



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING 23 NOVEMBER 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 "Memorial Hall", Urbenville NSW, on **Wednesday 23 November 2022** commencing at **9:30 am**.

Daryl Buckingham
Chief Executive

COMMUNITY CONSULTATION – PUBLIC ACCESS

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

# AGENDA

## COMMUNITY CONSULTATION (PUBLIC ACCESS)

### WEBCASTING OF MEETING

This meeting will be recorded for placement on Council's website and livestreamed 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

(ITEM MIN11/22) CONFIRMATION OF PREVIOUS MINUTES ..... 6

### 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**

(ITEM COM29/22) FACEBOOK TRIAL ..... 7

**OUR ECONOMY**

**OUR ENVIRONMENT**

**OUR GOVERNANCE**

(ITEM GOV99/22) MONTHLY OPERATION REPORT OCTOBER 2022 ..... 10

(ITEM GOV94/22) HR WORKFORCE DEVELOPMENT & SAFETY - UPDATES  
OF POLICIES ..... 11

(ITEM GOV95/22) TENTERFIELD SHIRE COUNCIL ANNUAL REPORT  
2021/2022 ..... 14

(ITEM GOV97/22) FINANCE & ACCOUNTS - PERIOD ENDED 31 OCTOBER  
2022 ..... 17

(ITEM GOV96/22) CAPITAL EXPENDITURE REPORT AS AT 31 OCTOBER  
2022 ..... 21

(ITEM GOV98/22) REVIEW OF INVESTMENT POLICY ..... 23

**11. REPORTS OF DELEGATES & COMMITTEES**

**12. NOTICES OF MOTION**

**13. RESOLUTION REGISTER**

(ITEM RES11/22) COUNCIL RESOLUTION REGISTER - OCTOBER 2022 ..... 25

**14. CONFIDENTIAL BUSINESS**

**15. MEETING CLOSED**

**(ITEM MIN11/22) 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 – 26 October 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 - Ordinary Council Meeting - Wednesday 26 October 2022 | 17<br>Pages |
|-----------------------------------------------------------------------------------|-------------|

|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                         |
| <b>Submitted by:</b> | Bruce Mills, Manager Economic Development & Special Projects |
| <b>Reference:</b>    | <b>ITEM COM29/22</b>                                         |
| <b>Subject:</b>      | <b>FACEBOOK TRIAL</b>                                        |

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

|                      |                                                                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>Economy</b> - Develop Tenterfield Shire's economic base into a robust and growing economy that supports employment and business opportunities. |
| <b>CSP Strategy:</b> | Develop and facilitate a diversified and growing economy that is a balance of all economic contributors.                                          |

#### **SUMMARY**

The purpose of this report is to advise Council of the results of the three-month trial of Facebook.

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

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

**Continue the Facebook page permanently in its current "no comments" format.**

#### **BACKGROUND**

Timely communication with residents, visitors and potential visitors is a vital function of Council – not just for potential rate rises, garbage collection days and road closures, but also for tourism and encouraging new businesses and residents to the Shire.

#### **145/22 Resolved that Council:**

- 1) Undertake a three-month trial of a "noticeboard-only" Facebook page and review at the end of the trial – with a report on findings back to Council; and*
- 2) Note that the recommendation is made mindful of the Customer Satisfaction Survey showing the preference for "Your Local News" printed brochure.*

*(Peter Petty/Geoff Nye)*

#### **Motion Carried**

Council resolved 27 July 2022 at its Ordinary Council meeting to conduct a three-month trial of an "information only" or "noticeboard only" Facebook page for Council and community announcements, review the trial after three months and decide to continue with the page or not.

The July recommendation adopted by Council included an estimate for additional staff time and cost of \$7,000 for three months.

The cost has been closer to \$5,000, and this has also included staff time to upload/edit material for Council's webpages. Therefore, the actual cost of running/managing the Facebook page has been far lower, perhaps half.



Our Community No. 29 Cont...

**REPORT:**

The Facebook page has proved successful for communicating information to a broad section of the community. It's been used for Council announcements – everything from road and footpath closures, garbage collection days, recycling to movie/play times at the School of Arts theatre. The page was used to advise the community of the need for rate increases and the Special Rates Variation process, including messages from the Mayor.

