cr Gary Verri    |
| Sir Henry Parkes Memorial School of Arts Joint Management Committee | Mayor + 1 Councillor                         | Mayor, Cr Greg Sauer                                                           |
| Tenterfield Saleyards Advisory Committee                            | Mayor + 2 Councillors                        | Mayor, Cr Don Forbes, Cr Michael Petrie                                        |
| Aboriginal Advisory Committee                                       | Mayor + 1 Councillor                         | Mayor, Cr Bronwyn Petrie                                                       |
| Heritage Advisory Committee                                         | Mayor + 2 Councillors                        | Mayor, Cr Brian Murray, Cr Bronwyn Petrie                                      |
| Disability, Inclusion & Access Advisory Committee                   | 1 Councillor + 1 Alt Councillor              | Cr Don Forbes, Cr Bob Rogan (alt)                                              |
| Parks, Gardens & Open Space Advisory Committee                      | 2 Councillors                                | Cr Greg Sauer, Cr Brian Murray                                                 |
| Arts & Culture Advisory Committee                                   | 2 Councillors                                | Cr Gary Verri, Cr Bronwyn Petrie                                               |
| Tourism Advisory Committee                                          | Mayor + 2 Councillor                         | Mayor, Cr Bob Rogan, Cr Gary Verri                                             |
| Youth Advisory Committee                                            | Mayor + 2 Councillor                         | Mayor, Cr Bronwyn Petrie, Cr Greg Sauer                                        |
| Legume to Woodenbong Road                                           | Mayor + 1 Councillor                         | Mayor, Cr Gary Verri                                                           |
| <b>External Boards, Committees &amp; Organisations</b>              |                                              |                                                                                |

## Our Governance No. 64 Cont...

|                                                            |                                                   |                                                            |
|------------------------------------------------------------|---------------------------------------------------|------------------------------------------------------------|
| Country Mayors Association                                 | Mayor                                             | Mayor                                                      |
| Arts North West                                            | Nil                                               | Cr Verri – Board Member                                    |
| Border Region Organisation of Councils (BROC)              | Mayor + 1 Councillor                              | Mayor, Cr Brian Murray                                     |
| Northern Inland Regional Waste                             | Mayor + 1 Councillor                              | Mayor, Cr Bob Rogan                                        |
| North West Weight of Loads Group                           | 1 Councillor                                      | Cr Gary Verri                                              |
| Local Health Advisory Committee                            | Mayor                                             | Mayor                                                      |
| Tenterfield Shire Local Traffic Committee                  | Mayor + 2 Councillors                             | Mayor, Cr Gary Verri, Cr Tom Peters                        |
| Local Emergency Management Committee                       | Mayor + 1 Councillor                              | Mayor, Cr Michael Petrie                                   |
| Bushfire Management Committee                              | 1 Councillor                                      | Cr Tom Peters                                              |
| NSW RFS Service Level Agreement Liaison Committee          | Mayor +1 Councillor                               | Mayor, Cr Tom Peters                                       |
| Australian Rural Roads Group                               | Mayor                                             | Mayor P Petty                                              |
| Tenterfield Liquor Accord                                  | 1 Councillor                                      | Cr Don Forbes                                              |
| NSW Public Libraries Association                           | 1 Councillor                                      | Cr John Macnish                                            |
| Granite Borders Landcare Committee Inc                     | 1 Councillor                                      | Cr Bronwyn Petrie                                          |
| Northern Tablelands Regional Weeds Committee               | 1 Councillor                                      | Cr Tom Peters                                              |
| Murray Darling Association                                 | Mayor/and or Deputy Mayor + 1 Councillor          | Mayor, Deputy Mayor + Cr Don Forbes                        |
| Tenterfield FM Radio Association                           | 1 Councillor                                      | Cr Tom Peters                                              |
| Community Safety Precinct Committee                        | Mayor                                             | Mayor                                                      |
| Southern Downs Regional Council Highway Taskforce Alliance | Mayor + 1 Councillor                              | Mayor, Cr Gary Verri                                       |
| Bruxner Way Joint Committee                                | Mayor + 1 Councillor                              | Mayor, Cr Brian Murray                                     |
| Joint Regional Planning Panels                             | Mayor, Deputy Mayor + 1 Councillor as alternative | Mayor, Deputy Mayor + Cr Bob Rogan (Alt)                   |
| National Timber Councils'                                  | 2 Councillors + 1 Councillor as alternative       | Cr Bronwyn Petrie, Cr Michael Petrie + Cr Gary Verri (Alt) |
| <b>Community Engagement Forums</b>                         |                                                   |                                                            |
| Our Society                                                | Mayor + 3 Councillors                             | Mayor, Cr Greg Sauer, Cr Brian Murray, Cr John Macnish     |
| Our Economy                                                | Mayor + 3 Councillors                             | Mayor, Cr Bob Rogan, Cr Michael Petrie, Cr Greg Sauer      |
| Our Environment                                            | Mayor + 3 Councillors                             | Mayor, Cr Gary Verri, Cr Bronwyn Petrie, Cr Tom Peters     |

**BACKGROUND**

Council delegates are usually assigned annually at the September Ordinary Council meeting.

Council resolved in September 2020 for delegates to sit on the Council and Community Committees until Saturday 4 September 2021.

Due to the postponement of the NSW Local Government Elections until 4 December 2021, delegates now need to be assigned for a further period of three (3) months, from 4 September 2021 until 4 December 2021.

The NSW Local Government Elections have been postponed from Saturday, 4 September 2021 until Saturday, 4 December 2021.

**REPORT:**

Council delegates are now requested to sit on their current Committees for a further three (3) months, from 4 September 2021 until 4 December 2021.

Our Governance No. 64 Cont...

### **COUNCIL IMPLICATIONS:**

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

Community committees are an integral part of Council's community engagement and communication functions. It should be noted that given the new date for the election, not all Committees will be active in this period.

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

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

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

Council has made provision in its Operational Plan and Budget for the 2021/2022 Financial Year for expenses associated with the operation of the Committees/Groups/Structures listed in this report.

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

Nil

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

Nil

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

Nil

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

Nil

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

Nil

**Daryl Buckingham**  
**Chief Executive**

Prepared by staff member: Elizabeth Melling  
Approved/Reviewed by Manager: Daryl Buckingham, Chief Executive  
Department: Office of the Chief Executive  
Attachments: There are no attachments for this report.

|                      |                                                            |
|----------------------|------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                       |
| <b>Submitted by:</b> | Acting Executive Assistant & Media                         |
| <b>Reference:</b>    | <b>ITEM RES4/21</b>                                        |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - AUGUST/SEPTEMBER 2021</b> |

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#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

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#### **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 August/September 2021.**

**Daryl Buckingham**  
**Chief Executive**

|                               |                                                                                 |          |
|-------------------------------|---------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Elizabeth Melling                                                               |          |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                               |          |
| Department:                   | Office of the Chief Executive                                                   |          |
| Attachments:                  | <b>1</b> Attachment 10 (Attachment Booklet 5) - Resolution Register August 2021 | 38 Pages |