



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

## **OATH / AFFIRMATION OF OFFICE**

Notice is hereby given in accordance with the provisions of the Local Government Act 1993 (s233A), that an Oath or Affirmation of office must be taken prior to the first meeting of COUncil after the council is elected. The undertaking of either the **Oath or Affirmation of Office** will be held in the Koreelah Room, Tenterfield Shire Council Chambers, on **Wednesday 23 February 2022** commencing at **9.00 am**.

## **BUSINESS PAPER ORDINARY COUNCIL MEETING 23 FEBRUARY 2022**

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 23 February 2022** commencing at **9:30 am**.

Daryl Buckingham  
**Chief Executive**

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

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

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

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

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

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

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

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

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

## CONFLICT OF INTERESTS

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

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

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

### **Remoteness**

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

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

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

### **Relatives, Partners**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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## ORDER OF BUSINESS

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

## **CLOSED COUNCIL**

### **Confidential Reports**

#### **(Section 10A(2) of The Local Government Act 1993)**

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representations to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals others than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act provides that Council, or a Committee of the Council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10B(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act,) the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matters referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) The discussion of the matter may:
  - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the Council or committee.

#### **Resolutions passed in Closed Council**

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

# 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 MIN2/22) CONFIRMATION OF PREVIOUS MINUTES .....9

### 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 COM1/22)	A M WHITE DRIVE .....	31
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### **OUR ECONOMY**

(ITEM ECO2/22)	LOT 26 DP 735029 SUGARBAG ROAD .....	37
(ITEM ECO3/22)	MCLEODS CREEK ROAD .....	43
(ITEM ECO4/22)	MARYLAND CULLENDORE ROAD .....	45
(ITEM ECO5/22)	NAMING OF VARIOUS ROADS IN THE MARYLAND/LISTON AREA.....	48

### **OUR ENVIRONMENT**

(ITEM ENV3/22)	URBENVILLE AND WOODENBONG FLOOD STUDY .....	52
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### **OUR GOVERNANCE**

(ITEM GOV13/22)	OATH AND AFFIRMATION FOR COUNCILLORS .....	55
(ITEM GOV14/22)	MONTHLY OPERATIONAL REPORT DECEMBER 2021/JANUARY 2022 .....	58
(ITEM GOV15/22)	COUNCILLORS - PROVISION OF SUPERANNUATION 2022-2023 .....	59
(ITEM GOV16/22)	COUNCIL DELEGATES ON COMMITTEES, EXTERNAL BOARDS & ASSOCIATIONS.....	62
(ITEM GOV17/22)	NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2022.....	64
(ITEM GOV18/22)	COMMUNITY REQUEST - TENTERFIELD ROTARY DISTRICT CONFERENCE 2022 & ORACLES OF THE BUSH 2022.....	66
(ITEM GOV19/22)	AGENCY INFORMATION GUIDE .....	71
(ITEM GOV20/22)	QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2021.....	74

(ITEM GOV21/22)	FINANCE & ACCOUNTS - PERIOD ENDED 31 DECEMBER 2021.....	83
(ITEM GOV22/22)	FINANCE & ACCOUNTS - PERIOD ENDED 31 JANUARY 2022.....	87
(ITEM GOV23/22)	CAPITAL EXPENDITURE REPORT AS AT 31 JANUARY 2022.....	91
(ITEM GOV24/22)	REPORT ON LOAN BALANCES.....	93

## **12. REPORTS OF DELEGATES & COMMITTEES**

(ITEM RC1/22)	REPORTS OF COMMITTEES & DELEGATES - BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - 19 NOVEMBER 2021.....	96
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## **13. NOTICES OF MOTION**

## **14. RESOLUTION REGISTER**

(ITEM RES2/22)	COUNCIL RESOLUTION REGISTER - JANUARY 2022.....	102
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## **15. CONFIDENTIAL BUSINESS**

### **CONFIDENTIAL**

(ITEM GOV25/22)	RESUBMISSION OF REQUEST FOR A BOUNDARY REALIGNMENT BETWEEN TENTERFIELD SHIRE COUNCIL AND GLEN INNES SEVERN SHIRE COUNCIL
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That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals.

(ITEM GOV26/22)	NEW REQUEST FOR A BOUNDARY REALIGNMENT BETWEEN TENTERFIELD SHIRE COUNCIL AND GLEN INNES SEVERN SHIRE COUNCIL
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That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals.



(ITEM ECO6/22) ACQUISITION OF PART OF PRIVATE LAND REQUIRED  
FOR ROAD WIDENING PURPOSES - BRUXNER WAY,  
TENTERFIELD

That above item be considered in Closed Session to the  
exclusion of the press and public in accordance with Section  
10A(2) (a) of the Local Government Act, 1993, as the matter  
involves personnel matters concerning particular individuals.

## **16. MEETING CLOSED**

**(ITEM MIN2/22) CONFIRMATION OF PREVIOUS MINUTES**

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**REPORT BY:** Elizabeth Melling

**RECOMMENDATION**

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

- **Ordinary Council Meeting – 12 January 2022**
- **Extraordinary Council Meeting – 7 February 2022**

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

**ATTACHMENTS**

- |          |  |          |
|----------|--|----------|
| <b>1</b> | Minutes - 12 January 2022  | 16 Pages |
| <b>2</b> | Minutes - Extraordinary Council Meeting - Monday 7 February 2022 | 5 Pages  |

# MINUTES



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 12 JANUARY 2022**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Koreelah Room, Tenterfield Shire Council Chambers on Wednesday, 12 January 2022 commencing at 9.30 am.

**ATTENDANCE**

Councillor Bronwyn Petrie (Mayor)  
Councillor John Macnish (Deputy Mayor)  
Councillor Peter Petty  
Councillor Greg Sauer  
Councillor Tom Peters  
Councillor Tim Bonner  
Councillor Kim Rhodes  
Councillor Giana Saccon

**ALSO IN ATTENDANCE**

Chief Executive (Daryl Buckingham)  
Executive Assistant & Media (Elizabeth Melling)  
Chief Corporate Officer (Kylie Smith)

**Attendance via ZOOM**

Director Infrastructure (Fiona Keneally)

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

Website: [www.tenterfield.nsw.gov.au](http://www.tenterfield.nsw.gov.au)

Email: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au)

**OATH AND AFFIRMATION FOR COUNCILLORS**

Prior to commence of the Ordinary Meeting the following Councillors took an Oath or Affirmation of Office before Chief Executive, Daryl Buckingham.

- Cr Greg Sauer
- Cr Kim Rhodes
- Cr Peter Petty
- Cr Tim Bonner
- Cr Bronwyn Petrie
- Cr Tom Peters
- Cr Giana Saccon
- Cr John Macnish

In his capacity as Returning Officer, the Chief Executive then declared the meeting open and called for the election of Mayor and Deputy Mayor.

**(ITEM GOV2/22) ELECTION OF THE MAYOR**

**SUMMARY**

The purpose of this report is for Council to determine the form of ballot used for election of the Mayor for the two (2) year term January 2022 to January 2024.

**RECOMMENDATION**

- (1) That the Chief Executive, as Returning Officer, call for nominations for the election of Mayor for the two (2) year term January 2022 to January 2024; 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 Mayor for the period January 2022 to January 2024.

**AMENDMENT**

- (1) That the Chief Executive, as Returning Officer, call for nominations for the election of Mayor for the two (2) year term January 2022 to January 2024; and
- (2) that the Mayor be elected by secret, ordinary ballot; and
- (3) Following the election, the Returning Officer declare Cr ..... elected as Mayor for the period January 2022 to January 2024.

(Peter Petty/Bronwyn Petrie)

**Amendment Carried**

*The amendment was carried by a division of 7 to 1. Cr Greg Sauer requested recording of the division.*

*Voting For The Motion:*

*Cr Kim Rhodes, Cr Peter Petty, Cr Tim Bonner, Cr Bronwyn Petrie, Cr Tom Peters, Cr Giana Saccon and Cr John Macnish*

*Voting Against The Motion:*

*Cr Greg Sauer*

**1/22      Resolved that:**

- (1) The Chief Executive, as Returning Officer, call for nominations for the election of Mayor for the two (2) year term January 2022 to January 2024; and
- (2) that the Mayor be elected by secret, ordinary ballot; and
- (3) Following the election, the Returning Officer declare Cr Bronwyn Petrie elected as Mayor for the period January 2022 to January 2024.

(Peter Petty/Bronwyn Petrie)

**Motion Carried**

*The Chief Executive, as Returning Officer advised that nominations for Mayor have been received from Cr Greg Sauer and Cr Bronwyn Petrie.*

*Following the ballot and count, the Returning Officer advised that Cr Bronwyn Petrie had received a majority vote of five (5) votes to three (3).*

**(ITEM GOV3/22) ELECTION OF THE DEPUTY MAYOR**

**SUMMARY**

The purpose of this report is for Council to elect the Deputy Mayor for the proceeding term, being from January 2022 to date yet to be determined.

**2/22      Resolved that**

- 1) The Chief Executive, as Returning Officer, call for nominations for the election of Deputy Mayor for the one (1) year term January 2022 to January 2023; 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 John Macnish elected as Deputy Mayor for the period January 2022 to January 2023.

(Peter Petty/Greg Sauer)

**Motion Carried**

*The Returning Officer advised that one (1) nomination only for the position of Deputy Mayor was received.*

*The Returning Officer declared Cr John Macnish elected as Deputy Mayor for the period January 2022 to January 2023.*

*The Chief Executive congratulated the newly elected Mayor and Deputy Mayor.*

*Mayor Bronwyn Petrie took the Chair and thanked the other Councillors and community for their support and looks forward to working collaboratively and cohesively with the exciting opportunities within this term.*

*Mayor Petrie officially opened the meeting.*

**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.*

**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.*

**APOLOGIES**

Nil

**DISCLOSURE & DECLARATIONS OF INTEREST**

Nil

**(ITEM MIN1/22) CONFIRMATION OF PREVIOUS MINUTES**

**3/22**

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

- Ordinary Council Meeting – 24 November 2021

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

(Peter Petty/John Macnish)

**Motion Carried**

**(ITEM GOV1/22) OATH AND AFFIRMATION FOR COUNCILLORS**

**SUMMARY**

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

**4/22**

**Resolved** that each Councillor took an Oath of Office or made an Affirmation of Office prior to the meeting dated Wednesday 12 January 2022 and signed the appropriate Oath of Office or Affirmation of Office form.

(Greg Sauer/Kim Rhodes)

**Motion Carried**

**(ITEM GOV4/22) DECISION ON USING COUNTBACKS TO FILL CASUAL VACANCIES**

**SUMMARY**

Following the 2021 Local Government Elections, Councils are, for the first time, able to have the option of using a countback of votes cast at the last ordinary election to fill casual vacancies occurring in the offices of Councillors in the first 18 months after the election.

This allows Councils to use a countback to fill vacancies at a lower cost than the cost of holding a by-election.

**RECOMMENDATION**

Pursuant to Section 291A(1)(b) of the Local Government Act 1993 (the Act) Tenterfield Shire Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with Section 291A of the Act and directs the Chief Executive to notify the NSW Electoral Commissioner of the Council's decision within 7 days of the decision.

**AMENDMENT**

That should a Councillor resign or pass away during their current term of Council a by-election be held and that Council should conduct the election.

(John Macnish/Tom Peters)

**Amendment Carried**

**5/22**

**Resolved** that should a Councillor resign or pass away during their current term of Council a by-election be held and that Council should conduct the election.

(Peter Petty/Greg Sauer)

**Motion Carried**

*The voting on the Amendment was 4 to 4 and was passed on the Casting Vote of the Mayor.*

*Voting on the Motion was passed 5 to 3. Cr Greg Sauer requested recording of the division.*

*Voting For The Motion:*

*Cr Kim Rhodes, Cr Bronwyn Petrie, Cr Tom Peters, Cr Giana Saccon and Cr John Macnish*

*Voting Against The Motion:*

*Cr Greg Sauer, Cr Peter Petty, Cr Tim Bonner*

**(ITEM GOV5/22) COUNCIL DELEGATES ON COMMITTEES, EXTERNAL BOARDS & ASSOCIATIONS**

**SUMMARY**

The purpose of this report is to outline the specific purpose committees, external boards and organisations on which Council has representation so that the delegate/s to represent Council on these committees or boards for the year January 2022 to September 2022 can be determined.

**RECOMMENDATION:**

- (1) That Council determine the representation on external bodies, specific purpose committees and other associations as listed below for the proceeding nine (9) months.

	<b>Representation</b>	<b>Delegate/s January to September 2022</b>
<b>Specific Purpose Committees</b>		
Audit & Risk Committee	Mayor (Observer)	Mayor,
Contributions/Donations Assessment Panel	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor,
Australia Day Awards Committee	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor,
Sir Henry Parkes Memorial School of Arts Joint Management Committee	Mayor + 1 Councillor	Mayor,
Tenterfield Saleyards Advisory Committee	Mayor + 2 Councillors	Mayor,
Aboriginal Advisory Committee	Mayor + 1 Councillor	Mayor,
Heritage Advisory Committee	Mayor + 2 Councillors	Mayor,
Disability, Inclusion & Access Advisory Committee	1 Councillor + 1 Alternative Councillor	
Parks, Gardens & Open Space Advisory Committee	2 Councillors	
Arts & Culture Advisory Committee	2 Councillors	



Tourism Advisory Committee	Mayor + 2 Councillor	Mayor,
Youth Advisory Committee	Mayor + 2 Councillor	Mayor,
Legume to Woodenbong Road	Mayor + 1 Councillor	Mayor,
<b>External Boards, Committees &amp; Organisations</b>		
Country Mayors Association	Mayor	Mayor,
Arts North West	Nil	
Border Region Organisation of Councils (BROC)	Mayor + Deputy Mayor	Mayor,
Northern Inland Regional Waste	Mayor + 1 Councillor	Mayor,
North West Weight of Loads Group	1 Councillor	
Local Health Advisory Committee	Mayor	Mayor,
Tenterfield Shire Local Traffic Committee	Mayor + 2 Councillors	Mayor,
Local Emergency Management Committee	Mayor + 1 Councillor	Mayor,
Bushfire Management Committee	1 Councillor	
NSW RFS Service Level Agreement Liaison Committee	Mayor + 1 Councillor	Mayor,
Australian Rural Roads Group	Mayor	Mayor,
Tenterfield Liquor Accord	1 Councillor	
NSW Public Libraries Association	1 Councillor	
Granite Borders Landcare Committee Inc	1 Councillor	
Northern Tablelands Regional Weeds Committee	1 Councillor	
Murray Darling Association	Mayor/and or Deputy Mayor + 1 Councillor	Mayor, Deputy Mayor
Tenterfield FM Radio Association	1 Councillor	
Community Safety Precinct Committee	Mayor	Mayor,
Southern Downs Regional Council Highway Taskforce Alliance	Mayor + 1 Councillor	Mayor,
Bruxner Way Joint Committee	Mayor + Councillor	Mayor,
Joint Regional Planning Panels	Mayor, Deputy Mayor + 1 Councillor as Alternative	Mayor,
National Timber Councils'	2 Councillors + 1 Councillor Alternative	
<b>Community Engagement Forums</b>		

Our Society	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor,
Our Economy	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor,
Our Environment	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor,

(2) That Council adopt the Committees Register January to September 2022 including updates to committee and external body representation.

(3) That Council endorse the timetable for the Community Engagement Forums as follows (subject to confirmation of venues):

Location	Date	Time
Jennings	Wednesday 19 Jan 2022	3-5pm
Drake	Thursday 20 Jan 2022	3-5pm
Tenterfield	Thursday 20 Jan 2022	6-8pm
Torrington	Friday 21 Jan 2022	12-2pm
Mingoola	Friday 21 Jan 2022	3-5pm
Urbenville	Saturday 22 Jan 2022	10am-12noon
Legume	Saturday 22 Jan 2022	2-4pm
Liston	Saturday 22 Jan 2022	5.30-7.30pm

**AMENDMENT:**

That Council:

- (1) Determine the representation on external bodies, specific purpose committees and other associations as listed below for the proceeding nine (9) months.

