



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

## **BUSINESS PAPER ORDINARY COUNCIL MEETING 26 OCTOBER 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 26 October 2022** commencing at **9:30 am**.

Daryl Buckingham  
**Chief Executive**

**Community Consultation (Public Access) relating to items on this Agenda can be made between 9.00 am and 9.30 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

### Community Consultation (Public Access)

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. Mayoral Minute
9. Recommendations for Items to be Considered in Confidential Section
10. Open Council Reports
  - Our Community
  - Our Economy
  - Our Environment
  - Our Governance
11. Reports of Delegates & Committees
12. Notices of Motion
13. Resolution Register
14. Confidential Business
15. 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

## COMMUNITY CONSULTATION (PUBLIC ACCESS)

### WEBCASTING OF MEETING

This meeting will be recorded for placement on Council's website and Live-streamed on Council's YouTube channel for the purposes of broadening knowledge and participation in Council issues, and demonstrating Council's commitment to openness and accountability.

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

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

### 1. OPENING & WELCOME

#### 2. (A) OPENING PRAYER

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

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

#### (B) ACKNOWLEDGEMENT OF COUNTRY

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

### 3. APOLOGIES

### 4. DISCLOSURES & DECLARATIONS OF INTEREST

### 5. CONFIRMATION OF PREVIOUS MINUTES

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

## **8. MAYORAL MINUTE**

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

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### **OUR COMMUNITY**

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### **OUR ECONOMY**

### **OUR ENVIRONMENT**

### **OUR GOVERNANCE**

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**12. NOTICES OF MOTION**

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**14. CONFIDENTIAL BUSINESS**

**CONFIDENTIAL**

(ITEM ECO21/22) SALE OF SURPLUS LAND - BENDALL'S

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

**15. MEETING CLOSED**



**(ITEM MIN10/22) 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 – 28 September 2022**

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

**ATTACHMENTS**

- |                                                                                     |             |
|-------------------------------------------------------------------------------------|-------------|
| <b>1</b> Unadopted Minutes - Wednesday 28 September 2022 - Ordinary Council Meeting | 24<br>Pages |
|-------------------------------------------------------------------------------------|-------------|

|                      |                                                                         |
|----------------------|-------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                    |
| <b>Submitted by:</b> | Acting Executive Assistant & Media                                      |
| <b>Reference:</b>    | <b>ITEM COM26/22</b>                                                    |
| <b>Subject:</b>      | <b>COMMUNITY CONTRIBUTIONS/DONATIONS - 2022/2023<br/>FINANCIAL YEAR</b> |

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

|                             |                                                                                                                                                       |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Community</b> - Tenterfield Shire is a vibrant, inclusive, and safe community where diverse backgrounds and cultures are respected and celebrated. |
| <b>CSP Strategy:</b>        | Provide opportunities for residents to enjoy access to arts, festivals, sporting activities, recreation, community and cultural activities.           |
| <b>CSP Delivery Program</b> | Enrich the cultural life of the community by supporting a variety of cultural events and activities for residents and visitors.                       |

### SUMMARY

The purpose of this report is to advise Council of the applications received requesting financial support through Council's Community Donations/Contributions Policy and for Council to adopt the donations for the 2022/2023 financial year.

### OFFICER'S RECOMMENDATION:

**That Council adopt the individual allocation of community contributions / donations to a total of \$20,000, as detailed below.**

| <b>No</b> | <b>Organisation</b>                             | <b>Project</b>                                            | <b>Amount<br/>\$</b> |
|-----------|-------------------------------------------------|-----------------------------------------------------------|----------------------|
| <b>1</b>  | <b>Drake Primary School</b>                     | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>2</b>  | <b>Jennings Public School</b>                   | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>3</b>  | <b>Mingoola Public School</b>                   | <b>No longer exist</b>                                    | <b>0.00</b>          |
| <b>4</b>  | <b>St Joseph's Convent Schools</b>              | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>5</b>  | <b>Sir Henry Parkes Memorial Primary School</b> | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>6</b>  | <b>Tenterfield High School</b>                  | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>7</b>  | <b>Urbenville Public School</b>                 | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>8</b>  | <b>Woodenbong Public School</b>                 | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>9</b>  | <b>TAFE</b>                                     | <b>Presentation Night</b>                                 | <b>150.00</b>        |
| <b>10</b> | <b>Drake Primary School</b>                     | <b>Learn to Swim - contribution to transport</b>          | <b>550.00</b>        |
| <b>11</b> | <b>Urbenville Public School</b>                 | <b>Learn to Swim - contribution to transport</b>          | <b>550.00</b>        |
| <b>12</b> | <b>Westpac Helicopter Rescue Service</b>        | <b>Helicopter Rescue Service - Annual Contribution</b>    | <b>2,000.00</b>      |
| <b>13</b> | <b>Tabulam SES</b>                              | <b>No longer operational</b>                              | <b>0</b>             |
| <b>14</b> | <b>Liston Hall Committee</b>                    | <b>Annual contribution to assist with operating costs</b> | <b>500.00</b>        |
| <b>15</b> | <b>Bolivia Hall Committee</b>                   | <b>Annual contribution to assist with operating costs</b> | <b>500.00</b>        |
| <b>16</b> | <b>Legume Hall Committee</b>                    | <b>Annual contribution to assist with operating costs</b> | <b>500.00</b>        |

## Our Community No. 26 Cont...

| <b>17</b>  | <b>Drake Hall Committee</b>                    | <b>Annual contribution to assist with operating costs</b>                                                                                              | <b>500.00</b>               |                                  |                                             |
|------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------------------------|---------------------------------------------|
| <b>18</b>  | <b>Urbenville Hall Committee</b>               | <b>Annual contribution to assist with operating costs</b>                                                                                              | <b>500.00</b>               |                                  |                                             |
| <b>19</b>  | <b>Steinbrook Hall Committee</b>               | <b>Annual contribution to assist with operating costs</b>                                                                                              | <b>500.00</b>               |                                  |                                             |
| <b>20</b>  | <b>Sunnyside Hall Committee</b>                | <b>Annual contribution to assist with operating costs</b>                                                                                              | <b>500.00</b>               |                                  |                                             |
| <b>21</b>  | <b>Mingoola Hall Committee</b>                 | <b>Annual contribution to assist with operating costs</b>                                                                                              | <b>500.00</b>               |                                  |                                             |
| <b>22</b>  | <b>Torrington Hall Committee</b>               | <b>Annual contribution to assist with operating costs</b>                                                                                              | <b>500.00</b>               |                                  |                                             |
| <b>23</b>  | <b>Tenterfield Highlander Pipe Band</b>        | <b>Annual contribution to assist with operating costs</b>                                                                                              | <b>500.00</b>               |                                  |                                             |
|            |                                                | <b>Sub-Total</b>                                                                                                                                       | <b>\$9,300.00</b>           |                                  |                                             |
| <b>No.</b> | <b>Organisation</b>                            | <b>Project</b>                                                                                                                                         | <b>Amount Sought<br/>\$</b> | <b>Recommended Amount<br/>\$</b> | <b>Comment</b>                              |
| <b>24</b>  | <b>Urbenville Progress Association</b>         | <b>Annual costs associated with operating a small, wheelchair accessible bus.</b>                                                                      | <b>\$5,000.00</b>           | <b>\$ 1,000</b>                  | <b>Target Group - Youth</b>                 |
| <b>25</b>  | <b>Seniors Week Committee</b>                  | <b>Contribution towards Seniors Week activities including bus tours, lunch at bowling club, cinema, art of aging exhibition, Gunmaa nursery visit.</b> | <b>\$500</b>                | <b>\$ 500</b>                    | <b>Target Group - Aged</b>                  |
| <b>26</b>  | <b>Tenterfield Show Society Inc</b>            | <b>145<sup>th</sup> Annual Tenterfield Agricultural Show Special Children's entertainment - horse shows by Sam Hannaford of Lismore.</b>               | <b>\$3,000</b>              | <b>\$ 2,000</b>                  | <b>Target Group - Youth</b>                 |
| <b>27</b>  | <b>Oracles of the Bush Inc.</b>                | <b>Sponsorship Looming Legend Poetry Competition (Adult Section) at the 2023 Oracles of the Bush.</b>                                                  | <b>\$3,000.00</b>           | <b>\$1,200</b>                   | <b>Support for events</b>                   |
| <b>28</b>  | <b>Tenterfield Gem &amp; Mineral Club Inc.</b> | <b>Insurance for equipment in private storage</b>                                                                                                      | <b>\$433.00</b>             | <b>\$ 0</b>                      | <b>Did not meet criteria</b>                |
| <b>29</b>  | <b>Tenterfield Autumn Festival Inc.</b>        | <b>Contribution towards cost of hiring equipment to provide free entertainment /activities at markets on the main festival day - Easter 2023.</b>      | <b>\$2,000</b>              | <b>\$ 2,000</b>                  | <b>Support for events</b>                   |
| <b>30</b>  | <b>Tenterfield Transport Museum</b>            | <b>Connection of Museum Road water into 240,000 ltr water tank.</b>                                                                                    | <b>\$4,500</b>              | <b>\$1,000</b>                   | <b>Target Group - Community &amp; RFS</b>   |
| <b>31</b>  | <b>Tenterfield Quilting &amp; Crafts Inc.</b>  | <b>Contribution towards materials to make quilts to donate to charity.</b>                                                                             | <b>\$1,000</b>              | <b>\$ 1,000</b>                  | <b>Target Group - Community</b>             |
| <b>32</b>  | <b>Tenterfield Rugby League Football Club</b>  | <b>Contribution towards scoreboard upgrade and promotional</b>                                                                                         | <b>\$2,000</b>              | <b>\$ 2,000</b>                  | <b>Target Group - Youth &amp; Community</b> |