It has also been used to publicise community workshops, market days and farm workshops for weed control etc.

Initially the Facebook page drew high monthly reaches. In August it achieved reach of more than 3,800 people and September 5,458. However, for October the reach was only 2,741. This reflects the smaller number of posts.

Considering the Shire's population of 6,800, the overall results are good, with posts regularly reaching 600 to 1,500 people.

The top three posts for the three months were:

- "Women Like Us" 3,100;
- Lunchtime closure of Customer Services 2,400; and
- Volunteers needed at the Visitor Information Centre 1,600.

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

Community is aware the Facebook has been run as a trial. However, there is expectation the page will continue – and there would likely be criticism if the page ceased.

**2. Policy and Regulation**

The page is run as an "information only" page, so there is no discussion, no comment and hence no issues with managing reactionary/rude/abusive and potentially libelous comments.

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

As mentioned, initially costed at \$7,000 for the three months, the real cost of the trial would be much lower because the additional casual staff member (one-day-a-week) also updates and manages Council's webpages. Uploading Facebook posts is done by a couple of staff.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Staff managing the Facebook page would continue the current work.

**6. Legal and Risk Management**

Nil – because the Facebook page is "noticeboard only". No comments are allowed. See comments above under Policy and Regulation.

**7. Performance Measures**

Nil.

Our Community No. 29 Cont...

**8. Project Management**

Nil.

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

Prepared by staff member: Bruce Mills, Manager Economic Development & Special Projects  
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 Corporate Officer</b>                   |
| <b>Submitted by:</b> | Lee Sisson, Casual Administration & Customer Service Assistant |
| <b>Reference:</b>    | <b>ITEM GOV99/22</b>                                           |
| <b>Subject:</b>      | <b>MONTHLY OPERATION REPORT OCTOBER 2022</b>                   |

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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. |

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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 October 2022.**

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

|                               |                                                                |
|-------------------------------|----------------------------------------------------------------|
| Prepared by staff member:     | Lee Sisson, Casual Administration & Customer Service Assistant |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                           |
| Department:                   | Office of the Chief Corporate Officer                          |
| Attachments:                  | <b>1</b> October 2022 - Monthly Operational Report             |
|                               | 87 Pages                                                       |

|                      |                                                                    |
|----------------------|--------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                               |
| <b>Submitted by:</b> | Wes Hoffman, Manager HR Workforce Development & Safety             |
| <b>Reference:</b>    | <b>ITEM GOV94/22</b>                                               |
| <b>Subject:</b>      | <b>HR WORKFORCE DEVELOPMENT &amp; SAFETY - 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 HR Workforce Development & Safety

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

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

##### **Adopt the following policies:**

- **Asbestos Policy**
- **Work Health & Safety Policy**
- **Workplace Rehabilitation and Return to Work Policy**
- **Succession Planning**
- **Conference/Seminar/Training/Expenses Policy**
- **Leave Policy**
- **Workforce Development Policy**
- **Recruitment & Selection Policy**
- **Salary System (Including Performance Review)**

#### **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:**

These nine (9) 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 and legislative updates, being:

##### **Asbestos Policy**

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

Our Governance No. 94 Cont...

### **Work Health & Safety Policy**

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

### **Workplace Rehabilitation and Return to Work Policy**

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

### **Succession Planning**

This policy was previously amended and adopted by Council on 22 May 2019. The policy has been reviewed, with no major changes identified.

### **Conference/Seminar/Training/Expenses Policy**

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

### **Leave Policy**

This policy was previously amended and adopted by Council on 22 May 2019. The policy has been reviewed, with no major changes identified.

### **Workforce Development Policy**

This policy was previously amended and adopted by Council on 22 May 2019. The policy has been reviewed, with no major changes identified.

### **Recruitment & Selection Policy**

This policy was previously amended and adopted by Council on 22 May 2019. The policy has been reviewed, with no major changes identified.

### **Salary System (Including Performance Review)**

This policy was previously amended and adopted by Council on 22 May 2019. The policy has been reviewed, with no major changes identified.