	Representation	Delegate/s January to September 2022
<b>Specific Purpose Committees</b>		
Audit & Risk Committee	Mayor (Observer)	Mayor
Contributions/Donations Assessment Panel	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr, John Macnish, Cr Greg Sauer, Cr Kim Rhodes, Reserve Cr Giana Saccon
Australia Day Awards Committee	Mayor + 3 Councillors + 1 Reserve Councillor	Mayor, Cr John Macnish, Cr Greg Sauer, Cr Peter Petty, Reserve Cr Kim Rhodes
Sir Henry Parkes Memorial School of Arts Joint Management Committee	Mayor + 1 Councillor	Mayor, Cr Kim Rhodes
Tenterfield Saleyards Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Peter Petty, Cr Tim Bonner
Aboriginal Advisory Committee	Mayor + 1 Councillor	Mayor, Cr Giana Saccon
Heritage Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Kim Rhodes, Cr Tim Bonner
Disability, Inclusion & Access Advisory Committee	1 Councillor + 1 Alternative Councillor	Cr Giana Saccon, Cr John Macnish

Parks, Gardens & Open Space Advisory Committee	2 Councillors	Cr Giana Saccon, Cr Tim Bonner
Arts & Culture Advisory Committee	2 Councillors	Cr Kim Rhodes, Cr Giana Saccon
Tourism Advisory Committee	Mayor + 2 Councillor	Mayor, Cr Kim Rhodes, Cr Tim Bonner
Youth Advisory Committee	Mayor + 2 Councillor	Mayor, Cr Greg Sauer, Cr Giana Saccon
Legume to Woodenbong Road	Mayor + 1 Councillor	Mayor, Cr Tim Bonner
<b>External Boards, Committees &amp; Organisations</b>		
Country Mayors Association	Mayor	Mayor
Arts North West	Nil	
Border Region Organisation of Councils (BROC)	Mayor + 1 Deputy Mayor	Mayor, Cr John Macnish
Northern Inland Regional Waste	Mayor + 1 Councillor	Mayor, Cr Giana Saccon
North West Weight of Loads Group	1 Councillor	Cr Tim Bonner
Local Health Advisory Committee	Mayor	Mayor
Tenterfield Shire Local Traffic Committee	Mayor + 2 Councillors	Mayor, Cr Tom Peters, Cr Peter Petty
Local Emergency Management Committee	Mayor + 1 Councillor	Mayor, Cr Tom Peters
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
Tenterfield Liquor Accord	1 Councillor	Cr Kim Rhodes
NSW Public Libraries Association	1 Councillor	Cr John Macnish
Granite Borders Landcare Committee Inc	1 Councillor	Cr Giana Saccon
Northern Tablelands Regional Weeds Committee	1 Councillor	Cr Tom Peters
Murray Darling Association	Mayor/and or Deputy Mayor + 1 Councillor	Mayor, Deputy Mayor, Cr Greg Sauer
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 Tim Bonner
Bruxner Way Joint Committee	Mayor	Mayor
Joint Regional Planning Panels	Mayor + 2 Councillors	Mayor, Cr Peter Petty, Cr Greg Sauer

National Timber Councils'	1 Councillor	Mayor
<b>Community Engagement Forums</b>		
Our Society	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor, Cr Greg Sauer, Cr Kim Rhodes, Cr Giana Saccon
Our Economy	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor, Cr Greg Sauer, Cr Kim Rhodes, Cr Giana Saccon
Our Environment	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor, Cr Tom Peters, Cr Peter Petty, Cr Giana Saccon

- (2) Adopt the Committees Register January to September 2022 including updates to committee and external body representation.
- (3) Investigate and consider a report at the next Council meeting to determine terms of reference and representation to the proposed addition of a Bypass Strategy Committee to the Council's committee structure.
- (4) That Council endorse the timetable for the Community Engagement Forums as follows (subject to confirmation of venues):

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Liston	Saturday 22 Jan 2022	5.30-7.30pm

(Greg Sauer/Peter Petty)

**Amendment Carried**

**6/22**

**Resolved that Council:**

- (1) Determine the representation on external bodies, specific purpose committees and other associations as listed below for the proceeding nine (9) months.

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<b>Specific Purpose Committees</b>		
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Sir Henry Parkes Memorial School of Arts Joint Management Committee	Mayor + 1 Councillor	Mayor, Cr Kim Rhodes

Tenterfield Saleyards Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Peter Petty, Cr Tim Bonner
Aboriginal Advisory Committee	Mayor + 1 Councillor	Mayor, Cr Giana Saccon
Heritage Advisory Committee	Mayor + 2 Councillors	Mayor, Cr Kim Rhodes, Cr Tim Bonner
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Australian Rural Roads Group	Mayor	Mayor
Tenterfield Liquor Accord	1 Councillor	Cr Kim Rhodes
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<b>Community Engagement Forums</b>		
Our Society	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor, Cr Greg Sauer, Cr Kim Rhodes, Cr Giana Saccon
Our Economy	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor, Cr Greg Sauer, Cr Kim Rhodes, Cr Giana Saccon
Our Environment	Mayor + 3 Councillors (Open to All Councillors to attend)	Mayor, Cr Tom Peters, Cr Peter Petty, Cr Giana Saccon

- (2) Adopt the Committees Register January to September 2022 including updates to committee and external body representation.
- (3) Investigate and consider a report at the next council meeting to determine terms of reference and representation to the proposed addition of a Bypass Strategy Committee to the Council's committee structure.
- (4) Endorse the timetable for the Community Engagement Forums as follows (subject to confirmation of venues):

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Legume	Saturday 22 Jan 2022	2-4pm
Liston	Saturday 22 Jan 2022	5.30-7.30pm

(Tom Peters/Giana Saccon)

**Motion Carried**

**SUSPENSION OF STANDING ORDERS**

**7/22** **Resolved** that Standing Orders be suspended.

(Peter Petty/Tim Bonner)

**Motion Carried**

*The Meeting adjourned for Morning Tea, the time being 11.07 am.*

**RESUMPTION OF STANDING ORDERS**

**8/22**      **Resolved** that Standing Orders be resumed.

(Greg Sauer/Peter Petty)

**Motion Carried**

*The Meeting reconvened, the time being 11.35 am.*

**(ITEM GOV6/22) DELEGATED AUTHORITY - COUNCIL RECESS PERIOD**

**SUMMARY**

The purpose of this report is to provide a full list of matters considered under the delegated authority to the Chief Corporate Officer as the Acting Chief Executive during the Council Recess Period as per Item (3) of Council Resolution 197/21.

**9/22**      **Resolved** that Council receive and note the Report and approve the delegated authority item listed below:

- a) Support for the St Joseph's Primary School - P & F by donating hire and delivery of chairs & tables to the Debutant Ball 2021 venue;
- b) Quote to repair and rectify the deficiencies in terms of the Memorial Hall roof has been accepted and awarded with works commencing as soon as possible.

(Peter Petty/Greg Sauer)

**Motion Carried**

*Manager Customer Service, Governance & Records, Erika Bursford entered the meeting, the time being 11.58 am.*

**(ITEM GOV7/22) MONTHLY OPERATIONAL REPORT - NOVEMBER 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.

**10/22**      **Resolved** that Council receives and notes the status of the Monthly Operational Report for November 2021.

(Greg Sauer/Kim Rhodes)

**Motion Carried**

*Manager Customer Service, Governance & Records, Erika Bursford left the meeting, and Acting Manager Finance & Technology entered the meeting, the time being 12.07 pm.*



**(ITEM GOV8/22) FINANCE - UPDATE OF POLICY**

**SUMMARY**

The purpose of this report is to update the listed policy aligned with the Finance Department.

**11/22**     **Resolved** that Council adopt the updated Borrowing Policy.

(Greg Sauer/John Macnish)

**Motion Carried**

**(ITEM GOV9/22) FINANCE & ACCOUNTS - PERIOD ENDED 30 NOVEMBER 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.

**12/22**     **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 30 November 2021.

(Peter Petty/John Macnish)

**Motion Carried**

**(ITEM GOV10/22) CAPITAL EXPENDITURE REPORT AS AT 30 NOVEMBER 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.

**13/22**     **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 30 November 2021.

(John Macnish/Greg Sauer)

**Motion Carried**

**(ITEM GOV11/22) CHANGES TO PROPOSED BORROWINGS 2021-22 FINANCIAL YEAR**

**SUMMARY**

The purpose of this report is to recommend to Council that a Corporate Markets Loan with the National Australia Bank be obtained, in order to ensure that there is sufficient cash held to meet the total amount of Council's external cash restrictions, in compliance with the Local Government Act 1993. This short-term bridging finance is necessary to alleviate Council's ongoing cash-flow issues,



which are result of the delays in funding from government bodies for grant works and disaster recovery activities which are paid in arrears.

**RECOMMENDATION:**

That Council:

- (1) Approves the establishment of a Corporate Markets Loan with NAB with a drawdown facility limit of \$5,000,000 for a rollover period of 90 days, to function as a cash reserve to fund external restrictions when required.
- (2) That Council notify the Office of Local Government of the loan arrangements.

**AMENDMENT**

- (3) The Mayor and Chief Executive continue to lobby the State and Federal Government as a matter of urgency regarding the late payment of disaster grant funding.

(Peter Petty/Greg Sauer)

**Amendment Carried**

**14/22**

**Resolved** that Council:

- (1) Approves the establishment of a Corporate Markets Loan with NAB with a drawdown facility limit of \$5,000,000 for a rollover period of 90 days, to function as a cash reserve to fund external restrictions when required.
- (2) Notify the Office of Local Government of the loan arrangements.
- (3) Through the Mayor and Chief Executive continue to lobby the State and Federal Government as a matter of urgency regarding the late payment of disaster grant funding.

(Peter Petty/Tom Peters)

**Motion Carried**

*Acting Manager Finance & Technology left the meeting, the time being 12.40 pm.*

**RESOLUTION REGISTER**

**(ITEM RES1/22) RESOLUTION REGISTER - NOVEMBER/DECEMBER 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.

**15/22**

**Resolved** that Council notes the status of the Council Resolution Register to November 2021.

(Tom Peters/Tim Bonner)

**Motion Carried**

**CONFIDENTIAL BUSINESS**

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 12.42 pm.

.....  
Councillor Bronwyn Petrie  
Mayor/Chairperson

# MINUTES



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

## **MINUTES OF EXTRAORDINARY COUNCIL MEETING MONDAY, 7 FEBRUARY 2022**

MINUTES OF THE **Extraordinary Council Meeting** OF TENTERFIELD SHIRE held at the Koreelah Room, Tenterfield Shire Council Chambers on Monday, 7 February 2022 commencing at 1.04pm

### **ATTENDANCE**

Councillor Bronwyn Petrie (Mayor)  
Councillor John Macnish (Deputy Mayor)  
Councillor Peter Petty  
Councillor Tim Bonner  
Councillor Tom Peters  
Councillor Kim Rhodes  
Councillor Giana Saccon  
Councillor Greg Sauer

### **ALSO IN ATTENDANCE**

Chief Executive (Daryl Buckingham)  
Executive Assistant & Media (Elizabeth Melling)  
Chief Corporate Officer (Kylie Smith)  
Director Infrastructure (Fiona Keneally)

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

Website: [www.tenterfield.nsw.gov.au](http://www.tenterfield.nsw.gov.au)

Email: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au)

**WEBCASTING OF MEETING**

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

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

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

**OPENING AND WELCOME**

**CIVIC PRAYER**

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

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

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

Nil.

**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)**

*Speaking against the Motion – Stuart Bell & Lois McGuinness*

**MAYOR MINUTE**

Nil.

**OPEN COUNCIL REPORTS**

**OUR GOVERNANCE**

**(ITEM GOV12/22) APPLICATION FOR SPECIAL RATE VARIATION  
2022/23 AND 2023/24**

**SUMMARY**

To recommend that Council proceed with an application for a section 508A (permanent) Special Rate Variation commencing in the 2022/23 financial year for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal.

Due to the timing of the Council elections, further community consultation will be undertaken during February with a report brought back to Council to address any changes because of the consultation.

The proposed Special Rate Variation comprises a permanent Special Rate Variation of 34% (including rate peg) in 2022/23 and 34% (including rate peg) in 2023/24, representing a cumulative increase of 79.56%.

**RECOMMENDATION:**

That Council:

- (1) Receive the report on application for Special Rate Variation 2022/23 and 2023/24.
- (2) Proceed with a permanent Special Rate Variation application for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal.
- (3) Make an application to the Independent Pricing And Regulatory Tribunal (IPART) under section 508a of the Local Government Act 1993 for increases to the ordinary rate income of 34% in 2022/23 (including the rate peg) and 34% in 2023/24 (including the rate peg), representing a total cumulative increase of 79.56% over the two-year period, to be a permanent increase retained within the rate base.
- (4) Note the additional community consultation to be undertaken in February 2022 outlined in the body of the report and request the Chief Executive respond to the submissions made.
- (5) The Chief Executive present a further report to Council prior to 7 March 2022 that will include:
  - A. A report on the additional community consultation,

- B. A copy of the final submission to IPART consisting of application form part A Special Variation and application form Part B Special Variation,
- C. Clearly demonstrate any changes from the initial submission
- (6) Authorise the Chief Executive to undertake any necessary minor administrative or editorial changes to the submission to IPART, and
- (7) Consider the implementation of the Special Rate Variation (if successful) during the deliberations of Council's Community Strategic Plan, Delivery Program, Operational Plan and Budget commencing for the 2022/23 financial year.

**AMENDMENT:**

That Council:

- (1) Receive the report on Application for Special Rate Variation 2022/23 and 2023/24;
- (2) Determine not to proceed with a permanent Special Rate Variation Application for the 2022/23 financial year for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal;
- (3) Request the Chief Executive advise IPART of Council's decision not to proceed with a permanent Special Rate Variation Application for the 2022/23 financial year;
- (4) Request the Chief Executive bring back a report outlining the process to consider an SRV Application for the 2023/24 financial year detailing further options and an operational efficiency review; including the community consultation program; and
- (5) Acknowledge that without an SRV in the 2022/23 financial year, service levels to the community will be impacted until the budget deficits are resolved.

(John Macnish/Greg Sauer)

**Amendment Carried**

**RECOMMENDATION**

**16/22**     **Resolved** that Council:

- (1) Receive the report on Application for Special Rate Variation 2022/23 and 2023/24;

- (2) Determine not to proceed with a permanent Special Rate Variation Application for the 2022/23 financial year for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal;
- (3) Request the Chief Executive advise IPART of Council's decision not to proceed with a permanent Special Rate Variation Application for the 2022/23 financial year;
- (4) Request the Chief Executive bring back a report outlining the process to consider an SRV Application for the 2023/24 financial year detailing further options and an operational efficiency review; including the community consultation program; and
- (5) Acknowledge that without an SRV in the 2022/23 financial year, service levels to the community will be impacted until the budget deficits are resolved.

(Peter Petty/Kim Rhodes)

**Motion Carried**

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 1.30 pm.

.....  
Councillor Bronwyn Petrie  
Mayor/Chairperson



<b>Department:</b>	<b>Engineering Department</b>
<b>Submitted by:</b>	Manager Asset & Program Planning
<b>Reference:</b>	<b>ITEM COM1/22</b>
<b>Subject:</b>	<b>A M WHITE DRIVE</b>

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

<b>CSP Goal:</b>	<b>Transport</b> - TRSP 15 - We have an effective interconnected transport system that is safe, efficient and affordable for us as a community.
<b>CSP Strategy:</b>	The management of Council's assets will be long term and focused on meeting the needs of the community now, and into the future.
<b>CSP Delivery Program</b>	Management of the transport infrastructure assets in response to changing community need.