## Our Community No. 26 Cont...

| No. | Organisation                        | Project                                                                          | Amount Sought<br>\$ | Recommended Amount<br>\$ | Comment                          |
|-----|-------------------------------------|----------------------------------------------------------------------------------|---------------------|--------------------------|----------------------------------|
|     |                                     | <b>material for 2023 Football Season.</b>                                        |                     |                          |                                  |
| 33  | Tenterfield Pre-School Kindergarten | Repair, upgrade and improve the gardens in the play area.                        | \$500               | \$ 0                     | Did not meet criteria            |
| 34  | Mingoola RFS Brigade                | Pantry cupboard for kitchen and utility cupboard for bathroom in their new shed. | \$500               | \$ 0                     | Eligible for funding through RFS |
|     |                                     |                                                                                  |                     |                          |                                  |
|     |                                     | <b>Sub Total</b>                                                                 | <b>\$22,443</b>     | <b>\$10,700</b>          |                                  |
|     |                                     | <b>Sub Total</b>                                                                 | <b>\$9,300.00</b>   | <b>\$9,300.00</b>        |                                  |
|     |                                     |                                                                                  |                     |                          |                                  |
|     |                                     | <b>TOTAL</b>                                                                     | <b>\$32,243</b>     | <b>\$20,000.00</b>       |                                  |

**BACKGROUND**

In July 2021 Council adopted the Community Donations/Contributions Policy which states as follows:

*The Council, in preparing the Operational Plan Budget for the ensuing Financial Period, shall allocate an amount to be available to meet requests from community bodies for donations or contributions.*

*After adoption of the Operational Plan Budget, Council will call for applications from Local Voluntary/Community Organisations for contributions/donations. No requests for donations/contributions will be considered throughout the year.*

*Individual applications will be for a maximum amount of \$4,000.00.*

*Unless special circumstances exist as determined by the Mayor and Chief Executive, Council's policy is not to contribute to charitable appeals. Clause 211 (3) of the Local Government (General) Regulation 2005 states that "all such approvals and votes lapse at the end of a Council's financial year".*

An amount of \$20,000 was allocated in the 2022/2023 Operational Plan Budget and applications/submissions were invited through Council's fortnightly newsletter "Your Local News", via advertisements in local media, and on Council's website. Closing date for applications was 5:00 pm on Friday, 30 September 2022.

**REPORT:**

Council has previously determined to consider a contribution/donation to the following groups/organisations without the need for an application to be submitted each year.

| No. | Organisation                | Project            | Amount<br>\$ |
|-----|-----------------------------|--------------------|--------------|
| 1   | Drake Primary School        | Presentation Night | 150.00       |
| 2   | Jennings Public School      | Presentation Night | 150.00       |
| 3   | Mingoola Primary School     | No longer operate  | 0.00         |
| 4   | St Joseph's Convent Schools | Presentation Night | 150.00       |

## Our Community No. 26 Cont...

| No. | Organisation                             | Project                                            | Amount<br>\$      |
|-----|------------------------------------------|----------------------------------------------------|-------------------|
| 5   | Sir Henry Parkes Memorial Primary School | Presentation Night                                 | 150.00            |
| 6   | Tenterfield High School                  | Presentation Night                                 | 150.00            |
| 7   | Urbenville Public School                 | Presentation Night                                 | 150.00            |
| 8   | Woodenbong Public School                 | Presentation Night                                 | 150.00            |
| 9   | TAFE                                     | Presentation Night                                 | 150.00            |
| 10  | Drake Primary School                     | Learn to Swim – contribution to transport          | 550.00            |
| 11  | Urbenville Public School                 | Learn to Swim – contribution to transport          | 550.00            |
| 12  | Westpac Helicopter Rescue Service        | Helicopter Rescue Service – Annual Contribution    | 2,000.00          |
| 13  | Tabulam SES                              | Upper Clarence Art Exhibition                      | 500.00            |
| 14  | Liston Hall Committee                    | Annual contribution to assist with operating costs | 500.00            |
| 15  | Bolivia Hall Committee                   | Annual contribution to assist with operating costs | 500.00            |
| 16  | Legume Hall Committee                    | Annual contribution to assist with operating costs | 500.00            |
| 17  | Drake Hall Committee                     | Annual contribution to assist with operating costs | 500.00            |
| 18  | Urbenville Hall Committee                | Annual contribution to assist with operating costs | 500.00            |
| 19  | Steinbrook Hall Committee                | Annual contribution to assist with operating costs | 500.00            |
| 20  | Sunnyside Hall Committee                 | Annual contribution to assist with operating costs | 500.00            |
| 21  | Mingoola Hall Committee                  | Annual contribution to assist with operating costs | 500.00            |
| 22  | Torrington Hall Committee                | Annual contribution to assist with operating costs | 500.00            |
| 23  | Tenterfield Highlander Pipe Band         | Annual contribution to assist with operating costs | 500.00            |
|     |                                          | <b>Sub-Total</b>                                   | <b>\$9,300.00</b> |

An Assessment Committee comprising Mayor Bronwyn Petrie, Councillor Greg Sauer, Councillor Peter Murphy, supported by Chief Corporate Officer Kylie Smith, and Community Development Officer Natalia Londono met on Wednesday, 12 October 2022 to assess the applications.

In addressing the thirty-four (34) applications received, the Assessment Committee used the Selection Criteria as well as the direction of Council's Community Strategic Plan to address the various target groups - (e.g., Aboriginal, aged, youth) a physically and mentally healthy community, and support for events and public spaces.

The organisation, amount sought and recommended allocation, together with relevant comments are outlined in the table below:

| No. | Organisation                    | Project                                                                    | Amount Sought<br>\$ | Recommended Amount<br>\$ | Comment              |
|-----|---------------------------------|----------------------------------------------------------------------------|---------------------|--------------------------|----------------------|
| 24  | Urbenville Progress Association | Annual costs associated with operating a small, wheelchair accessible bus. | \$5,000.00          | \$ 1,000                 | Target Group - Youth |
| 25  | Seniors Week Committee          | Contribution towards Seniors Week activities including bus tours, lunch    | \$500               | \$ 500                   | Target Group - Aged  |

## Our Community No. 26 Cont...

| No. | Organisation                           | Project                                                                                                                                    | Amount Sought<br>\$ | Recommended Amount<br>\$ | Comment                          |
|-----|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------|----------------------------------|
|     |                                        | at bowling club, cinema, art of aging exhibition, Gunmaa nursery visit.                                                                    |                     |                          |                                  |
| 26  | Tenterfield Show Society Inc           | 145 <sup>th</sup> Annual Tenterfield Agricultural Show Special Children's entertainment – horse shows by Sam Hannaford of Lismore.         | \$3,000             | \$ 2,000                 | Target Group – Youth.            |
| 27  | Oracles of the Bush Inc.               | Sponsorship Looming Legend Poetry Competition (Adult Section) at the 2023 Oracles of the Bush.                                             | \$3,000             | \$ 1,200                 | Support for events.              |
| 28  | Tenterfield Gem & Mineral Club Inc.    | Insurance for equipment in private storage                                                                                                 | \$433               | \$ 0                     | Did not meet criteria            |
| 29  | Tenterfield Autumn Festival Inc.       | Contribution towards cost of hiring equipment to provide free entertainment /activities at markets on the main festival day – Easter 2023. | \$2,000             | \$ 2,000                 | Support for events.              |
| 30  | Tenterfield Transport Museum           | Connection of Museum Rood water into 240,000 ltr water tank                                                                                | \$4,500             | \$ 1,000                 | Target Group – Community & RSF   |
| 31  | Tenterfield Quilting & Crafts Inc.     | Contribution towards materials to make quilts to donate to charity.                                                                        | \$1,000             | \$ 1,000                 | Target Group - Community         |
| 32  | Tenterfield Rugby League Football Club | Contribution towards scoreboard upgrade and promotional material for 2023 Football Season.                                                 | \$2,000             | \$ 2,000                 | Target Group – Community         |
| 33  | Tenterfield Pre-School Kindergarten    | Repair, upgrade and improve the gardens in the play area.                                                                                  | \$500               | \$ 0                     | Did not meet criteria            |
| 34  | Mingoola RFS Brigade                   | Pantry cupboard for kitchen and utility cupboard for bathroom in their new shed.                                                           | \$500               | \$                       | Eligible for funding through RFS |
|     |                                        | <b>Sub Total</b>                                                                                                                           | <b>\$22,443</b>     | <b>\$10,700</b>          |                                  |
|     |                                        | <b>Sub Total</b>                                                                                                                           | <b>\$9,300.00</b>   | <b>\$9,300.00</b>        |                                  |
|     |                                        | <b>TOTAL</b>                                                                                                                               | <b>\$32,243</b>     | <b>\$20,000</b>          |                                  |

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

The applications for 2022/2023 are varied with a strong focus on community.

**2. Policy and Regulation**

- Council Policy 1.031 – Community Donations/Contributions (This Policy is to be updated removing Mingoola Public School and Tabulam SES.)
- Local Government (General) Regulations 2005

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

An amount of \$20,000 was allocated in the 2022/2023 Operational Plan Budget.

Our Community No. 26 Cont...

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Recommendation supports the measures outlined in Council's Integrated Planning and Reporting documents.

**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> | Manager Arts Culture & Library Services                         |
| <b>Reference:</b>    | <b>ITEM COM27/22</b>                                            |
| <b>Subject:</b>      | <b>Arts, Culture and Library Services - Updates of Policies</b> |

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

|                      |                                                                                                                                                                                                                         |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b> | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |

#### **SUMMARY**

The purpose of this report is to update the listed policies that align with Arts, Culture and Library Services.

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

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

##### **(1) Adopt the following policies:**

- **Library Services Policy**
- **School of Arts Theatre/Cinema Front of House Policy**
- **School of Arts – Use for Weddings and other Activities Policy**

##### **(2) Adopt the following policy, pending a 28-day public exhibition period for community comment:**

- **Public Art Policy**

#### **BACKGROUND**

Council policies are instruments that communicate decisions and directions for pursuing Council's specific goals. Regular reviews of Council policies are required, to maintain currency of these decisions and directions, and to ensure policies are delivering the outcomes desired from such policies.