## **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.

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

- As detailed in each policy.

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

Nil.

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

Nil.

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

Nil.

Our Governance No. 94 Cont...

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Daryl Buckingham  
Chief Executive**

|                               |                                                           |             |
|-------------------------------|-----------------------------------------------------------|-------------|
| Prepared by staff member:     | Wes Hoffman, Manager HR Workforce Development & Safety    |             |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                         |             |
| Department:                   | Office of the Chief Executive                             |             |
| Attachments:                  | <b>1</b> Asbestos Policy                                  | 4<br>Pages  |
|                               | <b>2</b> Workplace Health & Safety Policy                 | 4<br>Pages  |
|                               | <b>3</b> Workplace Rehabilitation & Return to Work Policy | 4<br>Pages  |
|                               | <b>4</b> Succession Planning Policy                       | 4<br>Pages  |
|                               | <b>5</b> Conference Seminar Training Expenses Policy      | 4<br>Pages  |
|                               | <b>6</b> Leave Policy                                     | 4<br>Pages  |
|                               | <b>7</b> Workforce Development Policy                     | 4<br>Pages  |
|                               | <b>8</b> Recruitment & Selection Policy                   | 3<br>Pages  |
|                               | <b>9</b> Salary System Policy                             | 12<br>Pages |

|                      |                                                                |
|----------------------|----------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                   |
| <b>Submitted by:</b> | Erika Bursford, Manager Customer Service, Governance & Records |
| <b>Reference:</b>    | <b>ITEM GOV95/22</b>                                           |
| <b>Subject:</b>      | <b>TENTERFIELD SHIRE COUNCIL ANNUAL REPORT 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>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 for Council to receive the Annual Report, inclusive of the Audited Annual Financial Statements, for the financial year ending 30 June 2022.

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

**That Council receive and adopt the Annual Report for 2021/2022.**

#### **BACKGROUND**

Council must prepare an Annual Report in accordance with the *Local Government Act 1993*, Section 428.

- (1) *Within 5 months after the end of each year, a Council must prepare a report (its "Annual Report") for that year reporting as to its achievements in implementing its Delivery Program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.*
- (2) *The Annual Report in the year in which an Ordinary Election of Councillors is to be held must also report as to the Council's achievements in implementing the Community Strategic Plan over the previous four years.*
- (3) *An Annual Report must be prepared in accordance with the guidelines under Section 406.*
- (4) *An Annual Report must contain the following:*
  - (a) *a copy of the Council's Audited Financial Reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time,*
  - (b) *such other information or material as the regulations or the guidelines under section 406 may require.*
- (5) *A copy of the Council's Annual Report must be posted on the Council's website and provided to the Minister and such other persons and bodies as the Regulations*

Our Governance No. 95 Cont...

*may require. A copy of a Council's Annual Report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the Report on the Council's website.*

**REPORT:**

In accordance with the Act, Council staff have contributed to the development of the Annual Report and the Audited Financial Statements.

The Annual Report consists of several sections commencing with the Mayor's and Chief Executive Officer's messages, followed by statistics about the Shire, our achievements over the year against the Community Strategic Plan directions, and statutory reporting items. The Annual Report also includes the audited financial statements for the 2021/2022 financial year, as required under the Act.

**COUNCIL IMPLICATIONS:**

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

Council meets its commitment to inform, consult and involve by annually reporting on its Annual Report and Audited Financial Statements via its open Ordinary Meeting.

**2. Policy and Regulation**

- NSW Local Government Act 1993;
- NSW Local Government (General) Regulation 2005.