#### **SUMMARY**

The purpose of this report is to inform Council of the status of A M White Drive.

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

**That Council note the status of A M White Drive.**

#### **BACKGROUND**

Council has received an enquiry to the status of roads around the Bolivia Hall and a status search has been undertaken.

#### **REPORT:**

An enquiry has been received relating to roads around the Bolivia Railway and Bolivia Hall. A M White Drive is the road formation between the New England Highway and the Bolivia Hall, while Bolivia Siding Road is a road formation connection between the Bolivia Hall past the old Railway Station and Kiernans Road, back out to the New England Highway.

The former railway station property is freehold land in Lot 1 DP 815097 and there is no road (neither Crown Road or Public Road) over the road formation. This section is privately owned and being fenced with a gate by the owner.

The full length of A M White Drive is freehold land Lot 2 DP 815097 under the ownership of Transport Asset Holding Entity of NSW.

#### **COUNCIL IMPLICATIONS:**

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

Nil

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

- Public Roads Act

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

Nil



Our Community No. 1 Cont...

**4. Asset Management (AMS)**

A M White Drive is listed as a Class D road (498m)

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

The road appears to have no status as a road gazetted under the Roads Act and is freehold title.

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member:

David Counsell

Approved/Reviewed by Manager:

Fiona Keneally, Director Infrastructure

Department:

Engineering Department

Attachments:

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Letter from Bolivia Progress Association | 1<br>Page |
| <b>2</b> | Lot 1 DP 815097                          | 1<br>Page |
| <b>3</b> | AM White Drive - Title Search            | 1<br>Page |

## BOLIVIA PROGRESS ASSOCIATION Inc.

President: Ken Hutchison. Email: [hutcho@splittersswamp.com.au](mailto:hutcho@splittersswamp.com.au)

Secretary: Fay McCowen. Email: [bolivia1@bigpond.com](mailto:bolivia1@bigpond.com)

Treasurer: Aileen Gilligan "Yallambee" Kiernan's Rd, Bolivia

The Chief Executive Officer  
Tenterfield Shire Council  
P.O. Box 214  
Tenterfield NSW 2372

Dear Sir,

At a meeting of Bolivia Progress Association, held 29/1/22, the following matter was discussed, and resolved, to seek Council attention.

Community residents are seeking advice, re occupants of land, erecting gates on local roads. The road in question is Kiernan's Road.

Kiernan's Road, commences at its intersection with Robertsons Road, proceeding from that point to its junction with Railway Station Rd, then continuing past the old Railway Station site to Bolivia Hall.

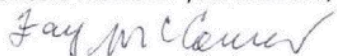
New occupants, of the former Railway Station Masters residence, have already placed one gate, on Kiernan's Rd, near the Bolivia Hall, a second is planned on the southern end of their block.

This action has already caused one major problem at the hall, a family gathering was taking place when one elderly guest suffered a medical emergency, 000 called, as the Ambulance was on the New England Highway returning to Tenterfield, it immediately proceeded on the shortest route to the hall via Railway Station Road, only to be blocked when almost to the hall, this necessitated their turning their vehicle and rerouting back along New England Highway, reaching the hall via A.M. White Drive.

Further minor inconvenience has also blocked visitors to the area, wishing to view all the historic sites identified by our local history group.

Therefore, we request the appropriate officers of Tenterfield Shire Council, to consider this matter, we would also like advice if erecting gates on public roads is legal and if not, what action is required.

Sincere Thanks for your attention,



Fay McCowen Secretary. 2/2/22

TENTERFIELD SHIRE COUNCIL		
- 7 FEB 2022		
	Action	Info
CE		
CCO		
DI		

Page 34



Order number: 72716951  
Your Reference: A M White Drive/JG  
10/02/22 10:33



NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/815097

SEARCH DATE	TIME	EDITION NO	DATE
10/2/2022	10:33 AM	2	25/11/2021

LAND

LOT 2 IN DEPOSITED PLAN 815097  
AT BOLIVIA  
LOCAL GOVERNMENT AREA TENTERFIELD  
PARISH OF BOLIVIA COUNTY OF CLIVE  
TITLE DIAGRAM DP815097

FIRST SCHEDULE

TRANSPORT ASSET HOLDING ENTITY OF NEW SOUTH WALES

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

PRINTED ON 10/2/2022

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

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<b>Department:</b>	<b>Engineering Department</b>
<b>Submitted by:</b>	Manager Asset & Program Planning
<b>Reference:</b>	<b>ITEM ECO2/22</b>
<b>Subject:</b>	<b>LOT 26 DP 735029 SUGARBAG ROAD</b>

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

<b>CSP Goal:</b>	<b>Economy</b> - ECON 8 - Our existing businesses and industry are supported to reach their full potential and provide quality goods and services both locally and to a wider market.
<b>CSP Strategy:</b>	Maximise the accessibility of business and industrial operations to ensure the exchange of goods and services is supported by sustainable infrastructure.
<b>CSP Delivery Program</b>	Delivery of survey and design works for infrastructure services, including stormwater drainage, transport, water and sewer infrastructure.

#### **SUMMARY**

Previous consideration of the Council owned property Lot 26 DP 735029 Sugarbag Road, between Sugarbag Road West and Sugarbag Road East at Drake, was deferred until a survey of landowners could be undertaken.

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

**That Council:**

- 1) Note the report and the removal of proposed sale proceeds of Lot 26 DP 735029 Sugarbag Road from the current years budget 2022/2023; and**
- 2) a. Council proceeds with the sale of the land in 2022/2023 to minimize increasing costs in the road network management plan and derived proceeds from the sale; or**
  - b. Make provision in the 2022/2023 budget for a minimum of \$15,00 to survey and further estimate the construction cost and ongoing maintenance in respect to Lot 26 DP 735029.**

#### **BACKGROUND**

Lot 26 DP 735029 Sugarbag Road was created by a subdivision of land in 1986 and has the formation of a track passing across it between Sugarbag Road West and Sugarbag Road East that is not aligned to the road reserve. The land is a freehold parcel owned by Council and sale of the property would provide income to assist Council funding, however there have been suggestions from the public that the track could be upgraded to link these roads.

#### **REPORT:**

In October 2021 Council considered a report relating to Lot 26 and resolved (209/21) that Council defer a report until new Council is formed and a survey of the affected residents is undertaken.

Our Economy No. 2 Cont...

The land in Lot 26 DP 735029 Sugarbag Road is located between Sugarbag Road West and Sugarbag Road East, to the north east of the village of Drake. The lot has a road reserve passing through the middle of the lot as well as a separate right of carriage way 10 metres wide to one adjoining parcel of land in Lot 27. A roughly formed track also passes through Lot 26, partly along the right of carriage way and significantly deviates away from the road reserve.

The survey of affected residents was undertaken from landowners along Sugarbag Road West, Kims Way and Sugarbag Road East. The advice included;

*Council owns the property of Lot 26 DP 735029 at the end of Sugarbag Road and recently considered a report relating to this property.*

*This property consists of naturally vegetated land that is not occupied and is not actively used by Council. Through this parcel there is a road reserve and the formation of a track between Sugarbag Road West and Sugarbag Road East, however the track is not aligned to the formal road reserve. The formal road reserve traverses through the middle of the lot while the track meanders through the western side of the lot.*

*Council has resolved to defer a report on this matter until February 2022 to include a survey of the affected residents. A survey form has been included in this letter together with a diagram of the property of Lot 26.*

*You are invited to complete the form and return to Council prior to 31st January 2022 so that this information can be included in a report for further consideration.*

*As a resident / landowner, our preference in respect of Lot 26 DP 735029 Sugarbag Road is for Council to pursue the following action;*

- *Undertake the public sale of the property*
- *Further investigate construction of a road linkage between Sugarbag Road West and Sugarbag Road East*
- *Defer any further action on the matter for at least one year.*

There were 57 surveys sent out to landowners along Sugarbag Road (east and west sections) and Kims Way. Less than a quarter of the surveys were returned and of the 13 responses received;

- 1 indicated to undertake the public sale of the property,
- 10 indicated to further investigate construction of a road linkage between Sugarbag Road West and Sugarbag Road East and,
- 2 indicated to defer any further action on the matter for at least one year.

The existing track is approximately 1.2km long with average gradients of almost 20%, and in some sections being 25% grade. In comparison, the gradients of the formal road reserve through Lot 26 assessed from contour intervals, have average gradients of almost 30%, and in some sections being will beyond 50% grade. Any consideration to construct a public access along the formal road reserve would require much more detailed investigation and most certainly significantly more cost that upgrading the existing track.

To upgrade the existing formed track to allow public access, there would need to be construction works and legal survey of the section to dedicate a public road along the

## Our Economy No. 2 Cont...

construction. An initial estimate of this work is a minimum of \$400,000. The estimated cost for survey and plan preparation alone is estimated at \$9,500 plus GST.

While this estimate is based upon construction to a lowest order local access road, the connection of the road as a through road would expose the network in this area to the use by more traffic as there would be advantages of short cuts in the area. This may lead to future requests for a high level of service road in the future. Also given the steep gradients in this area, it is highly advisable that such roads should be sealed to avoid erosion and scouring of the pavement surface. These factors would involve further cost to this section through Lot 26.

An attachment to this report includes extracts showing the boundary sizes of Lot 26, the topographic landforms and terrain of the area. A comparison of the vertical elevation along the formed track against the unformed road reserve is also shown.

Lot 26 DP 735029 has an area of 40.83 hectares and a listed value of \$ 87,800 as an asset of Council. The property is naturally vegetated land with no structural improvements. There is currently no operational purpose for this land.

The responses from the landowners are noted and it is considered that Council should give further consideration to the sale of Lot 26 DP 735029 with the 2022/23 budget.

### **COUNCIL IMPLICATIONS:**

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

A survey was sent out in November 2021 to 57 landowners along Sugarbag Road (east and west sections) and Kims Way to seek input relating to Lot 26 DP 735029.

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

Nil

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

There is no allocation towards the construction of new roads or the adjustment of road reserve alignments that are not maintained by Council.  
This property incurs a rates expense each year.

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

Construction of additional road would further burden Council's ability to maintain the current asset base. There is no reduction in service from Council's existing assets if Lot 26 was to be sold.

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

Nil.

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

Nil.

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

Nil.

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

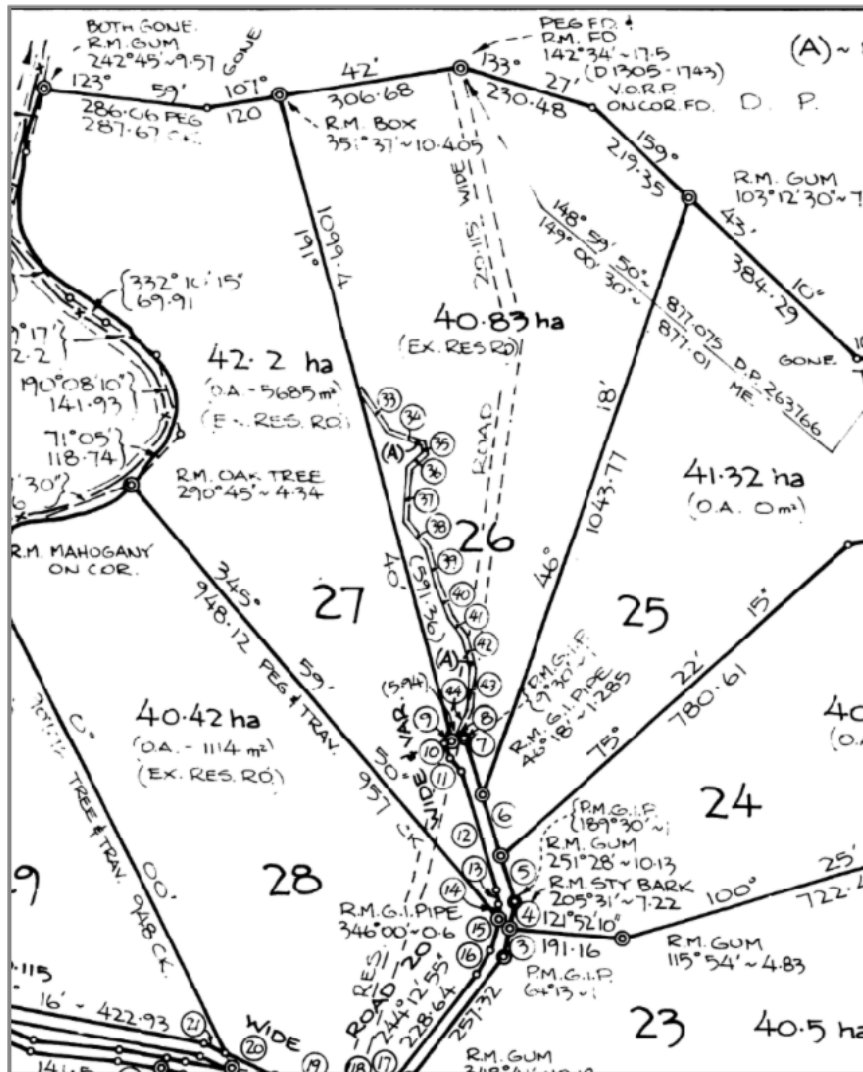


Our Economy No. 2 Cont...

Any further action relating to Lot 26 would need to be managed by Council staff and incur expenses to do so under the current budget limitations.

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member:	David Counsell
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure
Department:	Engineering Department
Attachments:	<b>1</b> Sugarbag Road Attachment 2 Pages



Extract of DP735029 showing the dimensions of Lot 26 and right of carriageway to Lot 27.