#### **REPORT:**

The four (4) policies have been reviewed and amended for accuracy, where required, for insertion into Council's current policy template and updated according to NSW government agency updates, being:

##### **Library Services Policy**

This policy was previously amended and adopted by Council on 24 March 2021. The policy has been reviewed, with no major changes identified.

##### **School of Arts Theatre/Cinema Front-of-house Policy**

This policy was previously amended and adopted by Council on 23 September 2020. The policy has been reviewed, with no major changes identified.



Our Community No. 27 Cont...

### **School of Arts – Use for Weddings and other Activities Policy**

This policy was previously amended and adopted by Council on 23 September 2020. The policy has been reviewed, with no major changes identified.

### **Public Art Policy**

This policy was previously amended and adopted by Council on 23 September 2020. The policy has been reviewed, with moderate changes applied. The overall policy has been streamlined with editing back of detailed information more applicable to strategic planning or procedural documentation. Key amendments include inclusion of top level Policy Principals only; inclusion of Public Liability and Copyright frameworks; itemised definition categories; the addition of two key arts and cultural standards and guidelines added to section 8 being, the National Association of Visual Artists (NAVA) Code of Practice for Visual Arts, Craft and Design; and The Australia Council for the Arts – Protocols for using First Nations Cultural and Intellectual Property in the Arts. A new supporting document has been included as an Attachment 'Public Art Application Form' to streamline the process of receiving and assessing independent proposals for public art on Council owned or managed assets.

The Public Art Policy will be publicly exhibited for 28 days for community comment. Should Council receive comments, these will be presented to Council's Ordinary Meeting of 23 November for consideration.

## **COUNCIL IMPLICATIONS:**

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

The existing policies have been developed in accordance with the engagement process at their time of writing. Exhibition of the minor amendments and administrative corrections is not required, other than the Public Art Policy, which will be placed on public exhibition for 28 days.

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

As detailed in each 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

Our Community No. 27 Cont...

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

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------|-------------|----------|-------------------------------------------------------------------------|------------|----------|-----------------------------------------------------------------------------------------|------------|----------|---------------------------------------------------------|------------|----------|-----------------------------------------------------|------------|
| Prepared by staff member:     | Lee Mathers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
| Department:                   | Office of the Chief Executive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
| Attachments:                  | <table><tr><td><b>1</b></td><td>1. Library Services Policy - October 2022 Revision V4.0.docx</td><td>10<br/>Pages</td></tr><tr><td><b>2</b></td><td>2. School-of-Arts-Cinema-Front-of-House Policy - October 2022 V6.0.docx</td><td>4<br/>Pages</td></tr><tr><td><b>3</b></td><td>3. School-of-Arts-Use-for-Weddings-and-other-activities Policy - October 2022 V6.0.docx</td><td>3<br/>Pages</td></tr><tr><td><b>4</b></td><td>4. Public-Art Policy - 4 October 2022 - DRAFT V5.0.docx</td><td>8<br/>Pages</td></tr><tr><td><b>5</b></td><td>5. TSC - Public Art Application form - Oct 2022.pdf</td><td>4<br/>Pages</td></tr></table> | <b>1</b>    | 1. Library Services Policy - October 2022 Revision V4.0.docx | 10<br>Pages | <b>2</b> | 2. School-of-Arts-Cinema-Front-of-House Policy - October 2022 V6.0.docx | 4<br>Pages | <b>3</b> | 3. School-of-Arts-Use-for-Weddings-and-other-activities Policy - October 2022 V6.0.docx | 3<br>Pages | <b>4</b> | 4. Public-Art Policy - 4 October 2022 - DRAFT V5.0.docx | 8<br>Pages | <b>5</b> | 5. TSC - Public Art Application form - Oct 2022.pdf | 4<br>Pages |
| <b>1</b>                      | 1. Library Services Policy - October 2022 Revision V4.0.docx                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 10<br>Pages |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
| <b>2</b>                      | 2. School-of-Arts-Cinema-Front-of-House Policy - October 2022 V6.0.docx                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 4<br>Pages  |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
| <b>3</b>                      | 3. School-of-Arts-Use-for-Weddings-and-other-activities Policy - October 2022 V6.0.docx                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3<br>Pages  |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
| <b>4</b>                      | 4. Public-Art Policy - 4 October 2022 - DRAFT V5.0.docx                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 8<br>Pages  |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |
| <b>5</b>                      | 5. TSC - Public Art Application form - Oct 2022.pdf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4<br>Pages  |                                                              |             |          |                                                                         |            |          |                                                                                         |            |          |                                                         |            |          |                                                     |            |

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b> |
| <b>Submitted by:</b> | Executive Assistant & Media          |
| <b>Reference:</b>    | <b>ITEM COM28/22</b>                 |
| <b>Subject:</b>      | <b>SESQUICENTENARY 2021</b>          |

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

**CSP Goal:** **Community** - Tenterfield Shire is a vibrant, inclusive, and safe community where diverse backgrounds and cultures are respected and celebrated.

**CSP Strategy:** The individual unique qualities and strong sense of local identity of Tenterfield Shires towns, villages and community groups is respected, recognised and promoted.

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#### **SUMMARY**

Council at its February 2021 meeting resolved to establish a Steering Committee to make arrangements for celebration of the Sesquicentenary of the Municipality of Tenterfield.

A steering committee was formed together with community interest group participants to prepare for the event. Formalised meetings were conducted with celebration activities; gala dinners; souvenir publications and street parades planned.

Unfortunately, Council was unable to secure significant funding to undertake all these planned activities, this coupled with Covid-19 guidelines on events made the planning difficult.

The committee made the hard decision to down-scale the celebration, and in November 2022 Council unveiled a commemorative brass plaque and launched its souvenir publication.

This report is to officially conclude the Sesquicentenary celebrations, which were recently workshopped at Council's 10 August 2022 Councillor Workshop and remove the Committee from Council's 22/23 Committee Register.

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

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

**Receive and note the report regarding the celebration activities of the Sesquicentenary Steering Committee of Tenterfield Shire Council which have now been finalised; and**

- (1) Remove the Sesquicentenary Steering Committee from Council's 22/23 Committees Register; and**
- (2) Write to the Committee members, thanking them for their interest, work and participation.**

#### **BACKGROUND**

Council at its February 2021 meeting resolved to establish a Steering Committee to make arrangements for celebration of the Sesquicentenary of the Municipality of Tenterfield.

Our Community No. 28 Cont...

A steering committee was formed together with community interest group participants to prepare for the event. Formalised meetings were conducted with celebration activities; gala dinners; open gardens; street banners; souvenir publications and street parades planned.

Unfortunately, Council was unable to secure significant funding to undertake all these planned activities, this coupled with Covid-19 guidelines on events made the planning difficult.

The Committee secured local sponsorship through "See-Group" (Quarry Solutions) which enabled the printing of the souvenir publication, which were sold from pre-orders. A generous donation from past Mayor Peter Jeffrey enabled a brass plaque to be ordered and installed onto the front entry to the newly refurbished Council Administration Building.

Mayor of the time Councillor Peter Petty officiated the afternoon, with past Mayors Lucy Sullivan; Peter Jeffrey and Toby Smith participated in the opening. Council opened the recently refurbished Chambers for the public to inspect, whilst playing the Peter Harris "Glimpses" movie, culminating in an afternoon tea celebration in the new Council staff kitchen.

### **SUMMARY**

The purpose of this report is to conclude the Sesquicentenary celebrations, which were recently workshoped at its 10 August Councillor Workshop.

The following details summarise that the funding received has been spent in its entirety, with no outstanding invoices, events to take place.

Out of the 200 souvenir books printed – 14 remained as at 10 August 2022

|             |                   |
|-------------|-------------------|
| Income      | \$9,654.20        |
| Expenditure | <u>\$9,968.48</u> |
| Balance     | -\$ 314.28        |

This report is to officially conclude the Sesquicentenary celebrations, which was recently workshoped at its August Councillor Workshop.

### **REPORT:**

A small, successful celebration was conducted for Tenterfield Sesquicentenary on 22 November 2021. With the unveiling of a brass celebratory plaque and the launch of Council's souvenir book and opening of Council's refurbished Council Chambers. The event was attended by approximately 200 community members, who took the opportunity to tour the front of the refurbished building, as well as collect their pre-order souvenir book.

Peter Harris' film "Glimpses" was played in the Chambers show-casing the changes seen within the community over the past 150 years.

The full version of the film was launched to a full house on 5 March 2022 at the School of Arts theatre, to a standing ovation.

As there are no further events planned or funds available, with past fund being expended, Council now wishes to conclude this Committee and event.

Our Community No. 28 Cont...

### **COUNCIL IMPLICATIONS:**

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

The Sesquicentennial Steering Committee last officially met on 20 October 2021 prior to the 22 November 2022 afternoon celebrations. There has been no formal call for further meetings.

**2. Policy and Regulation**

Nil.

**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:                  | There are no attachments for this report. |

|                      |                                                    |
|----------------------|----------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>       |
| <b>Submitted by:</b> | Casual Administration & Customer Service Assistant |
| <b>Reference:</b>    | <b>ITEM GOV80/22</b>                               |
| <b>Subject:</b>      | <b>MONTHLY OPERATIONAL REPORT SEPTEMBER 2022</b>   |

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                             |                                                                                                                                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>        | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <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 2022/2023 Operational Plan.