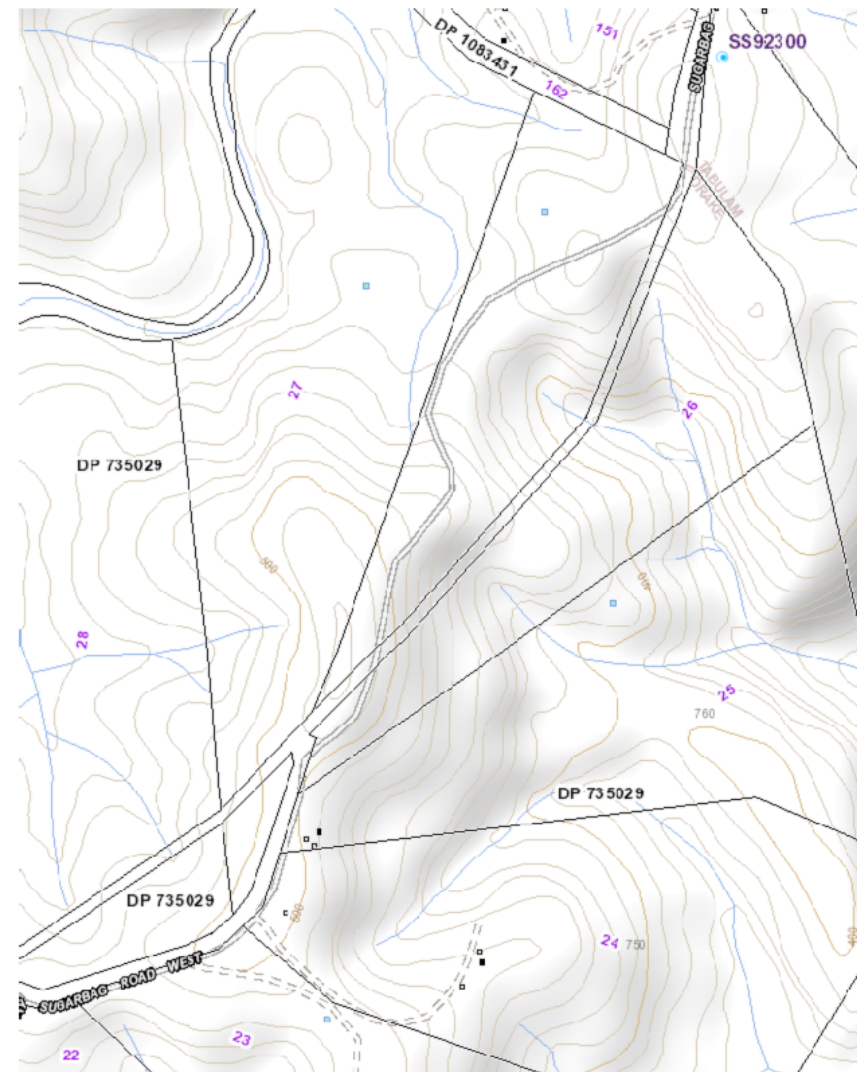
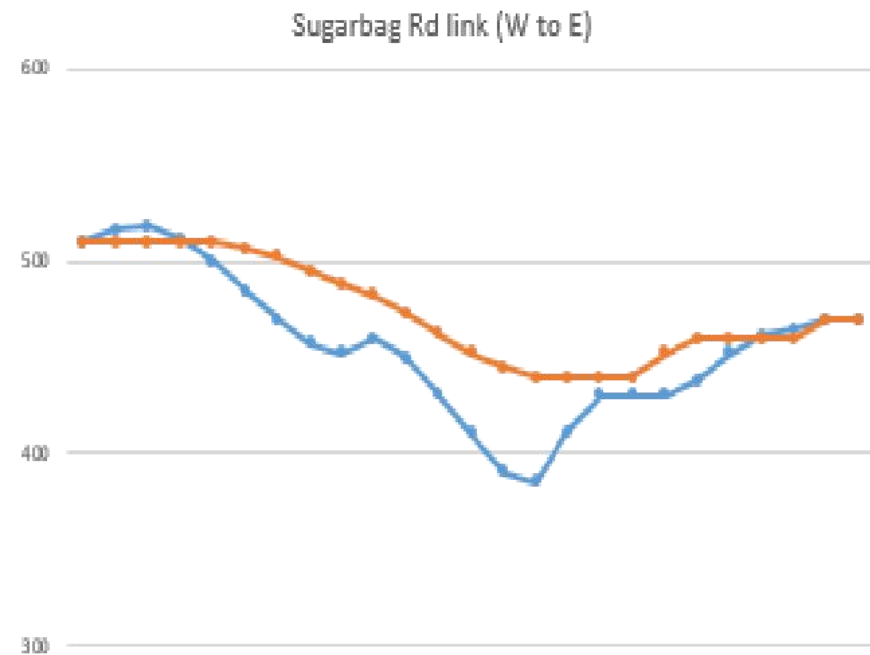


Diagram of the topographic landform and contours in the vicinity of Lot 26



Aerial photography over Lot 26 showing vegetation and terrain.



Comparison profile of formed track (brown) and unformed road reserve (blue) in metres.

<b>Department:</b>	<b>Engineering Department</b>
<b>Submitted by:</b>	Manager Asset & Program Planning
<b>Reference:</b>	<b>ITEM ECO3/22</b>
<b>Subject:</b>	<b>MCLEODS CREEK ROAD</b>

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

<b>CSP Goal:</b>	<b>Economy</b> - ECON 8 - Our existing businesses and industry are supported to reach their full potential and provide quality goods and services both locally and to a wider market.
<b>CSP Strategy:</b>	Maximise the accessibility of business and industrial operations to ensure the exchange of goods and services is supported by sustainable infrastructure.
<b>CSP Delivery Program</b>	Delivery of survey and design works for infrastructure services, including stormwater drainage, transport, water and sewer infrastructure.

#### **SUMMARY**

The purpose of this report is to inform Council of the estimated cost to formalise the road reserve over McLeods Creek Road.

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

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

- (1) Note the estimated costs in relation to survey of the McLeods Creek Road Reserve; and**
- (2) Continue with compulsory acquisition of a public road through the Girard State Forest as approved under Resolution 207/20; and**
- (3) Note that progressing with this action will have long term financial obligations in the transport area.**

#### **BACKGROUND**

Council has previously agreed to commence action to formalise a Road Reserve over the last 2.7km section of McLeods Creek Road through the Girard State Forest.

#### **REPORT:**

In September 2020, Council considered a report on McLeods Creek Road and resolved (by Resolution 207/20) to approve action to commence compulsory acquisition of a public road to formalise a road reserve over a section of McLeods Creek Road.

A solicitor has been engaged for preliminary advice and the process has been commenced through the Office of Local Government for the acquisition of the road reserve. Advice from the solicitors has also been forwarded to State Forestry to seek clarification of their requirements for the acquisition process which is located through the Girard State Forest.

An estimate to undertake the survey of the road through the Forest and preparation of a road acquisition plan has been received at \$15,000.

Our Economy No. 3 Cont...

There will also be costs involved in processing of the application, legal fees and any compensation payments. These costs could be the equivalent of the survey costs, hence the total cost could be in the order of \$ 30,000.

### **COUNCIL IMPLICATIONS:**

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

The implicated landowners have had communication with Council on this matter.

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

- Roads Act 1993

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

Cost of the survey alone is estimated at \$15,000 and a similar amount could be encountered through processing of the application, legal fees and any compensation payments.

No future operational costs for McLeods Creek Road are provided in this report.

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

McLeods Creek Road is currently listed in the Council asset register for a length of 6.821 km which includes the section through the Forest.

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

No long term changed implications once the new road reserve is dedicated.

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

There is often concern raised when a road is not clearly located within a public road reserve controlled by Council and it is important that Council has full control of the land upon which the public assets are located. Where Council maintains a road asset, the general public should be able to freely access the road within the limitations of the appropriate regulations such as the Roads Act.

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

Nil.

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

This project is being managed internally by Council Infrastructure technical staff.

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member:	David Counsell
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure
Department:	Engineering Department
Attachments:	There are no attachments for this report.



<b>Department:</b>	<b>Engineering Department</b>
<b>Submitted by:</b>	Manager Asset & Program Planning
<b>Reference:</b>	<b>ITEM ECO4/22</b>
<b>Subject:</b>	<b>MARYLAND CULLENDORE ROAD</b>

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

<b>CSP Goal:</b>	<b>Economy</b> - ECON 8 - Our existing businesses and industry are supported to reach their full potential and provide quality goods and services both locally and to a wider market.
<b>CSP Strategy:</b>	Maximise the accessibility of business and industrial operations to ensure the exchange of goods and services is supported by sustainable infrastructure.
<b>CSP Delivery Program</b>	Delivery of survey and design works for infrastructure services, including stormwater drainage, transport, water and sewer infrastructure.

#### **SUMMARY**

The purpose of this report is to inform Council of the estimated cost to formalise the road reserve over the road formation of the Maryland Cullendore Road through Maryland National Park.

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

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

- (1) Note the estimated costs of \$55,000 to formalise a corrected Public Road Reserve over the existing track formation of Maryland Cullendore Road through Maryland National Park,**
- (2) Proceed with actions to dedicate the corrected Public Road Reserve alignment as per Council Resolution 176/20,**
- (3) Not accept responsibility for maintenance of the road through Maryland National Park, and**
- (4) Not accept the road through Maryland National Park as a Council asset.**

#### **BACKGROUND**

Council has previously considered the issue of the track formation that deviates relative to the legal road reserve linkage of the Maryland Cullendore Road through Maryland National Park.

#### **REPORT:**

In August 2020, Council resolved (by Resolution 176/20) to contact the Crown Lands Department and National Parks & Wildlife Service informing them that Council wished to keep the Maryland Cullendore Road open. This decision was sent to Crown Lands and National Parks & Wildlife Service, and they have now withdrawn the road closure gazettal documents.

## Our Economy No. 4 Cont...

A meeting has been held with NPW Service representatives who indicated that they are looking at all paper roads through National Parks and that they would prioritise Maryland National Park. If action proceeds to dedicate the formal reserve over the actual track formation, Council would be required to pay for legal and survey costs to register the new road reserve alignment.

An estimate to undertake the survey of the road formation through Maryland National Park and preparation of a road acquisition plan has been received at \$40,000. Further costs of around \$15,000 would be incurred for plan lodgement, legal fees and gazettal of the road alignment as a public road.

Council maintains the eastern section of Maryland Cullendore Road over a distance of 4.73km from Cullendore Road intersection and also maintains the western section of Maryland Cullendore Road over a distance of 5.16km from the end of Maryland Station Road. The subject track through the Park linking these roads covers 4.4km along the state border and 3.6km across the Park to the east, a total length to be dedicated over 8 km in length.

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

Discussions have been held with National Parks & Wildlife Service on the matter and correspondence to them has been sent confirming Council's intentions.

**2. Policy and Regulation**

- Roads Act 1993

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

Cost of the survey alone is estimated at \$40,000 and further costs of \$15,000 could be encountered through processing of the application, legal fees and any compensation payments.

The potential for future operational or capital upgrade costs are not included in this report.

**4. Asset Management (AMS)**

This section of Maryland Cullendore Road through the Park is not a Council asset and is not maintained by Council.

**5. Workforce (WMS)**

The formalisation of the road reserve would be undertaken by Council's Infrastructure Department.

**6. Legal and Risk Management**

Dedication of the public road reserve along the track should allow the general public to have legal access through the Park.

**7. Performance Measures**

Nil.

**8. Project Management**

This project is being managed internally by Council Infrastructure technical staff.

Our Economy No. 4 Cont...

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member:	David Counsell
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure
Department:	Engineering Department
Attachments:	There are no attachments for this report.



<b>Department:</b>	<b>Engineering Department</b>
<b>Submitted by:</b>	Engineering Officer (Technical Support) P/T
<b>Reference:</b>	<b>ITEM ECO5/22</b>
<b>Subject:</b>	<b>NAMING OF VARIOUS ROADS IN THE MARYLAND/LISTON AREA</b>

<b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b>	
<b>CSP Goal:</b>	<b>Transport</b> - TRSP 15 - We have an effective interconnected transport system that is safe, efficient and affordable for us as a community.
<b>CSP Strategy:</b>	We have a well-designed and functioning road network suitable for all users now and take into consideration future network consumption and demand.
<b>CSP Delivery Program</b>	Asset Planning, Policy and Management provide strategic direction and information to Council enabling the sustainable management of its asset portfolio as a whole.

## SUMMARY

The purpose of this report is to provide an update and advice on the renaming of various roads in the Maryland/Liston area.

## OFFICER'S RECOMMENDATION:

### That Council:

- (1) Does not proceed with the renaming Herding Yard Creek Road or Red Ridge Lane in line with the recommendations contained in the GNB NSW Address Policy and User Manual;**
- (2) Consider renaming the extent of Old Maryland Lane to a unique name in line with the recommendations contained in the GNB NSW Address Policy and User Manual; and**
- (3) Write to the affected landowners advising of the outcome.**

## BACKGROUND

A Notice of Motion report was tabled in December 2019 concerning the renaming of various roads in the area of Liston, Maryland and Willsons Downfall that appear to have multiple names historically.

At this meeting Council resolved (CM286/19) to start the process of renaming Herding Yard Creek Road, Catarins Road, Maryland-Cullendore Road & Red Ridge Lane.

Property owners that use Herding Yard Creek Road, Catarins Road & Red Ridge Lane were consulted by way of letter in August 2021 requesting to provide suggestions for names to rename the roads. Submissions were received up until 10 September 2021.

### Herding Yard Creek Road:

Council's Road Asset Management Plan classifies Herding Yard Creek as a Class D Road extending from Mount Lindesay Road for a distance of 3.087km. The road is signposted and holds three (3) Rural Address Numbers assigned to properties.

## Our Economy No. 5 Cont...

No submissions were received for the renaming of Herding Yard Creek Road.

**Red Ridge Lane:**

Council's Road Asset Management Plan classifies Red Ridge Lane as a Class D Road extending from Undercliffe Road for a distance of 1.028km. The road is signposted and holds four (4) Rural Address Numbers assigned to properties.

Four submissions were received for the Renaming of Red Ridge Lane with three (3) out of the four (4) strongly opposing the proposal of changing the road name. Property owners confirmed they had not experienced any confusion with emergency services, tradespersons, Australia Post etc and did not see sense in trying to change the road name that had been in use and signposted for twenty years.

**Catarins Road:**

Council's Road Asset Management Plan classifies Catarins Road as a Class D Road extending from Amosfield Road for a distance of 4.090km. The road is signposted and holds one (1) Rural Address Number assigned to a property.

Two (2) submissions were received for the renaming of Catarins Road. One was not in line with GNB Guidelines and could not be considered.

The other submission received suggested that the road name be reverted back to "Old Maryland Lane" which appears on some mapping sources commencing from Maryland Lane.

**Maryland-Cullendore Road:**

Maryland-Cullendore Road will not form part of this report as the road extent through the Maryland National Park is currently being discussed with National Parks & Wildlife. If the road remains open, Council can investigate the renaming of this road in the future when the exact extent is known.

**REPORT:**

Council as the Road authority must adhere to the Roads Act 1993, the procedure outlined in the NSW Roads Regulation 2018 and policy outlined in the NSW Address Policy and User Manual when naming or re-naming a public or private road. In NSW, the Geographical Names Board (GNB) must be notified of all road naming proposals.

Road names need to be officially and correctly recorded, otherwise this can impede the delivery of emergency and other services to residents and businesses. With the centralisation of emergency service operational dispatch centres in NSW, uniqueness is the most essential quality when proposing a new road name. Duplication of similar and like sounding road names should be avoided as these names can cause confusion for operational dispatch and delay emergency response times.

In 2016, the GNB and Council renamed "Maryland Road" to "Dalmoak Road" due to there being multiple road names containing the word "Maryland" in the same locality of "Maryland" which could impede the delivery of emergency and other services to residents and businesses. The locality of Maryland is also similar sounding to that of "Merrylands" in Sydney and was raised as potentially problematic at this time.

Section 6.7.4 of the GNB Guidelines states that uniqueness is the most essential quality to be sought in proposing a new road name. A road name will be regarded as a duplicate

## Our Economy No. 5 Cont...

if it is the same or similar in spelling or sound to an existing name, regardless of the road type. Road names shall not be duplicated:

- Within the same address locality
- Within the adjoining locality
- Within a duplicated locality anywhere in NSW
- Within proximity of 30km in a Rural Area

Section 6.7.9 of the GNB Guidelines states that road names are intended to be enduring, and the re-naming of roads is discouraged unless there are compelling reasons for a change. Issues that can prompt renaming include the redesign of a road, changed traffic flow, mail or service delivery problems, duplication issues and addressing problems.

Therefore, to revert "Catarins" back to the road name of "Old Maryland Lane" is not in line with the recommendations of the GNB as stated in 6.7.4 and 6.7.9 of the GNB Guidelines and may further complicate the issue of having duplicate sounding roads within the vicinity of the locality of Maryland. Renaming "Old Maryland Lane" (commencing at Maryland Lane) to a name more unique would be a more suitable option.

## COUNCIL IMPLICATIONS:

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

Affected property owners were consulted by way of letter and provided an opportunity to put in a submission to Council. The submissions were received and acknowledgement letters provided advising that a future report would be considered by Council.

### 2. Policy and Regulation

- Roads Act 1993
- Local Government Act 1993
- NSW Roads Regulation 2018
- Policy outlined in the NSW Address Policy and User Manual

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

- Staff Administration & resources to undertake the community consultation & process for road re-naming including notification to authorities of any changes.
- Signposting of any new road names

### 4. Asset Management (AMS)

Nil.