**OFFICER'S RECOMMENDATION:**

**That Council receives and notes the status of the Monthly Operational Report for September 2022.**

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

|                               |                                                      |           |
|-------------------------------|------------------------------------------------------|-----------|
| Prepared by staff member:     | Lee Sisson                                           |           |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                 |           |
| Department:                   | Office of the Chief Corporate Officer                |           |
| Attachments:                  | <b>1</b> September 2022 - Monthly Operational Report | 119 Pages |

|                      |                                                      |
|----------------------|------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                 |
| <b>Submitted by:</b> | Executive Assistant & Media                          |
| <b>Reference:</b>    | <b>ITEM GOV81/22</b>                                 |
| <b>Subject:</b>      | <b>2022 - REVIEW OF VARIATION OF WARD BOUNDARIES</b> |

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

|                             |                                                                                                                                                                           |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - Resources and advocacy of Council are aligned to support the delivery of the community vision outlined in the Community Strategic Plan.               |
| <b>CSP Strategy:</b>        | Lobby and support government and local service providers to enhance communications infrastructure across the Tenterfield Shire.                                           |
| <b>CSP Delivery Program</b> | Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region. |

#### **SUMMARY**

The purpose of this report is to advise Council that Staff have been liaising with NSW Electoral Commission with regard to a variation of more than 10% of elector numbers as required under the NSW Local Government Act.

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

**That pursuant to s.211(2) of the *Local Government Act 1993 (NSW)* that Council advises:**

- (1) The Electoral Commission of its elector numbers being greater than 10% in variance in the month of April and September 2022; and**
- (2) That it is Council's intention to monitor the number of electors of each ward until April 2023, when Census 2021 data is fully integrated at the Electoral Commission NSW; and**
- (3) Should, in April 2023, the elector numbers still be greater than a 10% variation it is then Council's intention to change the existing Ward Boundaries for the Local Government election to be held in September 2024.**

#### **BACKGROUND**

Under Section 211 of the Local Government Act 1993, Councils which are divided into wards are required to keep those ward boundaries under review to ensure that a difference of greater than 10% in elector numbers does not exist between wards. If a Council determines it is necessary to alter its ward boundaries, the Council is required to, among other things, consult the Australian Statistician and the NSW Electoral Commission.

Staff have been monitoring the Ward voting statistics from the NSW Electoral Commission.

The 2024 NSW Local Government elections are scheduled for September 2024.

#### **REPORT:**

Our Governance No. 81 Cont...

Tenterfield Shire Council currently has five (5) Wards, A-E that the NSW Electoral Commission monitor monthly to determine electors in each ward.

The formula provided for assessment in the Office of Local Government Circular dated 30 September 2019 (Circular No 19-24 / 30 September 2019 / A658288)

The circular states that Councils must review their ward boundaries and notify the NSW Electoral Commission (NSWEC) of any finalised changes to ward boundaries and/or names before the end of the first year of the following term of office of the Council.

Council staff have been in contact with representatives of the NSWEC and have been advised that due to the change over of data from 2016 to 2021 Census that there would be no wisdom in varying any ward boundaries at this time, as they would then need reviewing again when the 2021 data was finalised.

Council staff have been advised to continue to calculate the variance each month and when the 2021 data is updated, then begin the process of moving ward boundaries, this is estimated to be April 2023, with Ward boundary changes being finalized by December 2023 for the September 2024 Local Government Elections.

To ascertain if there is a difference greater than 10% in the number of electors between wards, councils need to determine the percentage variation between the numbers of electors between wards.

For example: Local Government Area with 4 wards, with a total of 10,000 electors in the Area:

Ward 1 = 2,630 electors  
Ward 2 = 2,367 electors  
Ward 3 = 2,553 electors  
Ward 4 = 2,450 electors  
Total = 10,000 electors

The difference between wards 1 and 2 (greatest and least numbers of electors) = 263, or 10% of 2,630.

In the above example, the arrangement does not result in a variation of more than 10% between the number of electors and each ward of the Area. If, however, the variation becomes greater than 10%, councils are required to alter their ward boundaries in compliance with section 211 of the Local Government Act 1993.

Enrolment as at 19 April 2022 and 20 September 2022 in the Tenterfield Local Government Area is as follows:

#### September 2022

Ward A = 1002  
Ward B = 1078 (High)  
Ward C = 955  
Ward D = 1017  
Ward E = 909 (Low)  
Total = 4,961 (15.68% variation)

#### April 2022

Ward A = 980  
Ward B = 1046 (High)



Our Governance No. 81 Cont...

Ward C = 920  
Ward D = 996  
Ward E = 877 (Low)  
Total = 4,819 (16.15% variation)

September and April 2022 both result in a difference of 169 electors between the highest Ward (Ward B) and the Lowest Ward (Ward E) a variation of 15.68% and 16.15% respectively.

It is important to note that the Commission is also updating its enrolments from the last Local Government elections, which will also impact the Ward voter numbers. The main purpose of this report is to demonstrate that Council is aware of the movement in their voter numbers.

Conversations with the NSW Electoral Commission confirm that the above trend is not moving back into balance based on the monthly updates. Notwithstanding this, the current difference of 16.15% needs to be addressed by way of advice to the Commission prior to December 2022, this does not need to be by resolution of Council however it is seen as a transparent way to formalise our position.

#### *211 Ward boundaries*

*(1) The council of an area divided into wards must keep the ward boundaries under review.*

*(2) If:*

*(a) during a council's term of office, the council becomes aware that the number of electors in one ward in its area differs by more than 10 per cent from the number of electors in any other ward in its area, and*

*(b) that difference remains at the end of the first year of the following term of office of the council,*

*the council must, as soon as practicable, alter the ward boundaries in a manner that will result in each ward containing a number of electors that does not differ by more than 10 per cent from the number of electors in each other ward in the area.*

*(3) Nothing in subsection (2) prevents a council that has become aware of the discrepancy referred to in subsection (2) (a) from altering its ward boundaries before the end of the first year of the following term of office of the council.*

### **COUNCIL IMPLICATIONS:**

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

During this phase of wait and watch, there is no requirement for community consultation.

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

- Local Government Act Section 211(2)

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

No budget implications are envisaged by adopting the proposed recommendation.

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

Nil.

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

Nil.

Our Governance No. 81 Cont...

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

Disproportionate ward size creates a risk to the principle of an equal vote for eligible electors. The 10% variance cap is in place to acknowledge that numbers of electors in each ward fluctuates, but that equality in ward size is a key feature of electoral system. Whilst this is understood the smaller number of voters within the Tenterfield Local Government Area, provide for greater volatility in the percentages with a relatively low movement of electors.

The Council area is also more diverse in populations, making the realignment of wards challenging to ensure that voters are aligned with their area of interest.

#### **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:                  | <b>1</b> Ward Boundary Legislation 3 Pages |

|                      |                                                                         |
|----------------------|-------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                    |
| <b>Submitted by:</b> | Executive Assistant & Media                                             |
| <b>Reference:</b>    | <b>ITEM GOV82/22</b>                                                    |
| <b>Subject:</b>      | <b>COUNCIL RECESS PERIOD - PROPOSED COUNCIL MEETING DATES 2023/2024</b> |

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

|                             |                                                                                                                                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>        | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <b>CSP Delivery Program</b> | Deliver Customer Service and Business Services in the support of corporate outcomes.                                                                                                                                    |

#### **SUMMARY**

The purpose of this report is for Council to recommend the dates for the Ordinary Council Meetings – January 2023 to January 2024. In accordance with s356 of the NSW Local Government Act 1993, Council is required to meet at least ten (10) times per year, each time in a separate month.

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

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

- (1) Note the closedown period for Staff from the close of business on 21 December 2022 to 9 January 2023.**
- (2) Resolve to hold the first meeting of the Council on 22 February 2023 with the following dates for meetings:**
  - a) Ordinary Council Meetings be held in each month of the calendar year with the exception of January 2024;**
  - b) Council Meetings be held on the fourth Wednesday of the meeting month at a time to be determined, with the exception of December 2023 which will be held on the third Wednesday of the month; and**
  - c) Ordinary Council Meetings be held each month in the "Koreelah Room", Council Administration Building with the exception of two meetings to be held in villages of Legume and Torrington.**

#### **BACKGROUND**

At its Meeting of 28 September 2022, Council resolved:

##### **Resolution 190/22**

*That Council endorse the closedown periods for staff for the Christmas/New Year 2022/2023 period as follows:*

Our Governance No. 82 Cont...

- *Indoor staff – close of business Wednesday, 21 December 2022, reopening Monday, 9 January 2023;*
- *Outdoor staff – close of business Wednesday, 21 December 2022, reopening Monday, 9 January 2023.*

Council needs to ensure that the appropriate delegations are in place for the Chief Executive so that they can continue to exercise the functions of the Council as required in the period between election day and the first meeting of the Council following the election.

In accordance with s365 of the NSW Local Government Act 1993, Council is required to meet at least ten (10) times per year, each time in a separate month.

#### **REPORT:**

There may be development applications under the standard process which would require Council to determine between the last Ordinary Meeting of Council in 2022 and the first Ordinary Meeting of Council in 2023. In this regard, it is considered prudent to delegate authority to the Chief Executive and Chief Corporate Officer to determine those applications that cannot wait until the first Ordinary Meeting in February.

In addition, any other function of Council should be delegated to ensure the effective and efficient operations of the Council during the recess period.

#### **RECOMMENDATIONS:**

That Council grants delegated authority to the Chief Executive and Chief Corporate Officer (Acting/Chief Executive in the Chief Executives absence) in accordance with the recommendation.

The fixing of the time and date of meetings is a matter for Council to determine. In determining these matters, Council should consider the availability of Councillors, staff and the convenience to the public.

Council currently meets at 9.30am for the monthly Council Meeting and the current practice is for Council meetings to be conducted on the fourth Wednesday of each month, except January.

As the fourth Wednesday of the month in December falls within the Christmas holiday period, the Council Meeting in December is held on the third Wednesday of the month.

In recent periods Council has held two (2) Ordinary Meeting of Council in a rural area of the Shire each calendar year. Since 1996 there have been eight (8) rural locations where the Council has held Ordinary Council Meetings.