### 5. Workforce (WMS)

Nil.

### 6. Legal and Risk Management

Council should ensure all road names are officially and correctly recorded to ensure the prompt delivery of emergency and other services to residents and businesses.

### 7. Performance Measures

Our Economy No. 5 Cont...

Nil.

**8. Project Management**

Nil.

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member:	Jessica Gibbins
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure
Department:	Engineering Department
Attachments:	There are no attachments for this report.

<b>Department:</b>	<b>Engineering Department</b>
<b>Submitted by:</b>	Manager Water & Waste
<b>Reference:</b>	<b>ITEM ENV3/22</b>
<b>Subject:</b>	<b>URBENVILLE AND WOODENBONG FLOOD STUDY</b>

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

<b>CSP Goal:</b>	<b>Environment</b> - ENVO 10 - Environmental risks and impacts are strategically managed.
<b>CSP Strategy:</b>	We are prepared, resourced and educated as a community to deal with natural disasters such as bushfires, storm and flood events.
<b>CSP Delivery Program</b>	Review and ensure the integration of Council current studies and plans into strategic land use planning and operational planning documents and policies to support our emergency management function.

#### **SUMMARY**

The purpose of this report is to provide the final report including results of community consultation to Council.

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

**That Council adopt the Urbenville and Woodenbong Flood Study report.**

#### **BACKGROUND**

Urbenville is a high rainfall area within Tenterfield Shire, historically suffers from flooding. Council's information for planning and emergency services was historical memory. To provide the information for Council and the community Tenterfield Shire and Kyogle Councils in partnership engaged engineering consultant, BG&E to develop a Flood Study for Urbenville, Mulli Mulli and Woodenbong. The study was undertaken with financial and technical assistance from Council and Department of Planning, Industry and Environment (DPIE) through the New South Wales (NSW) Government's Floodplain Management Program.

#### **REPORT:**

The Urbenville and Woodenbong Flood Study report provides a detailed study into the impacts of flooding on the communities of Urbenville, Mulli Mulli and Woodenbong. The study incorporated community consultation, hard data (similar catchments and local information), research (large flood events) and computer simulated modelling to provide a scientific approach for possible flood depths across the Urbenville, Mulli Mulli and Woodenbong catchments. The modelling was undertaken at a variety of possible flood heights, associated velocities and factors of climate change including 20% AEP (Annual Exceedance Probability), 5% AEP, 1% AEP, 0.2% AEP and PMF (Probable Maximum Flood) events.

#### **COUNCIL IMPLICATIONS:**

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

Effective community consultation and participation, through valuing the experiences and opinions of the community can improve the collaboration between Council and the community enabling the achievement of project outcomes that are satisfactory to all stakeholders.

## Our Environment No. 3 Cont...

The Urbenville and Woodenbong Flood Study, had staged community consultation throughout the project initial questionnaire and consultation occurred from September to October 2020, (As discussed in the report section 4, pp27-29, and appendix pp. 120-197) presentations of the study were provided for Council and the Urbenville progress association and the final report was provided for public exhibition from December 2021 to January 2022. Notably only one response was received in relation to Woodenbong (As discussed in the report p.11).

**2. Policy and Regulation**

Flood planning at Urbenville and Woodenbong is governed by local government legislation and policies as well as several NSW and Australia wide Guidance Documents. Development in Urbenville is subject to the flood controls of the Tenterfield Shire Council Local Government Area. Development in Woodenbong is subject to the flood controls of the Kyogle Council Local Government Area.

- NSW Floodplain Development Manual (2005)
- Floodplain Risk Management Guidelines series published by DECC and OEH (now DPIE)
- AIDR Handbook Series
- Australian Rainfall and Runoff 2019 (ARR2019)
- Australian Institute for Disaster Resilience (AIDR). (2017). *Guideline 7-2 Flood Emergency Response Classification of the Floodplain*. Commonwealth of Australia.
- Australian Institute for Disaster Resilience (AIDR). (2017). *Guideline 7-3 Flood Hazard*. Commonwealth of Australia.
- Australian Institute for Disaster Resilience (AIDR). (2017). *Managing the Floodplain; A Guide to Best Practice in Flood Risk Management in Australia*. Commonwealth of Australia.
- DECC. (2007). *Flood Emergency Response Classification of Communities*.
- Department of Environment and Climate Change. (2007). *SES Requirements from the FRM Process*. NSW Government.
- Department of Infrastructure, Planning and Natural Resources. (April 2005). *Floodplain Development Manual: the management of flood liable land*. NSW Government.

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

This is final adoption of the Urbenville and Woodenbong Flood Study, no further implications from this study as it is completed.

Notably the next stage as the Urbenville Floodplain Risk Management Study and Plan stage which will build upon the findings of this Flood Study to identify options for floodplain risk management. This will be undertaken under grant funding.

**4. Asset Management (AMS)**

Utilising the Urbenville and Woodenbong Flood Study and further recommendations requiring examination in a detailed Urbenville Flood Risk Management Study and Plan that will inform the asset management plans allowing mitigation measures to be instituted allow planning to be refined to account for lowlying areas that can be augmented, relocated or enhanced to reduce future cost associated with damages.

Our Environment No. 3 Cont...

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

While the Urbenville and Woodenbong Flood Study has no direct impact to the Workforce Management Strategy, some changes to planning policies and LEP for Urbenville will result.

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

No Legal issues are associated with this report.

The Urbenville and Woodenbong Flood Study identifies risk to the community and to Council infrastructure that is highlighted through this report. The treatment of risks identified, require further examination in a detailed Urbenville Flood Risk Management Study and Plan that will inform the asset management plans allowing mitigation measures to be instituted.

### **7. Performance Measures**

Key Performance measures as with the Urbenville and Woodenbong Flood Study have provided from Council's mission of "Quality Nature, Quality Heritage and Quality Lifestyle" and Council's vision '...to establish a prosperous shire through balanced, sustainable economic growth managed in a way to create quality lifestyles and satisfy the employment, environmental and social aims of the community,' which includes providing information for development and community safety as key measures.

### **8. Project Management**

Nil.

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member:	Gillian Marchant
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure
Department:	Engineering Department
Attachments:	<b>1</b> Attachment 1 (Attachment Booklet 222 1) - Urbenville and Woodenbong Pages Flood Study

<b>Department:</b>	<b>Office of the Chief Executive</b>
<b>Submitted by:</b>	Executive Assistant & Media
<b>Reference:</b>	<b>ITEM GOV13/22</b>
<b>Subject:</b>	<b>OATH AND AFFIRMATION FOR COUNCILLORS</b>

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

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

### **SUMMARY**

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

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

**That Councillor Geoffrey Nye took an Oath of Office or made an Affirmation of Office prior to the meeting dated Wednesday 23 February 2022 and signed the appropriate Oath of Office or Affirmation of Office form.**

### **BACKGROUND**

Following on from the Local Government Elections held 4 December 2021, Tenterfield Shire were required to hold two By-elections, in Ward C & E, this was due to the lack of nominations. Mr Geoffrey Nye was the sole "nominator" in Ward E. The NSW Electoral Commission therefore declared him a "Councillor-Elect" from 28 January 2022.

Therefore Mr Nye is able to join Council at this meeting, but is required to take an Oath or Affirmation of Office and sign the "Affirmation of Office" form.

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

#### **233A Oath and Affirmation for Councillors**

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

#### **Oath**

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

#### **Affirmation**



## Our Governance No. 13 Cont...

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

- (3) A Councillor who fails, without a reasonable excuse, to take the Oath of Office or make an Affirmation of Office in accordance with this section is not entitled to attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected to the office or a meeting at which the Councillor takes the Oath or makes the Affirmation) until the Councillor has taken the oath or made the affirmation.
- (4) Any absence of a Councillor from an ordinary meeting of the Council that the Councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the Council.
- (5) Failure to take an Oath of Office or make an Affirmation of Office does not affect the validity of anything done by a Councillor in the exercise of the Councillor's functions.
- (6) The General Manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the Council meeting or otherwise).

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

Nil

**2. Policy and Regulation**

- NSW Local Government Act 1993.

**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

Our Governance No. 13 Cont...

**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>	Executive Assistant & Media
<b>Reference:</b>	<b>ITEM GOV14/22</b>
<b>Subject:</b>	<b>MONTHLY OPERATIONAL REPORT DECEMBER 2021/JANUARY 2022</b>

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**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.

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**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 2021/2022 Operational Plan.

**OFFICER'S RECOMMENDATION:**

**That Council receives and notes the status of the Monthly Operational Report for December 2021/January 2022.**

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

Prepared by staff member:	Elizabeth Melling
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
Department:	Office of the Chief Executive
Attachments:	<b>1</b> Attachment 2 (Attachment Booklet 120 2) - Monthly Operational Report - Pages December 2021/January 2022

<b>Department:</b>	<b>Office of the Chief Executive</b>
<b>Submitted by:</b>	Executive Assistant & Media
<b>Reference:</b>	<b>ITEM GOV15/22</b>
<b>Subject:</b>	<b>COUNCILLORS - PROVISION OF SUPERANNUATION 2022-2023</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 continually reviews its service provision to ensure best possible outcomes for the community.
<b>Delivery Plan Action:</b>	Deliver continuous improvements in Council's business, processes and systems.
<b>Operational Plan Action:</b>	Ensure adequate and effective internal controls are in place for all financial management and purchasing functions.

#### **SUMMARY**

The purpose of this report is to address the recent determination of the NSW Parliament on 13 May and assented to on 24 May 2021 enabling superannuation contribution payments for Councillors.

A Council may make a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.

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

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

- (1) Notes the Report and Determination of the NSW Parliament: and either**
- (2) (a) Implements superannuation payments for all Councillors for the financial year commencing 1 July 2022, under the Commonwealth Superannuation legislation as superannuation if the Councillor were an employee of Council; or**
- (b) Forgo the payment of superannuation for all current term Councillors until the next election of Council - September 2024.**

#### **BACKGROUND**

There have been some recent legislative changes which affect Councillor payments. The NSW Government in order to strengthen the performance and sustainability of local government have introduced a reform to enable Councillors to be paid superannuation contributions.

Our Governance No. 15 Cont...

That Bill, now the *Local Government Amendment Act 2021* was passed by the NSW Parliament on 13 May and assented to on 24 May 2021.

A copy of that law as passed by the Parliament reads as follows:-

### **1.3 Amendments concerning superannuation payments for councillors**

#### **Section 254B**

Insert after section 254A—

#### **254B Payment for superannuation contributions for councillors**

- (1) A council may make a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.
- (2) The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.
- (3) A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.
- (4) A council is not permitted to make a superannuation contribution payment—
  - (a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
  - (b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
  - (c) to the extent the councillor has agreed in writing to forgo or reduce the payment.
- (5) The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.
- (6) A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.
- (7) A superannuation contribution payment does not constitute salary for the purposes of any Act.
- (8) Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.
- (9) In this section—

***Commonwealth superannuation legislation*** means the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth.

Our Governance No. 15 Cont...

***Superannuation account*** means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth superannuation legislation applies.

**REPORT:**

There have been some recent legislative changes which affect Councillor payments. The NSW Government in order to strengthen the performance and sustainability of local government have introduced a reform to enable Councillors to be paid superannuation contributions.

As Council is reviewing the Long Term Financial Plan of Council, in line with the Integrated Planning and Reporting processes, it is appropriate for Council to resolve the intention of the current term of Council to assist in the accurate projections.

**COUNCIL IMPLICATIONS:**

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

Nil required.

**2. Policy and Regulation**

- Local Government Amendment Act 2021 No 11 – Payment of the *provision of Superannuation to Councillors*.

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

The Draft Annual Budget for 2022/2023 and the Long Term Financial Plan are currently under development. The determination of the matter in this report will be included an amount to cover the increase (if applicable) brought about the following the resolution of 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.

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

Prepared by staff member:	Elizabeth Melling
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
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>	Executive Assistant & Media
<b>Reference:</b>	<b>ITEM GOV16/22</b>
<b>Subject:</b>	<b>COUNCIL DELEGATES ON COMMITTEES, EXTERNAL BOARDS &amp; ASSOCIATIONS</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>Delivery Plan Action:</b>	Promote and support community involvement in Council decision making process.
<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 to revisit the specific purpose committees, external boards and organisations which were discussed at the Councillor Workshop held 3pm Tuesday 8 February 2022. Council representation is for the period January 2022 to January 2023.

## OFFICER'S Recommendation:

- (1) That Council note the report; and**
- (2) Resolve the following amendments;**
  - (a) Amalgamation of Parks, Gardens and Open Spaces Advisory Committee" and "Arts and Culture Advisory Committee" to make the "Parks, Gardens and Cultural Advisory Committee";**
  - (b) Remove "Legume to Woodenbong Road – Key Stakeholder Group";**
  - (c) Remove "Arts North West" Committee Representation;**
  - (d) Remove "Australian Rural Roads Group";**
  - (e) Remove "Southern Downs Regional Council Highway Taskforce Alliance";**
  - (f) Include "Tenterfield By-Pass Economic Enhancement Advisory Group" and resolve representation by Councillors on the Committee.**

## BACKGROUND

Council is required to determine annually the delegate/s that are to represent Council on external bodies and other community committees and panels. As part of this process at the Ordinary Council Meeting 12 January 2022, it was decided that a review of the

Our Governance No. 16 Cont...

Committee Register should be undertaken.

### REPORT:

As part of Council's **Resolution 6/22** from Ordinary Council Meeting – Wednesday 12 January 2022, it was resolved as follows:-

*“(3) Investigate and consider a report at the next council meeting to determine terms of reference and representation to the proposed addition of a Bypass Strategy Committee to the Council's committee structure.”*

The above resolution was further discussed at the Councillor Workshop – Tuesday 8 February 2022, along with the Draft Committee Register 2022-2023". Discussions outlined Committees that were no longer operational or met their objective and therefore needed removal, along with the "purpose" and "make-up" of a "By-Pass Strategy Committee".

### COUNCIL IMPLICATIONS:

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

Community committees are an integral part of Council's community engagement and communication functions.

#### 2. Policy and Regulation

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

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

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:

Elizabeth Melling

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer

Department:

Office of the Chief Executive

Attachments:

**1** Attachment 3 (Attachment Booklet 41  
3) - Committee Register - 2022- Pages  
2023- Draft



<b>Department:</b>	<b>Office of the Chief Executive</b>
<b>Submitted by:</b>	Executive Assistant & Media
<b>Reference:</b>	<b>ITEM GOV17/22</b>
<b>Subject:</b>	<b>NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2022</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>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>Operational Plan Action:</b>	Participate in regionals organisations of Council and other joint bodies to advance the needs of the Tenterfield Shire and the surrounding regions.

#### **SUMMARY**

The purpose of this report is for Council to consider the attendance of the Chief Executive and Mayor at the National General Assembly of Local Government 2022 in Canberra, 19-22 June 2022 and to call for submission of Motions.

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

**That Council approve the attendance of the Chief Executive and Mayor Bronwyn Petrie at the National General Assembly of Local Government 2022 and Regional Forum 2022 to be held in Canberra, 19 to 22 June 2022.**

#### **BACKGROUND**

Each year Council budgets for the attendance of the Mayor and Chief Executive at this very important Local Government event. The Mayor is Council's voting delegate.

In addition to attending the National General Assembly (NGA), the opportunity is taken, while in Canberra, to meet with our local Federal Member and other Federal politicians to discuss issues of importance to our Shire and to lobby for funding where appropriate.

#### **REPORT:**

The theme of the 2022 National General Assembly is "*Partners in Progress*". The NGA aims to focus on how partnerships, particularly between the Australian Government and Local Governments, can tackle immediate challenges facing communities as well as confidently facing the future.