Giving consideration to when locations last hosted a Council Meeting and balancing meetings across different sections of the Shire, the following schedule of rural meetings is proposed:

2017 – Torrington (February) and Urbenville (August);  
2018 – Mingoola and Jennings/Wallangarra;  
2019 – Wallangarra & Bolivia;  
2020 – Legume (Covid-19 Impacted)

Our Governance No. 82 Cont...

- 2021 – Torrington (Covid-19 Impacted)
- 2022 – Drake & Urbenville (August & November)
- 2023 – Legume & Torrington (suggested)

### **COUNCIL IMPLICATIONS:**

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

Closedown arrangements and emergency contacts for the period will be advertised through "Your Local News", local media, Facebook Page and are available on Council's website and phone message.

Holding meetings in rural locations spread throughout the Shire increases the in-person accessibility to Council Meetings for communities that are geographically dispersed from Tenterfield.

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

Section 377 of the Local Government Act 1993 provides for delegations to the Chief Executive and Chief Corporate Officer.

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

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

Attending Council meetings in village areas twice per year, has been included in the Civic budget.

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

Nil.

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

Nil.

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

It is important for Council to delegate functions to the Chief Executive/Acting Chief Executive to enable Council to lawfully make decisions of Council during the recess period. Failure to grant delegated authority may result in non-compliance of legislative provisions.

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

The performance measure for compliance with all legislative requirements is included in Council's Delivery Program.

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

Nil.

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

Prepared by staff member:

Elizabeth Melling

Our Governance No. 82 Cont...

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 GOV83/22</b>                     |
| <b>Subject:</b>      | <b>CIVIC OFFICE - UPDATE OF POLICIES</b> |

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

|                             |                                                                                                                                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>        | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <b>CSP Delivery Program</b> | Promote and support community involvement in Council decision making process.                                                                                                                                           |

#### **SUMMARY**

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

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

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

##### **(1) Adopt the following policies:-**

- **Updated Aboriginal Recognition of Protocol Policy 1.013;**
- **Updated Australia Day Awards & Citizenship Ceremonies Policy 1.016;**
- **Updated Community Donations/Contributions Policy 1.031;**
- **Updated Councillor Expenses and Facilities Policy 1.160;**

##### **(2) Adopt the following policy, pending 28-day public exhibition period for community comment.**

- **Councillors Access to Information and Interaction with Staff Policy**

#### **BACKGROUND**

##### **REPORT:**

The five (5) policies have been reviewed and amended for accuracy, where required, for insertion into Council's current policy template and updated according to NSW government agency updates, being:

##### **Aboriginal Recognition and Protocol Policy:**

This policy was previously amended and adopted by Council on 28 August 2019. Only minor changes.

##### **Australia Day Awards & Citizenship Ceremonies Policy 1.016**

This policy was previously amended and adopted by Council on 26 February 2020. Only minor changes and aligning with current Australia Day protocols.

##### **Community Donations / Contributions Policy**

Our Governance No. 83 Cont...

This policy was previously amended and adopted by Council on 28 July 2021. The Policy has been updated to reflect the closure of both Mingoola Public School and Tabulam SES.

### **Councillor Expenses and Facilities Policy 1.160**

This policy was previously amended and adopted by Council on 22 September 2021. This policy needs to be review/updated and adopted by Council within 12 months of the term of a new Council. Only minor changes around aligning "cents per kilometre" with Local Government (State) Award 2020.

### **Councillor's Access to Information and Interaction with Staff Policy 1.163**

This policy was previously amended and adopted by Council on 13 October 2016. The policy has been reviewed, with major changes applied. The overall LGNSW Model Policy has been incorporated into this Policy. A new supporting document has been included as Schedule 1 – Authorised Staff Contacts for Councillors to streamline and limit staff accessibility to Councillors in the process of receiving, assessing and responding to Councillors requests for information.

The Councillor's Access to Information and Interaction with Staff Policy will be publicly exhibited for 28 days for community comment. Should Council receive comments, these will be presented to Council's Ordinary Meeting of 23 November for consideration.

## **COUNCIL IMPLICATIONS:**

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

Policy documents provide guidance to staff and clear guidelines on Council business to the community. The existing policies have been developed in accordance with the engagement process at their time of writing. Exhibition of the minor amendments and administrative corrections is not required, other than the Councillor's Access to Information and Interaction with Staff Policy, which will be open to public exhibition for 28 days, from 26 October 2022 to 23 November 2022.

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

As detailed in each policy

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

Nil.

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

Nil.

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

Nil.

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

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

### **7. Performance Measures**

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



Our Governance No. 83 Cont...

## 8. Project Management

Nil.

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

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                            |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Elizabeth Melling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                            |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                            |
| Department:                   | Office of the Chief Executive                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                            |
| Attachments:                  | <ol style="list-style-type: none"><li><b>1</b> Updated - Aboriginal Recognition and Protocol Policy</li><li><b>2</b> Updated Australia Day Awards &amp; Citizenship Ceremonies Policy</li><li><b>3</b> Updated Community Donations/Contributions Policy</li><li><b>4</b> Updated Expenses and Facilities Policy</li><li><b>5</b> OLG NSW Model Policy - Councillor and Staff Interaction Policy</li><li><b>6</b> Updated Councillor Access to Information and Interaction with Staff Policy</li></ol> | <ol style="list-style-type: none"><li>4 Pages</li><li>5 Pages</li><li>7 Pages</li><li>12 Pages</li><li>16 Pages</li><li>12 Pages</li></ol> |

|                      |                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                       |
| <b>Submitted by:</b> | Executive Assistant & Media                                                                |
| <b>Reference:</b>    | <b>ITEM GOV84/22</b>                                                                       |
| <b>Subject:</b>      | <b>COUNCIL RECESS PERIOD - 2022/2023 &amp; DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD</b> |

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

|                             |                                                                                                                                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>        | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <b>CSP Delivery Program</b> | Deliver Customer Service and Business Services in the support of corporate outcomes.                                                                                                                                    |

#### **SUMMARY**

The purpose of this report is for Council to approve recess arrangements and provide the Mayor and/or Deputy Mayor, and the Chief Executive with delegations over the recess period and provide delegation for Acting Chief Executive during period of leave of Chief Executive.

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

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

- (1) Be in recess from close of business 21 December 2022 to 22 February 2023.**
- (2) Pursuant to Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and/or Deputy Mayor, and the Chief Executive jointly to exercise any function of Council during the recess period with the exception of:**
  - Determination of applications for all dwelling types and ancillary structures where significant objections have been received;**
  - Rezoning matters;**
  - Subdivision applications; and**
  - Entering into Leases and Licences.**
- (3) That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2023 Ordinary Council Meeting of Council to be held on 22 February 2023.**

#### **BACKGROUND**

At its Meeting of 28 September 2022, Council resolved:

##### **Resolution 209/22**

*That Council endorse the closedown periods for the Christmas/New Year 2022/2023 period as follows:*

Our Governance No. 84 Cont...

- *Indoor staff – close of business Wednesday, 21 December 2022, reopening Monday, 9 January 2023;*
- *Outdoor staff – close of business Wednesday, 21 December 2022, reopening Monday, 9 January 2022.*

It is now important to determine what delegated authorities will be granted to the Mayor and/or Deputy Mayor, and the Chief Executive specific to the recess period as per Resolution 209/22.

#### **REPORT:**

There may be development applications under the standard process which would require Council to determine between the last Ordinary Meeting of Council in 2022 and the first Ordinary Meeting of Council in 2023. In this regard, it is considered prudent to delegate authority to the Mayor and/or Deputy Mayor, and the Chief Executive to determine those applications that cannot wait until the first Ordinary Meeting in February.

In addition, any other function of Council should be delegated to ensure the effective and efficient operations of the Council during the recess period.

#### **Options:**

1. That Council grants delegated authority to the Mayor and/or Deputy Mayor, and the Chief Executive in accordance with the recommendation.
2. That Council not grant delegated authority to the Mayor and/or Deputy Mayor, and the Chief Executive in accordance with the recommendation.

Option 1 is the preferred option.

#### **COUNCIL IMPLICATIONS:**

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

Closedown arrangements and emergency contacts for the period have been advertised through "Your Local News", local media and are available on Council's website; Facebook Page; Door Notices and phone message.

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

Section 377 of the Local Government Act 1993 provides for delegations to the Chief Executive.

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

Nil.

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

Nil.

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

Nil.

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

It is important for Council to delegate functions to the Mayor and/or Deputy Mayor, and the Chief Executive/Acting Chief Executive to enable Council to

Our Governance No. 84 Cont...

lawfully make decisions of Council during the recess period. Failure to grant delegated authority may result in non-compliance of legislative provisions.

**7. Performance Measures**

The performance measure for compliance with all legislative requirements is included in Council's Delivery Program.

**8. Project Management**

Nil.

**Daryl Buckingham  
Chief Executive**

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

|                      |                                                 |
|----------------------|-------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>            |
| <b>Submitted by:</b> | Executive Assistant & Media                     |
| <b>Reference:</b>    | <b>ITEM GOV85/22</b>                            |
| <b>Subject:</b>      | <b>DISCLOSURE OF INTEREST RETURNS 2021/2022</b> |

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

|                                 |                                                                                                                                                                                                                         |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>                | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>            | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <b>Delivery Plan Action:</b>    | Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate management.                                                                                       |
| <b>Operational Plan Action:</b> | Complete and lodge Annual Financial Statements in accordance with statutory requirements.                                                                                                                               |

#### **SUMMARY**

The purpose of this Report is to document the tabling of the Disclosure of Interest Returns for the period 2021/2022.

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

**That Council note the tabling of the Disclosure of Interest Returns for the period 2021/2022.**

#### **BACKGROUND**

Sections 440 and 440AA of the Local Government Act, 1993 determine the making of the Model Code of Conduct which prescribes the pecuniary interest and other matters to be disclosed in the Disclosures by Councillors and Designated Persons Return.

#### **REPORT:**

A Councillor or Designated Person must make and lodge with the Chief Executive, a Disclosure by Councillors & Designated Persons Return within three (3) months after:

- Becoming a Councillor or designated person;
- 30 June of each year, and
- The Councillor or designated person becoming aware of an interest they are required to disclose which has not been previously disclosed.

In accordance with this requirement and to ensure compliance, the Disclosure of Interest Returns will be tabled at the October 2021 Ordinary Council Meeting.

#### **Summary of Disclosure of Interest Returns**

##### **Councillors**

No. of Returns      10

##### **Staff**

No. of Returns      23

Our Governance No. 85 Cont...

No. Outstanding 0

### COUNCIL IMPLICATIONS:

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

Nil.

#### 2. Policy and Regulation

- Local Government Act 1993
- Tenterfield Shire Council Code of Conduct 2018
- Government Information (Public Access) Act 2009
- Related Party Disclosure Policy
- Designated Persons Policy

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

Nil.

#### 4. Asset Management (AMS)

Nil.

#### 5. Workforce (WMS)

Nil.

#### 6. Legal and Risk Management

Returns for Councillors and staff are posted on Council's website in line with requirements of the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act) in order to provide government information to the public to maintain and advance a system of responsible and representative democratic government.

The GIPA Act directs agencies to make publicly available, 'open access information', including by requiring agencies to publish certain information on their website. Section 6 of the GIPA Act refers to this as 'mandatory proactive release of certain information', unless there is an overriding public interest consideration against disclosure of the information.

#### 7. Performance Measures

Returns are received within the timeframe and posted on Council's website.

#### 8. Project Management

Nil.

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

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

Our Governance No. 85 Cont...

|                      |                                                                                     |
|----------------------|-------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                |
| <b>Submitted by:</b> | Executive Assistant & Media                                                         |
| <b>Reference:</b>    | <b>ITEM GOV86/22</b>                                                                |
| <b>Subject:</b>      | <b>2024 LOCAL GOVERNMENT ELECTIONS - ELECTORAL COMMISSION AND QUOTATION PROCESS</b> |

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

|                      |                                                                                                                                                      |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community. |
| <b>CSP Strategy:</b> | Ensure Council operates in an effective and financially sustainable manner to deliver affordable services.                                           |

#### **SUMMARY**

Council is required to advise the Electoral Commission of NSW (ECNSW) whether it requires them (ECNSW) to conduct the upcoming Local Government Elections in September 2024. Notice from Council must be provided to this effect eighteen months prior to the 2024 Local Government elections, which is March 2023.

During the 2021 Local Government Elections, the question was asked if a suitably qualified local contractor or Council would be better positioned to conduct the election at a reduced cost. The costs associated with the 2021 Local Government elections, conducted by the ECNSW totaled \$86,000. Council, in January 2022 resolved "not to apply countback provisions in the event of a by-election", with Council nominated to conduct the election.

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

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

- (1) Advertise for quotations from a suitably qualified Contractor to conduct the September 2024 Local Government Elections; and**
- (2) If no suitably qualified Contractor be forthcoming; Council advise the NSW Electoral Commission (ECNSW) of its intent to proceed with NSWEC conducting the 2024 Local Government Election.**

#### **BACKGROUND**

Council received notification from the Electoral Commission NSW (ECNSW) that they require to be notified whether Council will be engaging them to conduct the September 2024 Local Government elections. To help Councils make that decision, the NSW Electoral Commission intends to provide Councils with their service cost estimates by mid-January 2023.

Council must pass the appropriate resolution no later than 18 months before the next ordinary elections, should they require the NSW Electoral Commission to conduct their elections. That means that the resolutions for the September 2024 elections must be passed by early March 2023.

At the January 2022 Ordinary Council Meeting, Council resolved the following in relation to future by-elections. (*as above*)



Our Governance No. 86 Cont...

*Resolution 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 intent of the above motion (*Ordinary Council Meeting – Wednesday 12 January 2022*) when discussed, was to investigate Council conducting its own elections in the future, elections and by-elections.

In the spirit of this motion, Council recognises the specific skills required, legislative requirements, insurances and specific scope of works necessary to conduct a successful election.

Council, due to austerity measures and current staff numbers, does not currently have the resources available to accommodate the 2024 Local Government election. This report suggests the consideration of a suitably qualified Contractor to provide such a service and to assess if there is capacity to undertake this role.

**REPORT:**

In the past Council has entered into an Agreement with the ECNSW, which included a Scope of Works outlining certain items required by both the Council and ECNSW. The last Agreement for the 2021 Local Government elections outlined specific tasks, expectations and estimates of costings. The quotation received from ECNSW totaled \$83,000.

During the 2021 elections there was a lack of candidates for each Ward, with some Wards not requiring an election to be held as they had two nominations only.

Council does not currently have the resources to conduct the 2024 Local Government election. Advertising for suitably skilled contractors to quote on conducting the election will provide staff with a cost comparison and identify cost benefit considerations balancing risk and return.

**COUNCIL IMPLICATIONS:**

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

Nil.

**2. Policy and Regulation**

- Local Government Act (NSW) 1993

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

Budget allocation for the conduct of the 2024 Local Government elections will be made in the 23/24 financial year.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Our Governance No. 86 Cont...

Nil.

**6. Legal and Risk Management**

Ensuring that a suitably qualified and insured contractor conducts the election should Council choose to proceed in this vein, is essential due to the risk of fraud, miscounting and other election risks.

**7. Performance Measures**

Independent Contractor will be required to meet both Legislative and timeline deadlines.

**8. Project Management**

Staff will need to be involved in the advertising, scoping, assessment and contractual preparation and advertising arrangements for the call for quotations, together with preparing a later Council Report for Council's consideration.

**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 Corporate Officer</b>                   |
| <b>Submitted by:</b> | Manager Finance & Technology                                   |
| <b>Reference:</b>    | <b>ITEM GOV87/22</b>                                           |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 30 SEPTEMBER 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 30 September 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 30 September 2022.

Cash Book Balances on this date were as follows:-

|                        |                  |        |
|------------------------|------------------|--------|
| General (Consolidated) | \$ 29,295,751.15 | Credit |
|------------------------|------------------|--------|

Our Governance No. 87 Cont...

General Trust \$ 382,340.85 Credit

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 30 September 2022 showing the various invested amounts and applicable interest rates.

**Concealed Water Leakage Concession Policy Update**

For the month of September 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 26 applications for 603 Certificates in September 2022.

In the calendar year to date, there have been 262 applications compared to 343 applications for the same period last year.

**Cash and Investments – Detailed Analysis of External Restrictions**

| <b>RESTRICTED CASH ANALYSIS</b>                                         | <b>AS AT 30 SEPTEMBER 2022</b> | <b>AS AT 30 JUNE 2022</b> |
|-------------------------------------------------------------------------|--------------------------------|---------------------------|
|                                                                         |                                |                           |
| <b>TOTAL CASH &amp; INVESTMENTS</b>                                     | <b>\$35,678,092</b>            | <b>\$37,107,638</b>       |
|                                                                         |                                |                           |
| <b>EXTERNALLY RESTRICTED CASH</b>                                       | <b>\$30,679,974</b>            | <b>\$31,625,799</b>       |
|                                                                         |                                |                           |
| <b>INCLUDED IN GRANT RELATED (EXCL DEVELOPER CONTRIBUTIONS)</b>         | <b>\$12,218,821</b>            | <b>\$14,401,703</b>       |
| GRANT-RELATED - GENERAL (EXCL DEVELOPER CONTRIBUTIONS AND RFS RESERVES) | \$11,040,333                   | \$13,785,826              |
| GRANT-RELATED - WATER (EXCL DEVELOPER CONTRIBUTIONS)                    | \$679,320                      | \$615,877                 |
| GRANT-RELATED - SEWER (EXCL DEVELOPER CONTRIBUTIONS)                    | -                              | -                         |
| GRANT-RELATED - WASTE (EXCL DEVELOPER CONTRIBUTIONS)                    | \$499,168                      | -                         |
| GRANT-RELATED - STORMWATER (EXCL DEVELOPER CONTRIBUTIONS)               | -                              | -                         |
| BRUXNER WAY WIDENING                                                    | -                              | -                         |
|                                                                         |                                |                           |
| <b>INCLUDED IN DEVELOPER CONTRIBUTIONS</b>                              | <b>\$508,880</b>               | <b>\$467,232</b>          |
| DEVELOPER CONTRIBUTIONS - GENERAL                                       | \$385,748                      | \$347,608                 |
| DEVELOPER CONTRIBUTIONS - WATER                                         | \$37,565                       | \$37,565                  |
| DEVELOPER CONTRIBUTIONS - SEWER                                         | \$41,455                       | \$41,455                  |
| DEVELOPER CONTRIBUTIONS - WASTE                                         | \$40,103                       | \$36,595                  |
| DEVELOPER CONTRIBUTIONS - STORMWATER                                    | \$4,009                        | \$4,009                   |
|                                                                         |                                |                           |
| <b>INCLUDED IN RFS RESERVES</b>                                         | <b>\$58,783</b>                | <b>\$92,098</b>           |

Our Governance No. 87 Cont...

|                                                                                                       |                     |                     |
|-------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| RFS RESERVES                                                                                          | \$58,783            | \$92,098            |
|                                                                                                       |                     |                     |
| <b>INCLUDED IN CASH AT BANK AND INVESTMENT LEFTOVERS (AFTER EXCL GRANT RELATED, DC AND RFS ABOVE)</b> | <b>\$17,893,490</b> | <b>\$16,664,766</b> |
| WATER                                                                                                 | \$2,121,751         | \$2,180,603         |
| SEWER                                                                                                 | \$6,210,282         | \$5,703,375         |
| WASTE                                                                                                 | \$8,212,112         | \$7,372,548         |
| STORMWATER                                                                                            | \$967,004           | \$1,025,899         |
| TRUST FUND                                                                                            | \$382,341           | \$382,341           |
|                                                                                                       |                     |                     |
| <b>INTERNAL RESTRICTIONS</b>                                                                          |                     |                     |
| PLANT AND VEHICLE REPLACEMENT                                                                         | -                   | -                   |
| EMPLOYEES LEAVE ENTITLEMENTS                                                                          | -                   | -                   |
| SPECIAL PROJECTS                                                                                      | -                   | -                   |
|                                                                                                       |                     |                     |
| <b>UNRESTRICTED FUNDS</b>                                                                             | <b>\$4,998,118</b>  | <b>\$5,481,839</b>  |

**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.

Our Governance No. 87 Cont...