A significant number of motions will be put to the Assembly, generating lively, vigorous and constructive debate. All of the motions that are supported at the NGA are submitted to the Australian Local Government Association (ALGA) Board for consideration and aim, ultimately, to advance the cause of Local Government and the communities we seek to serve.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor or the NGA, motions must meet the following criteria:

- Be relevant to the work of Local Government nationally;

Our Governance No. 17 Cont...

- Be consistent with the themes of the NGA;
- Complement or build on the policy objectives of your state and territory Local Government Association;
- Be from a Council which is a financial member of their state or territory Local Government Association;
- Propose a clear action and outcome; and
- Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, Local Government.

### **Regional Cooperation & Development Forum 2022**

The Forum will be held on Sunday, 19 June 2022.

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

- Councillor Expenses and Facilities Policy 1.160.

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

- Registration - \$989.00 x 2 (Early Bird prior to 6 May 2022)
- Accommodation - Policy allows \$350.00 per night x 2 (4 nights)
- Return Airfare - Approximately \$660.00 x 2

#### **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:

Elizabeth Melling

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer

Department:

Office of the Chief Executive

Attachments:

**1** Attachment 4 (Attachment Booklet 16  
3) - National General Assembly Pages  
Brochure

<b>Department:</b>	<b>Office of the Chief Executive</b>
<b>Submitted by:</b>	Executive Assistant & Media
<b>Reference:</b>	<b>ITEM GOV18/22</b>
<b>Subject:</b>	<b>COMMUNITY REQUEST - TENTERFIELD ROTARY DISTRICT CONFERENCE 2022 &amp; ORACLES OF THE BUSH 2022</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>Delivery Plan Action:</b>	Promote and support community involvement in Council decision making process.
<b>Operational Plan Action:</b>	Review and continually improve processes and systems in response to changing customer service needs and in the promotion of a positive customer service culture.

#### **SUMMARY**

The purpose of this report is to advise Council of requests made by Tenterfield Rotary Club and Oracles of the Bush to provide equipment hire support to their 2022 events.

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

**That Council advise Tenterfield Rotary Club and Oracles of the Bush that event and function equipment is available to hire as follows:**

- **Tables – Rectangular \$10 each per event day.**
- **Chairs – Cloth Covered \$2.00 each per event day.**
- **Lectern - \$75 per event day.**
- **Sound System – As per 2021/22 Fees and Charges.**
- **LED Theatre Lighting - \$90 per item per event day.**
- **Genie Lift - \$90 per event day.**
- **School of Arts Equipment Refundable Bond – As per 2021/22 Fees and Charges.**
- **Marquee – As per 2021/22 Fees and Charges.**
- **SunSmart Marquee and Refundable Bond – As per 2021/22 Fees and Charges.**
- **Administration Officer - \$55 per hour (mandatory minimum of one hour).**

**All charges are for hire only. Collection and return of all items will be the responsibility of event organisers.**

#### **BACKGROUND**

Council has received correspondence from Tenterfield Rotary Club and Oracles of the Bush 2022 organisers, requesting that Council provide support to their 2022 events due to the unavailability of the Tenterfield Memorial Hall which had been previously booked for these events.

Our Governance No. 18 Cont...

**REPORT:**

Due to the identification of structural roof deficiencies in the Tenterfield Memorial Hall building by structural Engineers in November 2021, all venue bookings from 1 December 2021 to 31 March 2022 have been cancelled. Organisers for Tenterfield Rotary District Conference and Oracles of the Bush were advised of this in December 2021. Council provided support to St Joseph's Debutante Ball in December 2021 due to the very short notice of the venue not being available and there not being sufficient time for the organisers of this event to make many rearrangements for their function. Event organisers for the Tenterfield Rotary District Conference and Oracles of the Bush will have had three and a half months' notice of the unavailability of the venue by the time of their planned events.

Council received a letter dated 21 January 2022 from Mr Harry Bolton, Expo Chair, Tenterfield Rotary Club and Ms Carolynne Newman, Oracles of the Bush, requesting support from Council to relocate equipment from various venues to the Tenterfield Showgrounds in order for the Rotary District Conference and Oracles of the Bush events to proceed over successive weekends 25 to 27 March 2022 and 31 March to 3 April 2022.

*The letter stated "After much discussion and investigating, both organisations have decided that as Council cannot guarantee availability of Memorial Hall as our venue, we have decided to work together and move both events to the Tenterfield Showground Pavilion. As you would be aware this will require considerable effort to make the venue suitable for both occasions and we respectfully request the following support from council to ensure both events are memorable occasions for our Rotary delegates and Oracles of the Bush patrons. I have checked the availability of this equipment with the School of Arts and RSL and have been advised that no events are scheduled for this period.*

*Equipment List:*

- *Red cloth chairs from the Tenterfield School of Arts (160)*
- *Red cloth chairs from the RSL (55)*
- *Use of School of Arts Genie Lift – (we have several members who are proficient in the use of the Genie lift)*
- *Trestle tables from Memorial Hall*
- *Selection of portable LED theatre lights and stands from the SoA Theatre*
- *School of Arts portable sound system*
- *Council's marquee and SunSmart shelters"*

Some of the requested equipment list would usually be available as part of the hire of the venue, such as tables and chairs in the Tenterfield Memorial Hall and Tenterfield RSL Subbranch Annex and are not listed in Council's Fees and Charges. A review of commercial equipment hire websites has provided an indicative commercial price for rectangular tables being hired at \$16 to \$20 each, and cloth/cushioned chairs being hired around \$6 each. It is recommended that, given the community benefits of both events, equipment hire fees be less than commercial hire fees for these two events, only charged on actual event days, and be as follows:

- Tables – Rectangular \$10 each per event day.
- Chairs – Cloth Covered \$2.00 each per event day.
- Lectern - \$75 per event day.
- Sound System – As per 2021/22 Fees and Charges.
- LED Theatre Lighting - \$90 per item per event day.

Our Governance No. 18 Cont...

- Genie Lift - \$90 per event day.
- School of Arts Equipment Refundable Bond – As per 2021/22 Fees and Charges.
- Marquee – As per 2021/22 Fees and Charges.
- SunSmart Marquee and Refundable Bond – As per 2021/22 Fees and Charges.

Due to the requirement for event organisers to collect and return all equipment to the various venues, a Council Administration Officer will need to be present for at least half an hour during collection of equipment, and half an hour at return of equipment. The fee for this will be:

- Administration Officer - \$55 per hour (mandatory minimum of one hour).

Any other requirement for Council employees to be in attendance or to provide assistance will be charged as per Council's 2021/22 Fees and Charges. All charges are for hire only. Collection and return of all items will be the responsibility of event organisers.

### **COUNCIL IMPLICATIONS:**

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

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

- Section 377 of the Local Government Act 1993

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

Any support of a financial nature is not in the current budget and will require an additional allocation through the Quarterly Budget Review process, adding to the current forecast deficit position.

#### **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:

Elizabeth Melling; Erika Bursford

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer

Department:

Office of the Chief Executive

Attachments:

- 1 Request from Rotary and Oracles of the Bush - Equipment

2  
Pages

Harry Bolton  
District 9640 EXPO Chair  
[Harry.bolton@bigpond.com](mailto:Harry.bolton@bigpond.com)  
0409 635 024



29 November 2021

Mr Peter Petty  
Mayor  
Tenterfield Shire Council  
TENTERFIELD NSW 2372

Dear Peter

I am writing on behalf of Rotary District 9640, Tenterfield Rotary Club and Oracles of the Bush committee re recent advice from Tenterfield Shire Council informing of structural issues with Memorial Hall. As you are aware this venue was the intended venue for Rotary District 9640 Annual Conference/Expo 2022 and Oracles of the Bush weekend. These events will be held over successive weekends 25 to 27 March and 31 March 03 April 2022

After much discussion and investigating, both organisations have decided that as Council cannot guarantee availability of Memorial Hall as our venue, we have decided to work together and move both events to the Tenterfield Showground Pavilion. As you would be aware this will require considerable effort to make the venue suitable for both occasions and we respectfully request the following support from council to ensure both events are memorable occasions for our Rotary delegates and Oracles of the Bush patrons. I have checked the availability of this equipment with the School of Arts and have been advised that no events are scheduled for this period.

Equipment List:

- Red cloth chairs from the Tenterfield School of Arts (160)
- Red cloth chairs from the RSL (55)
- Use of School of Arts Genie Lift – *(we have several members who are proficient in the use of the Genie lift)*
- Plastic trestle tables from the School of Arts
- Selection of portable LED theatre lights and stands from the SoA Theatre
- School of Arts portable sound system
- Council's marquee and SunSmart shelters

This will be the first time that a Rotary District Conference has been held in Tenterfield in the Tenterfield clubs 75-year history and will be a major highlight of District Governor, Jeff Egan's year as the District Governor for District 9640 2021-2022 and is in leu of Past District Governor Harry Bolton's District Conference that was to be held in 2020 but cancelled due to COVID-19.

During the Conference period it is expected that between 300 to 500 Rotarians and their partners will be in Tenterfield enjoying our wonderful Tenterfield hospitality and Rotary fellowship.

Harry Bolton  
District 9640 EXPO Chair  
[Harry.bolton@bigpond.com](mailto:Harry.bolton@bigpond.com)  
0409 635 024



Oracles of the Bush is a boutique event in its 26<sup>th</sup> year and will also attract large numbers over the weekend.

On behalf of our Rotary Expo committee and Oracles of the Bush Committee we thank you for your attention to this matter and continued support to both our organisations.

If you require any further information, please do not hesitate to contact Harry by phone on 0409 635 024 or email [harry.bolton@bigpond.com](mailto:harry.bolton@bigpond.com).

Yours sincerely

Harry Bolton  
EXPO Chair  
Tenterfield District Conference 2021/2022  
District 9640

Email: [harry.bolton@bigpond.com](mailto:harry.bolton@bigpond.com)  
Phone M: 0409 635 024

Carolynne Newman  
Secretary  
Oracles of the Bush  
Tenterfield

[oraclesofthebush@gmail.com](mailto:oraclesofthebush@gmail.com)  
Phone M: 0407 203 728

<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 GOV19/22</b>
<b>Subject:</b>	<b>AGENCY INFORMATION GUIDE</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 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.

#### **SUMMARY**

The purpose of this report is to enable Council to consider and adopt the updated Tenterfield Shire Council Agency Information Guide, as required in accordance with the Government Information (Public Access) Act 2009 (GIPA).

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

**That Council adopt the Tenterfield Shire Council Agency Information Guide 2022 in accordance with Section 21 of the Government Information (Public Access) Act 2009.**

#### **BACKGROUND**

Section 20 of the GIPA Act requires that agencies must have an Agency Information Guide as follows:

- (1) *An agency (other than a Minister) must have a guide (its "agency information guide") that:*
  - (a) *describes the structure and functions of the agency, and*
  - (b) *describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and*
  - (c) *specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and*
  - (d) *identifies the various kinds of government information held by the agency, and*
  - (e) *identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and*
  - (f) *specifies the manner in which the agency makes (or will make) government information publicly available, and*



Our Governance No. 19 Cont...

*(g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.*

- (2) An agency must make government information publicly available as provided by its agency information guide.*
- (3) The Director-General of the Department of Local Government may, in consultation with the Information Commissioner, adopt mandatory provisions for inclusion in the agency information guide of local authorities. The agency information guide of a local authority must include any such mandatory provision unless the Director-General otherwise approves in a particular case.*

#### **REPORT:**

In accordance with Section 21 of the GIPA Act, an agency must adopt its first agency information guide within 6 months after the commencement of this section and must review its agency information guide and adopt a new agency information guide at intervals of not more than 12 months. An agency may update and amend its agency information guide at any time.

Council's current Agency Information Guide was adopted on 27 March 2019. Given the significant disruptions due to COVID-19 restrictions, and remote working arrangements in 2020 as well as organisation changes due to the departure of Council's previous Chief Executive Officer, Terry Dodds, at the end of 2021, the Agency Information Guide has not been updated until January 2022.

In accordance with Section 22 of the GIPA Act, agencies must notify the Information Commissioner before adopting or amending their Agency Information Guide and must, if requested to do so by the Information Commissioner, consult with the information Commissioner on the proposed Agency Information Guide.

The Information Commissioner has been notified on 14 February 2022 of the revised draft. The Agency Information Guide has been updated to reflect Council's organisational structure, Committees, and Policies available for access.

#### **COUNCIL IMPLICATIONS:**

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

Council meets its commitment to inform, consult and involve by reviewing and adopting its Agency Information Guide via its Open Ordinary Meeting.

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

- Government Information (Public Access) Act 2009

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

Nil.

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

Nil.

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

Nil.

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

Our Governance No. 19 Cont...

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

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

Prepared by staff member:	Erika Bursford, Manager Customer Service, Governance & Records
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
Department:	Office of the Chief Corporate Officer
Attachments:	<b>1</b> Attachment 5 (Attachment Booklet 24 3) - Tenterfield Shire Council Pages Agency Information Guide - February 2022

<b>Department:</b>	<b>Office of the Chief Corporate Officer</b>
<b>Submitted by:</b>	Acting Manager Finance & Technology
<b>Reference:</b>	<b>ITEM GOV20/22</b>
<b>Subject:</b>	<b>QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 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 to provide Council with a Quarterly Budget Review Statement in accordance with Regulation 203 of the Local Government (General) Regulation 2005 (the Regulation).

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

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

**Adopts the December 2021 Quarterly Budget Review Statement and recommendations therein that:**

- a) No additional operating or capital expenditure outside of the recommendations in this review be approved by Council unless they are offset by other savings (e.g. with road works such as re-sheeting, with a plan to reduce maintenance costs) or grant funded and even then only where there will be no additional operating costs as a result of the expenditure i.e. if capital related expenditure, it should be for the replacement of existing assets only, not new assets;**
- b) As part of Council's new Asset Management System implementation and asset revaluation processes for 2021/22, a thorough review of depreciation be undertaken to ascertain if depreciation expenditure can be reduced, and that further discussions be held with the State Government regarding the State re-acquiring some roads from Council;**
- c) Acknowledge the ongoing governance and treasury management difficulties Council faces with the current structure of many grant and disaster funding payments, and advocate for changes to the timing of these cash payments from State and Federal governments;**
- d) That the issue of rate pegging and cost shifting be raised again in appropriate forums; and**

Our Governance No. 20 Cont...

- e) That a plan be developed to increase operational income and further reduce operational expenditure as per previous discussions and comments in Council Reports. Such a plan may include a Special Rates Variation request with a view to returning Council's operating position to surplus.**

## BACKGROUND

Regulation 203 of the Regulation states that:

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

The Code referred to is the Code of Accounting Practice and Financial Reporting. While earlier versions of the Code had an Appendix that listed minimum requirements, these were removed a few years ago as they are of no relevance to the Financial Statements (which is the main purpose of the Code).

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

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

## REPORT:

The original budget adopted by Council indicated that the Net Operating Surplus at the end of the 2021/22 financial year was expected to be \$1,965. The Operating Surplus was \$3,722,960 when capital grants and contributions were included. This was based on budgeted total revenue of \$27,920,572 and budgeted total operating expenditure of \$24,197,612.

In the September 2021 quarterly budget review, the net effect of changes made resulted in a decrease of \$719,708 from the projected surplus of the original budget, to result in a projected Net Operating Deficit of **(\$717,743)**. The Operating Surplus was \$41,696,399 when capital grants and contributions were included.

Our Governance No. 20 Cont...

In the December 2021 quarterly budget review, the net effect of changes made has resulted in a further increase to the deficit of \$2,050,469 , to result in a new **projected Net Operating Deficit of (\$2,768,212)**. The Operating Surplus is now \$44,251,421 when capital grants and contributions are included.