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

Prepared by staff member: Roy Jones  
Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer  
Department: Office of the Chief Corporate Officer  
Attachments: **1** Investment Report as at 30 September 2022

|                      |                                                           |
|----------------------|-----------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>              |
| <b>Submitted by:</b> | Manager Finance & Technology                              |
| <b>Reference:</b>    | <b>ITEM GOV88/22</b>                                      |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 30 SEPTEMBER 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 Year-to-date (YTD) financial progress of Capital Works projects against the budget.

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

**That Council receive and note the Capital Expenditure Report for the period ended 30 September 2022.**

#### **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 that are ongoing from the 2021/22 year, in particular grant-funded works, will be presented in the first Quarterly Budget Review for September 2022. The Quarterly Budget Review will be presented in November 2022. These projects account for the most significant capital expenditure variances at this stage of the financial year, which is to be expected.

Staff are reminded to proceed with their capital projects as early as possible in the year, so that the funds can be spent within the financial year as per the operational plan and budget. The purpose of this is to avoid excessive carry forward projects across future financial years and to achieve the projects that Council presented in the Operational Plan for the current year.

#### **COUNCIL IMPLICATIONS:**

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

Nil.

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

- Local Government Act 1993
- Local Government (General) Regulation 2005

Our Governance No. 88 Cont...

- 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:     | Roy Jones                                          |            |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer               |            |
| Department:                   | Office of the Chief Corporate Officer              |            |
| Attachments:                  | <b>1</b> September 2022 Capital Expenditure Report | 2<br>Pages |



|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Manager Finance & Technology                 |
| <b>Reference:</b>    | <b>ITEM GOV89/22</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 30 September 2022.

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

**That Council notes the loan balance as at 30 September 2022 was \$18,505,230.55 (\$18,848,630.12 as at 30 June 2022).**

#### **BACKGROUND**

Council resolved at its meeting on 24 August, 2011 (Resolution 380/11) that a Report be provided every three (3) months summarising 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 30 September 2022 was \$18,505,230.55 (\$18,848,630.12 as at 30 June 2022).

#### **New Loans Taken Out between reporting periods 1 July 2022 to 30 September 2022.**

No new loans were taken out during the quarter ending 30 September 2022.

Council Loan Register as at 30 September 2022 attached.

#### **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.

Our Governance No. 89 Cont...

As at 30 June 2022 Council has not required to use the drawdown facility and managing its cash flow. The Office of Local Government will also be notified once Council decides to use this facility.

The Debt Service Cover Ratio based as at 30 June 2022 is 9.08x (the benchmark is >2.00x). This ratio improved slightly from the financial year ending 30 June 2021 (when the ratio was 6.98x).

### **COUNCIL IMPLICATIONS:**

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

Council's projected loan borrowings are included in the 2022/23 Operational Plan.

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

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

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

Nil.

#### **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:     | Roy Jones                                      |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer           |
| Department:                   | Office of the Chief Corporate Officer          |
| Attachments:                  | <b>1</b> Loan Register as at 30 September 2022 |

|                      |                                                                     |
|----------------------|---------------------------------------------------------------------|
| <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 GOV90/22</b>                                                |
| <b>Subject:</b>      | <b>TENTERFIELD SHIRE COUNCIL COMMUNITY SATISFACTION SURVEY 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>CSP Delivery Program</b> | Promote and support community involvement in Council decision making process.                                                                                    |

#### **SUMMARY**

The purpose of this report is to present the Tenterfield Shire Council Community Satisfaction Survey 2022 Report.

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

**That Council receive and note the Tenterfield Shire Council Community Satisfaction Survey 2022 Report.**

#### **BACKGROUND**

As required under Council's Integrated Planning and Reporting framework, Council undertakes a survey of Tenterfield Shire residents every two years to promote and support community involvement in Council decision making processes. The last Tenterfield Shire Council Customer Satisfaction Survey was undertaken by IRIS Research in 2020. The 2022 survey has been undertaken by Taverner Research Group, after the integration of IRIS Research with Taverner Research Group in 2021.

#### **REPORT:**

The Tenterfield Shire Council Community Satisfaction Survey 2022 was undertaken between 7 August 2022 and 19 August 2022. 300 residents were surveyed by Taverner Research Group by telephone. The format of the survey follows the framework of Council's previous Community Strategic Plan, with questions targeted to elicit responses to:

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

In summary:

- All services and facilities, except water supply, saw a drop in satisfaction from residents surveyed in 2022 compared to 2020.
- The services and facilities with the highest mean ratings were the School of Arts Theatre/Cinema (4.0), School of Arts Museum (3.8) and Library Services (3.7).

Our Governance No. 90 Cont...

These results suggest that survey participants have rated the School of Arts and Library based on their value as facilities and services, as opposed to participants use of these during the last two years, given they have either been closed for a significant period or provided limited services due to COVID-19 restrictions in 2020 and 2021.

The services and facilities with the lowest mean ratings were all road related. This includes Maintaining local roads (2.0), Overall condition of the local unsealed road network (2.0) and Overall condition of the local sealed road network (2.3).

### **COUNCIL IMPLICATIONS:**

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

The delivery of the Community Satisfaction Survey every two years meets Council's Community Engagement Strategy goal that Council's decision-making processes are open, accountable and based on sound integrated planning. The results of the survey will enable Council to determine appropriate priorities and resourcing for the delivery of services. The next survey will be undertaken in 2024.

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

Nil.

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

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

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

Nil.

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

Nil.

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

Nil.

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

Nil.

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

Nil.

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

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

Our Governance No. 90 Cont...

|                      |                                                                         |
|----------------------|-------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                            |
| <b>Submitted by:</b> | Manager Customer Service, Governance & Records                          |
| <b>Reference:</b>    | <b>ITEM GOV91/22</b>                                                    |
| <b>Subject:</b>      | <b>CUSTOMER SERVICE, GOVERNANCE &amp; RECORDS - UPDATES OF POLICIES</b> |

|                                                               |                                                                                                                                                                                                                         |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                                                                         |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>                                          | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <b>CSP Delivery Program</b>                                   | Promote and support community involvement in Council decision making process.                                                                                                                                           |

## SUMMARY

The purpose of this report is to update the listed policies that align with Customer Service, Governance and Records.

## OFFICER'S RECOMMENDATION:

### That Council

- (1) **adopt the following policies:**
  - **Complaints and Unreasonable Conduct Policy**
  - **Disclosures by Councillors and Designated Persons**
  - **Exclusion for Disruptive or Abusive Citizens and Customers Policy**
  - **Flying of Flags Policy**
  - **Fraud and Corruption Prevention Policy**
- (2) **adopt the following policy, pending a 14-day public exhibition period for community comment:**
  - **Customer Service Policy**

## BACKGROUND

Council policies are instruments that communicate decisions and directions for pursuing Council's specific goals. Regular reviews of Council policies are required, to maintain currency of these decisions and directions, and to ensure policies are delivering the outcomes desired from such policies.

## REPORT:

The six (6) policies have been reviewed and amended for accuracy, where required, for insertion into Council's current policy template and updated according to NSW government agency updates, being:

### Customer Service Policy

Our Governance No. 91 Cont...

This policy was previously amended and adopted by Council on 24 February 2021. The policy has been aligned with the recently adopted Customer Service Charter 2022 with no major changes. The Customer Service Policy will be publicly exhibited for 14 days for community comment. Should Council receive comments, these will be presented to Council's Ordinary Meeting of 23 November 2022 for consideration.

### **Complaints and Unreasonable Conduct Policy**

This policy was previously amended and adopted by Council on 24 February 2021. The policy has been updated to reflect the related Customer Service Charter 2022 and Customer Service Policy.

### **Disclosures by Councillors and Designated Persons**

This policy was previously amended and adopted by Council on 26 August 2020. The policy has been reviewed, with no major changes identified.

### **Exclusion for Disruptive or Abusive Citizens and Customers Policy**

This policy was previously amended and adopted by Council on 24 February 2021. The policy has been reviewed, with no major changes identified.

### **Flying of Flags Policy**

This policy was previously amended and adopted by Council on 23 August 2017. The policy has been translated into Council's current policy template with no major changes identified.

### **Fraud and Corruption Prevention Policy**

This policy was previously amended and adopted by Council on 11 November 2020. The policy has been reviewed and updated in line with NSW Ombudsman's updates.

## **COUNCIL IMPLICATIONS:**

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

The existing policies have been developed in accordance with the engagement process at their time of writing. Exhibition of the minor amendments and administrative corrections is not required, other than the Customer Service Policy, which will be on public exhibition for 14 days, from 26 October 2022 to 9 November 2022.

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

As detailed in each 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**

Our Governance No. 91 Cont...

Nil.

## **8. Project Management**

Nil.

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

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Erika Bursford                                                                                                                                                                                                                                                                                                                                                                                                         |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                                                                                                                                                                                                                                                                                                                                   |
| Department:                   | Office of the Chief Corporate Officer                                                                                                                                                                                                                                                                                                                                                                                  |
| Attachments:                  | <ol style="list-style-type: none"><li><b>1</b> TSC Complaints and Unreasonable Conduct Policy</li><li><b>2</b> TSC Customer Service Policy</li><li><b>3</b> TSC Disclosures by Councillors and Designated Persons</li><li><b>4</b> Exclusion for Disruptive or Abusive Citizens and Customers Policy</li><li><b>5</b> TSC Flying of Flags Policy</li><li><b>6</b> TSC Fraud and Corruption Prevention Policy</li></ol> |



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**(ITEM RC13/22) TENTERFIELD SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE MEETING - THURSDAY 1 SEPTEMBER 2022**

---

**REPORT BY:** David Counsell

That a meeting of the Tenterfield Shire Council Local Traffic Committee was held on Thursday 1 September 2022. Minutes attached.