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

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

Total Continuing Operating Revenue (excluding Capital grants and contributions) –  
Operating Expenses

---

Total Continuing Operating Revenue

For the 2021/22 year, Council originally budgeted for a positive Operating Ratio (surplus) both including and excluding Capital income of 13.33% and 0.01% respectively.

This changed in the September 2021 Quarterly Budget Review to 61.95% and **(2.88%)** respectively.

As a result of the December 2021 Quarterly Budget Review, the Operating Ratios are now forecast at 62.44% including Capital income, and **(11.61%) excluding Capital income**.

#### **Comment by the Responsible Accounting Officer:**

The report clearly indicates that the projected financial position as at 30 June 2022 is unsatisfactory. One of the reasons for the worsened result is due to timing differences between when grant funding has been received versus when it is scheduled to be spent.

Operational expenses (e.g. equipment and materials) continue to rise at a rate that far exceeds Council's increase in revenue each year (for both General fund services, as well as Waste, Water and Sewer operations). The rate peg and cost shifting from the State Government to councils has also had an impact on Council's bottom line.

Council's depreciation costs have increased substantially over the past few years as new infrastructure has been built on the back of a significant increase in grant funds (depreciation costs were \$6.072 million in 2017/18, and are now \$8.169 million in 2021/22).

Council also continues to face challenges in treasury management of cash-flow due to the majority of grant-funded and disaster recovery (DRFA) works being funded in arrears (wherein cash is received after expenditure has been incurred). For example, Council is still awaiting payment of \$670,771 for Natural Disaster Relief and Recovery Arrangements (NDRRA) which was due to the 2017 flooding; and the expenditure on the DRFA works for the March 2021 flooding is \$3.1 million (as at 31 January 2022) with funds not anticipated to be received until later in the financial year. The current

## Our Governance No. 20 Cont...

DRFA for the November 2021 flooding adds a further \$470,000 of expenditure to date, with works ongoing.

Council reduced budgets significantly as part of the 2021/22 budget process but, as in the September 2021 Quarterly Budget Review, the unsatisfactory financial position continues to be a risk to Council's financial sustainability. Further action needs to be taken to address this issue urgently, and as required under the Regulation, some remedial actions continue to be proposed as part of the December review, including that:

- a) No additional operating or capital expenditure outside of the recommendations in this review be approved by Council unless they are offset by other savings (e.g. with road works such as re-sheeting, with a plan to reduce maintenance costs) or grant funded, and even then only where there will be no additional operating costs as a result of the expenditure i.e. if capital related expenditure, it should be for the replacement of existing assets only, not new assets;
- b) As part of Council's new Asset Management System implementation and asset revaluation processes for 2021/22, a thorough review of depreciation be undertaken to ascertain if depreciation expenditure can be reduced, and that further discussions be held with the State Government regarding the State re-acquiring some roads from Council;
- c) Acknowledge the ongoing governance and treasury management difficulties Council faces with the current structure of many grant and disaster funding payments, and advocate for changes to the timing of these cash payments from State and Federal governments.
- d) That the issue of rate pegging and cost shifting be raised again in appropriate forums; and
- e) That a plan be developed to increase operational income and further reduce operational expenditure as per previous discussions and comments in Council reports. Such a plan may include a Special Rates Variation request with a view to returning Council's operating position to surplus.

While the above may not return the operating position to surplus by 30 June 2022, the aim is to continue to ensure the financial sustainability of Council in the longer term.

**Extraordinary Council Meeting - Monday 7 February 2022:**

The meeting was held to consider a report recommending that Council proceed with an application for a section 508A (permanent) Special Rate Variation commencing in the 2022/23 financial year for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal.

As per resolution 16/22, Council determined not to proceed with a permanent Special Rate Variation Application for the 2022/23 financial year. As a result the Chief Executive has begun an operational efficiency review, and work is underway to determine the impact on service levels to the community whilst the budget deficits continue.

**Operational Budget Review:**

Our Governance No. 20 Cont...

The December review has increased the Operational Expenditure budget by \$1.013 million, of which \$312,465 is from new operational grants which have been added to the budget, as below:

Service Area	Grant Project	Grant Funds
Civic Office	Australia Day Grant	\$ 30,000.00
Economic Growth & Tourism	Stronger Country Communities Fund Round 4 - Northern Border Walk Signage	\$ 90,000.00
Workforce Development	Covid-19 Community Support Grant	\$ 90,000.00
Parks, Gardens and Open Spaces	Festival of Place - Summer Night Fund	\$ 15,000.00
Transport Network	Bushfire Risk Mitigation & Resilience Grant - Mt Lindesay Road Fire Break	\$ 17,850.00
Water Supply	Integrated Water Cycle Management Strategy Grant	\$ 69,615.00

However the reminder of the increase is the result of additional **Council-funded** operational expenditure, in particular:

- \$278,149 - depreciation
- \$40,000 - Council By-election
- \$16,380 - insurance costs
- \$9,200 - audit costs for the 2020/21 financial statements
- \$98,869 - Water Supply operations
- \$37,850 - Sewerage Service operations
- \$149,000 - IT system operating costs (\$90,000 moved from Capital Expenditure)
- \$100,000 - Stormwater Drainage Rouse Street Design & Investigation (moved from Capital Expenditure)

### Capital Budget Review:

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

The December review has increased the Capital Works Expenditure budget by \$4.255 million, mainly due to new grants which are shown in the table below.

Service Area	Grant Project	Grant Funds
Parks, Gardens and Open Spaces	Stronger Country Communities Fund Round 4 - Revitalisation of Tenterfield Netball Courts	\$ 160,000.00
Buildings and Amenities	Stronger Country Communities Fund Round 4 - Upgrades to Drake Hall	\$ 113,000.00

## Our Governance No. 20 Cont...

Buildings and Amenities	Stronger Country Communities Fund Round 4 - Improvements to Sunnyside Hall	\$ 138,116.00
Buildings and Amenities	Stronger Country Communities Fund Round 4 - Floor Refurbishments to Memorial Hall	\$ 131,117.00
Transport Network	Fixing Local Roads - Tooloom Road West Rehabilitation	\$ 2,999,566.00
Transport Network	Stronger Country Communities Fund Round 4 - Extension to Urbenville Footpath	\$ 160,000.00
Transport Network	Safety Minor Works Grant - Logan Street Footpath Replacement	\$ 15,000.00
Waste Management	EPA Bushfire Recovery Program for Council Landfills	\$ 773,692.00

To note is the additional **Council-funded** capital expenditure:

- \$150,000 - Memorial Hall Roof Renewal (as per Council resolution 9/22).
- \$31,500 - additional costs for Tip shops at Drake, Liston & Tenterfield (funded by the Waste Management Reserve).
- \$19,289 - replacement of the oil system and air system in the Depot Workshop
- \$8,550 - renewal of the Scada System for the water network, due to damage from lightning strike (funded by the Water Supply Reserve).

There is also a budget movement from the capital works program to operational expenditure, being \$90,000 in the Finance and Technology service (from Capitalised Software, to IT Operating Costs), and \$100,000 in Stormwater Drainage (for Rouse Street Design & Investigation).

### Cash and Investment Review:

The cash and investment review provides the balance of the current internal and external restrictions of Council's funds. These figures have been updated in the December Quarterly Budget Review to reflect changes to grant balances and other movement in both internally and externally restricted cash. The forecast balances for the end of the financial year are an estimate based on the assumption of all income and expenditure in the budget being fully realised. As a result, the final balances are not fully determined until the end of the financial year.

As was the case at the end of the 2020/21 financial year, as at 31 December 2021 Council was again in the position of reporting a **negative unrestricted cash balance of (\$1,163,536)**. As discussed earlier in this report, this has occurred because of several key factors:

- Many grant-funded works being paid to Council in arrears (cash is not paid to Council until after expenditure has already been incurred, with some grants taking a prolonged time for Council to be reimbursed).
- Disaster Recovery (DRFA) works also being funded entirely in arrears. To note, the \$670,771 owed to Council for NDRRA flood recovery works from 2017 have been further delayed, as Council is now required to resubmit all of the documentation that had previously been submitted over a period of four years.



## Our Governance No. 20 Cont...

There is therefore no definite timeframe for when Council may receive these funds into the General fund.

- As has been discussed in previous reports to Council, the General Fund has no funds in reserve, so that there is an ongoing challenge to ensure cash flow for works, especially when there are disaster events.

A reconciliation of grant-funded and DRFA projects as at 31 December 2021 showed that Council had completed more than \$8.9 million of works where the funds had not yet been received. At the same time, Council had received over \$10 million in advance funding for other grants, which are then required to be reported as part of restricted cash reserves, and therefore is not freely available (unrestricted) cash.

This combination of factors that are impacting the cash reserves was the purpose for the report that was presented to Council at the 12 January 2022 meeting to obtain bridging finance, to ensure Council has sufficient cash to meet external cash restrictions. The \$5,000,000 Corporate Markets Loan is currently being organised with the NAB and should be in place sometime in February/March.

The Quarterly Budget Review also includes a reconciliation of Council's cash and investments on hand as at 31 December 2021.

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

Further, a declaration as to the preparation of bank reconciliations is also required. Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the December 2021 quarter occurred on 7 January 2022.

**Water Fund:**

Based on the Original Budget, the Water Fund had been expected to make a surplus of \$224,252 excluding capital grants and contributions. As a result of the September budget review, this surplus improved slightly to \$384,640 (due to the timing changes in repayments for the Dam Wall loan that was refinanced in September 2021).

In the December review, the projected Water Reserve surplus for 2021/22 has now decreased to \$252,771 due to reduction in income and additional operational costs.

The Water Fund remains of particular concern, as the total amount in reserve of \$1.237 million is required above all to finance continuing operations for water supply, and therefore allows for only minimal capital asset renewals to the aging water network. There is also a significant risk that the Water Fund will have cash flow issues over the coming 6 to 12 months, as the construction of the new water treatment plant is grant-funded but paid to Council in arrears.

**Developer Contributions**

The balances of the Developer Contribution reserves as of 31 December 2021 are:

## Our Governance No. 20 Cont...

Plan Preparation and Administration	\$ 6,920
Roads	\$ 224,765
Emergency Services	\$ 14,118
Community and Civic Facilities	\$ 6,857
Open Space, Sporting and Recreation	\$ 2,661
New Multi-Residential Development (7.12)	\$ 3,492
Waste Fund	\$ 24,583
Stormwater Fund	\$ 1,855
Water Fund	\$ 14,743
Sewer Fund	\$ 16,333
<b>TOTAL</b>	<b>\$ 316,327</b>

**Contracts:**

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

**Consultancy and Legal Expenses:**

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

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

Nil.

**2. Policy and Regulation**

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

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

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

In the December 2021 Quarterly Budget Review, the forecast Operating Position has been revised to a surplus of \$44,251,421 (including capital grants) and an **Operating Deficit of (\$2,768,212) (excluding capital grants).**

Our Governance No. 20 Cont...

As indicated in the report, the deficit excluding capital grants is not a satisfactory outcome and therefore remedial action has been proposed in accordance with the Local Government (General) Regulation 2005.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

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

**7. Performance Measures**

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

**8. Project Management**

Nil.

**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 6 (Attachment Booklet 4) - Quarterly Budget Review December 2021 <b>9</b> Pages

<b>Department:</b>	<b>Office of the Chief Corporate Officer</b>
<b>Submitted by:</b>	Management Accountant
<b>Reference:</b>	<b>ITEM GOV21/22</b>
<b>Subject:</b>	<b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 DECEMBER 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 receive and note the Finance and Accounts Report for the period ended 31 December 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 December 2021.

Cash Book Balances on this date were as follows:-

General (Consolidated)	\$15,049,875.64	Credit
General Trust	\$ 382,340.85	Credit

##### **(b) Summary of Investments**

Our Governance No. 21 Cont...

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

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

For the month of December 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 37 applications for 603 Certificates in December 2021.

For the full 2021 calendar year, there was a total of 471 applications compared to 279 applications in 2020.

### **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**

## Our Governance No. 21 Cont...

Prepared by staff member:	Jessica Wild; Jayne Crotty	
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer	
Department:	Office of the Chief Corporate Officer	
Attachments:	<b>1</b> Investment Report - 31 December 2021	1 Page

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

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
NAB	AA-	60 Days	28/Jan/22	0.20%	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	28/Jan/22	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	27/Jan/22	0.20%	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 Corporate Officer</b>
<b>Submitted by:</b>	Management Accountant
<b>Reference:</b>	<b>ITEM GOV22/22</b>
<b>Subject:</b>	<b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 JANUARY 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 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 receive and note the Finance and Accounts Report for the period ended 31 January 2022.**

#### **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 January 2022.

Cash Book Balances on this date were as follows:-

General (Consolidated)	\$13,753,510.79	Credit
General Trust	\$ 382,340.85	Credit

##### **(b) Summary of Investments**



Our Governance No. 22 Cont...

The attachment to this report is a certified schedule of all Council's investments as at 31 January 2022 showing the various invested amounts and applicable interest rates.

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

For the month of January 2022 no concessions were granted under Council's Concealed Water Leakage Concession Policy.

### **603 Certificates**

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 29 applications for 603 Certificates in January 2022.

In the calendar year to date, there have been 29 applications compared to 27 applications for the same period last year.

### **Bridging Finance**

At the Council Meeting held on 12 January 2022, Council approved the establishment of a Corporate Markets Loan with the National Australia Bank, with a drawdown facility limit of \$5,000,000 for a rollover period of 90 days, to function as a cash reserve to fund external restrictions when required.

This is currently being organised with the NAB and should be finalised in February. The Office of Local Government will also be notified once arrangements are made.

### **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

Our Governance No. 22 Cont...

**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 January 2022	1 Page

**TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 31 JANUARY 2022**

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
NAB	AA-	60 Days	29/Mar/22	0.20%	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	29/Mar/22	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	27/Apr/22	0.26%	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 Corporate Officer</b>
<b>Submitted by:</b>	Management Accountant
<b>Reference:</b>	<b>ITEM GOV23/22</b>
<b>Subject:</b>	<b>CAPITAL EXPENDITURE REPORT AS AT 31 JANUARY 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 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 January 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 were adopted in the first Quarterly Budget Review at the November 2021 meeting. The budgets for a number of new grants received in the current financial year were also adopted. The Capital Expenditure Report has been updated to show the current list of approved capital projects.

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

Our Governance No. 23 Cont...

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

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

Nil

**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:

**1** Attachment 7 (Attachment Booklet 4) - January 2022 Capital Expenditure Report 3 Pages

<b>Department:</b>	<b>Office of the Chief Corporate Officer</b>
<b>Submitted by:</b>	Management Accountant
<b>Reference:</b>	<b>ITEM GOV24/22</b>
<b>Subject:</b>	<b>REPORT ON LOAN BALANCES</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 inform Council of its loan balances as at 31 December 2021.

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

**That Council notes the loan balance as at 31 December 2021 was \$13,358,789.85 (\$13,562,472.75 as at 30 September 2021).**

#### **BACKGROUND**

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

#### **REPORT:**

Loan payments are being made in accordance with the loan agreements. Council's loan balance as at 31 December 2021 was \$13,358,789.85 (\$13,562,472.75 as at 30 September 2021).

As at 31 December 2021, the Debt Service Cover Ratio based on the current 2021/2022 budget is 6.05x (the benchmark is >2.00x). This ratio improved slightly from the last report for September 2021 (when the ratio was 5.77x), due to the loan refinancing for the Tenterfield Creek Dam Wall Safety Upgrade, and the resulting change to the loan repayment schedule.

#### **COUNCIL IMPLICATIONS:**

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

Council's projected loan borrowings are included in the 2021/22 Operational Plan.

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

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

Our Governance No. 24 Cont...

- Borrowing Policy

**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:

**1** Loan Register as at 31 December  
2021

1  
Page

**Tenterfield Shire Council**  
**Loans Schedule**  
**As at 31 December 2021**

Loan Details								Principal \$
FUND	PURPOSE	AMOUNT \$	OBTAINED FROM	DATE OBTAINED	DUE DATE	RATE OF INTEREST	INTERVALS AT WHICH PAYABLE	Principal Balance as at 31 December 2021
General Fund	Infrastructure 2020/21	4,048,952	Commonwealth Bank of Australia	31/03/2021	29/03/2041	2.69%	Half Yearly	3,971,995.47
General Fund	Infrastructure 2019/20	1,000,000	Commonwealth Bank of Australia	15/06/2020	15/06/2040	2.90%	Half Yearly	943,337.65
General Fund	Main Street Upgrade	1,200,000	National Australia Bank	25/02/2015	25/02/2025	3.70%	Half Yearly	470,805.20
Sewer Fund	New Sewerage Treatment Plant	2,500,000	National Australia Bank	30/05/2008	30/05/2033	7.81%	Half Yearly	1,716,368.29
Water Fund	Dam Wall Construction (1)	3,450,000	CBA (Refinanced from ANZ)	25/05/2018	30/09/2041	2.59%	Half Yearly	3,087,671.80
Water Fund	Dam Wall Construction (2)	3,051,000	Commonwealth Bank of Australia	5/06/2019	6/06/2022	2.52%	Half Yearly	2,747,991.60
Water Fund	Urbenville Water Treatment Plant	375,000	National Australia Bank	5/02/2009	5/02/2033	6.47%	Half Yearly	263,020.63
Waste Fund	Rehabilitation	1,250,000	National Australia Bank	21/12/2012	21/12/2022	5.45%	Quarterly	157,599.21
<b>TOTAL Principal Balance as at 31 December 2021</b>								<b>13,358,789.85</b>



**(ITEM RC1/22) REPORTS OF COMMITTEES & DELEGATES - BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - 19 NOVEMBER 2021**

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**REPORT BY:**

A meeting of the Border Regional Organisation of Councils (BROC) was held at Tenterfield on Friday, 19 November 2021.

Minutes of the Meeting are attached.

**RECOMMENDATION**

**That the report of the Border Regional Organisation of Councils (BROC) meeting Friday, 19 November 2021 be received and noted.**

**ATTACHMENTS**

- 1 BROC - Ordinary Meeting Minutes - 19 November 2021 5 Pages

Correspondence to: PO Box 214, Tenterfield NSW 2372  
 Email: [broc@tenterfield.nsw.gov.au](mailto:broc@tenterfield.nsw.gov.au)



## MINUTES

### 19 November 2021 – Tenterfield (Tenterfield Shire Council)

<b>Venue:</b>	247 Rouse Street Tenterfield	<b>Date:</b>	Friday, 19 November 2021
<b>Chair:</b>	Mayor Peter Petty - Tenterfield	<b>Time:</b>	10.00 am
<b>Attendees:</b>	Mr Matthew Magin – via Zoom	Balonne Shire Council	
	Cr Rob Mackenzie – via Zoom	Goondiwindi Regional Council	
	Cr Kate Dight	Inverell Shire Council	
	Ms Sharon Stafford		
	Cr Andrew Gale	Southern Downs Regional Council	
	Chair – Mayor Peter Petty	Tenterfield Shire Council	
	Cr Brian Murray		
	Mr Daryl Buckingham		
	Sec/Treasurer Christie Fitzpatrick		
	Donna Hobbs – via Zoom	Bulloo Shire Council	
	Mr James McTavish – via Zoom	Cross Border Commissioner	
	Ms Angela Doering	Dept Infrastructure, Transport, Regional Development & Communications	
	Ms Jaimi-Leigh Faulkner – via Zoom		
	Jo Tait – via Zoom	Australian Rail Track Corporation	
	Rob Harrison	Investment NSW	
	Jane Humphries – via Zoom	Commonwealth Environmental Water Office	
	Trudi Bartlett	Regional Development Australia	
	Helen Chan – via Zoom	Department of State Development, Infrastructure, Local Government and Planning	
<b>File Ref:</b>	G/21		

<b>1.</b>	<b>Meeting Open:</b>	
<b>2.</b>	<b>Apologies</b>	
	Ms Ann Leahy MP	Member for Warrego
	Mayor John Coulton	Gwydir Shire Council
	Mayor John Ferguson	Bulloo Shire Council
	<b>Moved:</b> Southern Downs that the apologies be accepted. <b>Seconded:</b> Inverell	
	<b>CARRIED</b>	
<b>3.</b>	<b>Deferral of AGM</b>	

	Proposed deferral of AGM until 11 February 2022 due to NSW Council elections on 4 December 2021 and NSW Councillors currently in Caretaker mode.	
	<b>Moved:</b> Inverell that the Deferral of AGM be accepted. <b>Seconded:</b> Goondiwindi	<b>CARRIED</b>
<b>4.</b>	<b>Minutes of Meeting – 14 May 2021</b>	
4.1	<b>Matters Arising from the Minutes</b> <ul style="list-style-type: none"> <li>Waste to Energy – Angus Witherby from Moree Plains to now lead this project.</li> </ul> <p>Angus not in attendance at this meeting. Mayor Petty noted NSW State government finally supporting Waste to Energy - 4 councils now supported though it will be a long way off.</p> <ul style="list-style-type: none"> <li>China Trade Issue – Guest Speaker Rob Harrison to present</li> <li>Exclusion Fencing – Cr Petty to report back on contact with Minister for Local Government</li> </ul> <p>Mayor Petty has received correspondence which has not been very supportive from Minister for Agriculture Adam Marshall but not from Minister Shelley Hancock. He is in awe of the QLD Government and their support to fund the fencing but doesn't see the same happening in NSW.</p> <ul style="list-style-type: none"> <li>Mole River Project</li> </ul> <p>\$24m had been allocated to the project but a media release received by CE Daryl Buckingham confirms the project has been parked indefinitely. A copy of the media release is included for the information of members.</p> <p>Mayor Petty advised of a recent meeting with Deputy Prime Minister Barnaby Joyce and the Water Alliance Group to discuss getting funding for other dam sites. The Water Alliance plan to meet 3-4 times per year and welcome other Council's participation.</p> <p>Emu Swamp Dam – Inverell question to Southern Downs</p> <p>One final study going on into the 450mL from Storm King into Emu Swamp. No massive road blocks in place. As Southern Downs are the customer the project is under hand of business running it.</p>	
	<b>Moved:</b> Southern Downs that the Minutes be accepted. <b>Seconded:</b> Inverell	<b>CARRIED</b>
<b>5.</b>	<b>Correspondence</b>	
5.1	<b>Inwards:</b> <ul style="list-style-type: none"> <li>Bank Statement - National Australia Bank</li> <li>Fixed Term Certificate – Warwick Credit Union &amp; National Australia Bank</li> <li>Independent Panel - Road Classification Review and Regional Road Transfer - Interim Report</li> </ul>	
5.3	<b>Matters arising from Correspondence</b>	

<b>6.</b>	<b>Financial Report as at 26 October 2021</b>																																
6.1	<p><b>Transactions since last meeting:</b>  <b><u>National Australia Bank – 69-022-2187</u></b></p> <table> <tr> <td>Opening Balance as at 31 March 2021</td><td><b>\$15,734.04</b></td></tr> <tr> <td>Membership – Paroo Plains Council</td><td>\$ 500.00</td></tr> <tr> <td>Interest</td><td>0.80</td></tr> <tr> <td>Balance as at 30 September 2021</td><td><b>\$16,234.84</b></td></tr> <tr> <td>Transactions occurring after 26 October 2021</td><td></td></tr> <tr> <td>Cheque No.000046 (Renewal of Website Domain)</td><td>\$ 207.63</td></tr> <tr> <td>Cheque No.000047 (Audit of Financial Report)</td><td>\$ 247.50</td></tr> </table> <p><b><u>National Australia Bank – Term Deposit 42-388-8697</u></b></p> <table> <tr> <td>Lodged 27 December 2020 for 12 months @ 0.50%</td><td><b>\$10,484.16</b></td></tr> <tr> <td>Maturity Date – 27 December 2021</td><td></td></tr> </table> <p><b><u>Warwick Credit Union – 400379187</u></b></p> <table> <tr> <td>Opening Balance 31 March 2021</td><td><b>\$ -0.07</b></td></tr> <tr> <td>Adjustment</td><td><b>0.07</b></td></tr> <tr> <td>Closing Balance 15 April 2021</td><td><b>\$ 0.00</b></td></tr> </table> <p><b><u>Warwick Credit Union – Fixed Term Deposit 100005924</u></b></p> <table> <tr> <td>Opening Balance as at 22 July 2021</td><td><b>\$ 11,369.74</b></td></tr> <tr> <td>Interest Paid 0.6%</td><td>\$ 17.01</td></tr> <tr> <td>Reinvested 22 July 2021 @ 0.5%</td><td><b>\$ 11,386.75</b></td></tr> <tr> <td>Maturity Date – 22 October 2021</td><td></td></tr> </table>	Opening Balance as at 31 March 2021	<b>\$15,734.04</b>	Membership – Paroo Plains Council	\$ 500.00	Interest	0.80	Balance as at 30 September 2021	<b>\$16,234.84</b>	Transactions occurring after 26 October 2021		Cheque No.000046 (Renewal of Website Domain)	\$ 207.63	Cheque No.000047 (Audit of Financial Report)	\$ 247.50	Lodged 27 December 2020 for 12 months @ 0.50%	<b>\$10,484.16</b>	Maturity Date – 27 December 2021		Opening Balance 31 March 2021	<b>\$ -0.07</b>	Adjustment	<b>0.07</b>	Closing Balance 15 April 2021	<b>\$ 0.00</b>	Opening Balance as at 22 July 2021	<b>\$ 11,369.74</b>	Interest Paid 0.6%	\$ 17.01	Reinvested 22 July 2021 @ 0.5%	<b>\$ 11,386.75</b>	Maturity Date – 22 October 2021	
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	<p><b>Moved:</b> Inverell that the Correspondence and Financial Report be accepted.  <b>Seconded:</b> Goondiwindi</p> <p style="text-align: right;"><b>CARRIED</b></p>																																
6.2	<b>Matters arising from Financial Report</b>																																
<b>7.</b>	<b>Audited Financial Report as at 27 October 2021</b>																																
	<p><b>RECOMMENDATION</b>  That the Meeting notes that the Constitution adopted on 12 February 2021 requires the financial report to be distributed 21 days before the Annual General Meeting (Item 12 (i)). As the AGM will now be held in February 2022 the Audited Financial Report is to be tabled at this meeting.</p>																																
	<p><b>Moved:</b> Tenterfield that the Audited Financial Statements be tabled.  <b>Seconded:</b> Goondiwindi</p> <p style="text-align: right;"><b>CARRIED</b></p>																																
<b>8.</b>	<b>Guest Speakers</b>																																
8.1	<p><b>10.20 am</b>  Rob Harrison - Senior Export Adviser, TradeStart Adviser, Investment NSW</p> <p>Mr Harrison spoke of the support the Commonwealth and State Governments are giving to exporters. The presentation is included for the information of members.</p> <p><b>11.05 am</b></p>																																

	<p>James McTavish – NSW Cross Border Commissioner</p> <p>Difficult time for border communities right across Australia.  Covid related border restrictions since March 2020, NSW 95% first dose in people 12 and above – extraordinary. Already above 90% in NSW.</p> <p>Goondiwindi the standout in QLD for vaccination numbers.</p> <p>Asking QLD to clarify changes to border restrictions particularly for border residents.  Concerns residents will need to be tested every 72 hours – hoping to have that removed. Working to get barriers removed as detrimental to border communities.</p> <p>After Action Review – will be reaching out to local government to get their views. Identify priority policy area we should be looking to address in activity with QLD and other areas.</p> <p>Greater investment in border communities through formal agrees in various jurisdictions.</p> <p>Albury Wodonga Regional Deal Briefing  A copy of the presentation will be forwarded to members.</p> <p><b>11.30 am – (10 minutes)</b>  Jane Humphries - Local Engagement Officer, Northern Basin, Commonwealth Environmental Water Office, Department of Agriculture, Water and Environment</p> <p>Brief introduction to what the CEWO does, what it manages and in what northern catchments, and how conditions currently are in catchments</p> <p>The presentation is included for the information of members.</p>
<b>9.</b>	<b>Items Listed</b>
9.1	<p>Handover of BROC Administration &amp; Finance to Inverell Shire Council</p> <ul style="list-style-type: none"> <li>Change of bank signatories to new Chair, Deputy Chair &amp; Secretary</li> <li>Delay until February due to NSW Election and NSW Councillors in caretaker mode</li> </ul>
9.2	Cross Border Commissioner for QLD – Balonne Shire Council
<b>10.</b>	<b>General Business</b>
10.1	<p>SDRC – Question to Rob Harrison – Is Australia in a good export position? Not a large amount of product to hang on to.  When COVID kicked in global shipping companies were in turmoil. The Government offered stimulus packages and sale picked up.  The market is there but getting product to market via freight – shipping, rail – have been the issue. Container prices have risen dramatically but it is a global issue.</p> <p>Originally thought losing China trade would be detrimental however they have found new markets to ship to.</p>

	<p>Angela Doering – Inland Rail</p> <ul style="list-style-type: none"> <li>• Transform Rail tier 1 contractors of Narribri to North Star Construction project is going well with some challenges including extraordinary weather and workforce requirement shortages.</li> <li>• Social performance statistics: <ul style="list-style-type: none"> <li>▪ Since construction began in September 746 workers, 231 were local residents, 111 indigenous workers, 65 local indigenous. 118 local business have supplied including 9 indigenous businesses Australia wide.</li> <li>▪ \$45.8m spent with local business since construction began.</li> <li>▪ Australia wide \$3.7m spent with indigenous business.</li> </ul> </li> </ul> <p>Jo Tait – Aus Rail Track Corporation</p> <ul style="list-style-type: none"> <li>• Condamine issues – Jo will provide an update at next meeting.</li> <li>• Border to Wellcamp – civic works have been awarded. Team on the ground allocated construction.</li> </ul> <p>Trudi Bartlett &amp; Darren – Regional Development Australia</p> <ul style="list-style-type: none"> <li>• Federal Government Department Education, Skills, Employment Local Skills program – won contract - matching workers with employers</li> <li>• Visas don't cover roles needed across region – investigating if need for a DAMA (Designated Area Migration Agent)</li> <li>• RDA funded Digital Connectivity and Telecommunications Audit Strategy – Draft going to regions soon for feedback.</li> <li>• Encourage both sides of the border to continue using RDA as a line of communication to Minister Marino.</li> <li>• Commodities forum is going to happen – how can we be getting more onto rail?</li> <li>• Cross Border Water forum – hold up due to under resourcing and border closures.</li> </ul> <p>Matthew Magin – Balonne Shire Council</p> <ul style="list-style-type: none"> <li>• Cross border tourism promotion collaboration – item for February meeting</li> <li>• Tourism officers from respective councils sit in.</li> <li>• Cross Border Commissioner for QLD – wrote to QLD Deputy Premier and had face to face meeting – received no for an answer but will continue to pursue as it is vital.</li> </ul>
	<p><b>Meeting Closed</b>  The Meeting closed at 12.35 pm.</p>



<b>Department:</b>	<b>Office of the Chief Executive</b>
<b>Submitted by:</b>	Executive Assistant & Media
<b>Reference:</b>	<b>ITEM RES2/22</b>
<b>Subject:</b>	<b>COUNCIL RESOLUTION REGISTER - JANUARY 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 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.

#### **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 January 2022.**

**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 8 (Attachment Booklet 21 4) - Resolution Register - January Pages 2022