**Recommendation**

**That Council:**

- (1) Receive and note the report of the Tenterfield Shire Council Local Traffic Committee meeting of 1 September 2022;**
- (2) Adopt the recommendations from General Business Items 1 and 2:-**
  - (a) WYLIE CREEK ROAD - KILLARNEY STATE SCHOOL - That Council offer no objection to the event and crossing of roads as per the application received from the Killarney State School for the Trail Bike Ride, subject to Police and Council approval. not install additional horse warning signage and continue to prepare a signage policy with a focus on regulatory and core traffic safety signage across the network; and**
  - (b) KILLARNEY STATE SCHOOL - That Council offer no objection to the event and crossing of roads as per the application received from the Killarney State School for the Trail Bike Ride, subject to Police and Council approval.**

**ATTACHMENTS**

- |          |                                                                                           |                          |
|----------|-------------------------------------------------------------------------------------------|--------------------------|
| <b>1</b> | <b>TENTERFIELD SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE MEETING MINUTES 1 SEPTEMBER 2022</b> | <b>5</b><br><b>Pages</b> |
|----------|-------------------------------------------------------------------------------------------|--------------------------|

**(ITEM RC14/22) SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS (SHPMSoA) - JOINT MANAGEMENT COMMITTEE - 1 SEPTEMBER 2022**

---

**REPORT BY:** Lee Mathers

That a meeting of the Sir Henry Parkes Memorial School of Arts (SHPMSoA) was held on Thursday 1 September 2022. Agenda, Officers Report (including Museum Advisor, Elizabeth Newell, Museum Audit Report attachment) and Minutes attached.

**RECOMMENDATION**

**That Council:**

- (1) Receive and note the report and minutes of the Sir Henry Parkes Memorial Management Committee ("Joint Committee") meeting of 1 September 2022.**

**ATTACHMENTS**

- |          |                                          |         |
|----------|------------------------------------------|---------|
| <b>1</b> | SHPMSoA - Meeting Agenda                 | 8 Pages |
| <b>2</b> | SHMPSoA Audit Report                     | 3 Pages |
| <b>3</b> | SHMPSoA Meeting Minutes 1 September 2022 | 3 Pages |

**(ITEM RC15/22) REPORT OF COMMITTEE & DELEGATES - MURRAY DARLING ASSOCIATION CONFERENCE & ANNUAL GENERAL MEETING - 19 - 21 SEPTEMBER 2022**

---

**REPORT BY:** Greg Sauer

I attended this Conference hosted by Albury City Council.

Obviously there was far too much detail for me to put into this Report and as both the MDA and Region 11 have submitted detailed Reports, I will keep this one brief and save a few trees.

Transcripts of all Speakers presentations are available on the Murray Darling Associations website.

Albury City Council had a hard act to follow from the hosts of last year's Conference as Wentworth Shire Council set the bar very high for future hosts, with Albury being the first to face that challenge.

Like all Conferences, there was a list of Speakers and Forums covering a great variety of themes and how best to move forward with even better outcomes for water usage, storage and regulation.

The Conference started off with a Reception on the Sunday evening at the Albury Club. It was the smallest gathering I have seen at any of the previous MDA Conferences and also the shortest lasting just on 1 hour.

This was the first sign that there would be an issue with Budget, the coming days certainly did not change that perception and the Financial Statements at the AGM removed all doubt.

A Study Bus Tour visit to the Dartmouth & Hume Dams on Day 1 of the Conference was a great follow up to the Study Tour of the Menindee Lakes last year. Dartmouth Dam is approximately 60 kms south east of Albury. There were 2 buses but neither one was full so I estimate there were around 70 people attending.

Both Dams were almost at full capacity with the Dartmouth Dam very likely to spill for the first time since 1996 in the coming days.

We were given a Guided Tour of Dartmouth Dam but unfortunately the Guide for the Hume Dam did not meet us when we arrived and most of us looked over the facilities on our own rather than stand around and wait for him.

The Hume Dam is only minutes away from Albury so if you are in the area, I highly recommend you go out and have a look. Lunch at the Mitta Mitta Hotel near the Dartmouth Dam is also highly recommended.

Dartmouth Dam is used by AGL as a Hydro Power Station in addition to storing 80% of the MDBA's Water Allocation. AGL operates the Power Station under very strict rules & guidelines. AGL must shut down the Power Station when the Dam is full so that there is not a flood risk downstream if the Station was operating in addition to the dam overflowing. AGL has a water allocation of 37,000 mgl per annum.

Report of Committee No. 15 Cont...

The water is pristine as there is no industry nearby causing any runoff issues and because the dam is so deep there is very little loss due to evaporation.

The Dam covers 68 square km with the Dam Wall covering 700 metres in width and 840 metres thick and 365 metres in depth.

Sadly, it would be cheaper to build wind and solar farms than harness the Dam's full capacity.

The Conference itself commenced on the Monday at the Albury Civic Centre. I estimate that there were probably less than 100 people attending. This was the smallest number of attendees at any of the Conferences I have attended.

It was pleasing to see Tamworth Regional Council send their Mayor & Water Engineer as observers for the first time. They gained so much out of the Conference that the Water Engineer tabled a paper at their next Meeting recommending they join the MDA via Region 11. This Recommendation was passed.

There were 13 different Presentations and Discussion Panels over the 2 days of the Conference. There was obviously a shortage of available Presenters as there were Presentations from some of the Exhibitors as well as local Tourism bodies.

Topics covered were Future of the Basin and Environmental attributes, Megatrends and the Circular Economy, the role CSIRO plays in the Basin, External effects on water bodies and resources, Murray reconnected Floodplains, Water, Seasonal Conditions and System Operations among others.

There was an apparent influence of "green" perceptions in a lot of the Presentation and many of the Delegates spoke openly about this as well as the fact a few speakers were clearly anti Dam which was at odds with the Conference Theme of Economies, Dams & Infrastructure.

It is unfortunate that there is a big divide in the MDA between the Regions at the southern end of the Basin and also those at the Northern end of the Basin. Hopefully over time these divisions will be resolved.

From my perspective, the Morning Session on Day 2 of the Conference was the best as Andrew McConville the new CEO of the MDBA and Troy Grant the Independent Government Water Commissioner both gave Presentations and conducted a Panel session after that.

Tanya Plibersek, the Federal Minister for Environment & Water gave the Keynote Address and also took questions after that.

I managed to have a quick discussion with the Minister before she left the Conference and drew her attention to the current situation with funding from FAGS and gave her an overview of how much benefit TSC would gain if the Government lifted FAGs to at least 1%.

The 78<sup>th</sup> Annual General Meeting was held on the afternoon of Conference Day 2.

Only around 30 Voting Delegates remained in the room as the others took advantage of an early start for home. These included the Mayors of Gunnedah & Tamworth Councils

Report of Committee No. 15 Cont...

as they had to catch flights home to preside over Memorial Services for Queen Elizabeth II the next day.

During the Treasurer's Presentation, it was confirmed that was a Budget issue for the Conference as the MDA declared a loss of around \$k205 for the Financial Year. The Auditors specifically asked the question would the MDA be able to fund the CEO & other employees' wages & salaries for the coming year given the magnitude of this loss.

The Board was able to confirm that all outgoings can be met

Increasing membership was discussed in General Business and the Board has undertaken to contact all eligible Councils that are not currently Members of the MDA and present a case for why they should join.

Interestingly, Region 1, which includes Albury Council, is Chaired by the MDA Chairman has the lowest rate of Membership where only 4 of a possible 13 Councils are Members (31%). Region 11 now has 7 of a possible 15 Councils as Members (47%).

As Deputy Chairman of Region 11, I was responsible for our Voting.

There were 15 Motions on the Agenda. One was lost, one was withdrawn and resubmitted to the MDA Board for rewording, the remaining 13 were carried by varying margins.

Motion 12 was submitted by Region 11 and related to the current situation of applying the Cost Benefit Ratio of >1 being applied to funding applications for Water Storage Projects such as Dams & raising the height of Dam Walls etc.

The Motion requested the MDA Board to lobby Federal & State Governments to remove this requirement and to allow greater emphasis on social and community needs.

After a couple of Speakers For & Against, my closing address was on the basis that if the >1 CBR was strictly applied, neither the Dartmouth Dam or the Hume Dam would be built today. I am pleased to advise that this Motion was carried by a very large majority.

Full detail of all Motions dealt with are on the MDA website.

I did not attend the Conference Dinner on the Tuesday night as I felt the cost of the Tickets were exorbitant and I could not justify the cost to TSC Ratepayers.

The next Conference & AGM will be hosted by Region 5 at Murray Bridge.

My thanks to TSC for allowing me to attend this Event.

Report of Committee No. 15 Cont...

Following are three photos of the Hume Dam, the release gates and downstream



Report of Committee No. 15 Cont...

**RECOMMENDATION**

**That Councillor Greg Sauer, Executive Committee Member's report of the 78<sup>th</sup> Murray Darling Association Conference and Annual General Meeting be received and noted.**

**ATTACHMENTS**

- 1** MDA Conference Summary 2022 7 Pages
- 2** MDA AGM Minutes 2022 26 Pages

|                      |                                                     |
|----------------------|-----------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                |
| <b>Submitted by:</b> | Executive Assistant & Media                         |
| <b>Reference:</b>    | <b>ITEM RES10/22</b>                                |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - SEPTEMBER 2022</b> |

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

|                             |                                                                                                                                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>        | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <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 September 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> September 2022 - Resolution Register | 22 Pages |