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

Nil.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

The Annual Report is a statutory requirement. Failure to lodge the Report would result in a significant risk to Council of being non-compliant under the Local Government Act 1993.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

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



## Our Governance No. 95 Cont...

|                               |                                                                                                                                             |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Erika Bursford, Manager Customer Service, Governance & Records; Roy Jones, Manager Finance & Technology                                     |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                                                        |
| Department:                   | Office of the Chief Corporate Officer                                                                                                       |
| Attachments:                  | <b>1</b> Annual Report 2021 - 2022 67 Pages                                                                                                 |
|                               | <b>2</b> Appendix 1 - Achievements in Implementing the Delivery Program and Operational Plan Monthly Operational Reports as at 30 June 2022 |
|                               | <b>3</b> Appendix 2 - Financial Statements for the year ended 30 June 2022 118 Pages                                                        |

|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                 |
| <b>Submitted by:</b> | Roy Jones, Manager Finance & Technology                      |
| <b>Reference:</b>    | <b>ITEM GOV97/22</b>                                         |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 OCTOBER 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 Council operates in an effective and financially sustainable manner to deliver affordable services.                                           |
| <b>CSP Delivery Program</b> | Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels.                                    |

#### **SUMMARY**

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

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

**That Council receive and note the Finance and Accounts Report for the period ended 31 October 2022.**

#### **BACKGROUND**

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

#### **REPORT:**

A reconciliation of cash books of all funds has been carried out with the appropriate bank statements. A certified schedule of all Council's investments showing the various amounts invested is shown as an attachment to this report.

##### (a) Reconciliation of Accounts

A reconciliation of the cash books of all funds have been carried out with the appropriate bank statements as at 31 October 2022.

Cash Book Balances on this date were as follows:-

|                        |                  |        |
|------------------------|------------------|--------|
| General (Consolidated) | \$ 27,278,846.15 | Credit |
| General Trust          | \$ 382,340.85    | Credit |

##### (b) Summary of Investments

Our Governance No. 97 Cont...

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

### Concealed Water Leakage Concession Policy Update

For the month of October 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 22 applications for 603 Certificates in October 2022.

In the calendar year to date, there have been 284 applications compared to 397 applications for the same period last year.

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

| <b>RESTRICTED CASH ANALYSIS</b>                                                                       | <b>AS AT 31 OCTOBER 2022</b> | <b>AS AT 30 JUNE 2022</b> |
|-------------------------------------------------------------------------------------------------------|------------------------------|---------------------------|
|                                                                                                       |                              |                           |
| <b>TOTAL CASH &amp; INVESTMENTS</b>                                                                   | <b>\$33,661,187</b>          | <b>\$37,107,638</b>       |
|                                                                                                       |                              |                           |
| <b>EXTERNALLY RESTRICTED CASH</b>                                                                     | <b>\$ 29,405,980</b>         | <b>\$31,625,799</b>       |
|                                                                                                       |                              |                           |
| <b>INCLUDED IN GRANT RELATED (EXCL DEVELOPER CONTRIBUTIONS)</b>                                       | <b>\$ 11,650,280</b>         | <b>\$14,401,703</b>       |
| GRANT-RELATED - GENERAL (EXCL DEVELOPER CONTRIBUTIONS AND RFS RESERVES)                               | \$10,516,874                 | \$13,785,826              |
| GRANT-RELATED - WATER (EXCL DEVELOPER CONTRIBUTIONS)                                                  | \$634,238                    | \$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>\$ 523,771</b>            | <b>\$467,232</b>          |
| DEVELOPER CONTRIBUTIONS - GENERAL                                                                     | \$392,686                    | \$347,608                 |
| DEVELOPER CONTRIBUTIONS - WATER                                                                       | \$40,281                     | \$37,565                  |
| DEVELOPER CONTRIBUTIONS - SEWER                                                                       | \$44,555                     | \$41,455                  |
| DEVELOPER CONTRIBUTIONS - WASTE                                                                       | \$41,873                     | \$36,595                  |
| DEVELOPER CONTRIBUTIONS - STORMWATER                                                                  | \$4,376                      | \$4,009                   |
|                                                                                                       |                              |                           |
| <b>INCLUDED IN RFS RESERVES</b>                                                                       | <b>\$55,031</b>              | <b>\$92,098</b>           |
| RFS RESERVES                                                                                          | \$55,031                     | \$92,098                  |
|                                                                                                       |                              |                           |
| <b>INCLUDED IN CASH AT BANK AND INVESTMENT LEFTOVERS (AFTER EXCL GRANT RELATED, DC AND RFS ABOVE)</b> | <b>\$17,176,898</b>          | <b>\$16,664,766</b>       |

Our Governance No. 97 Cont...

|                               |                    |                    |
|-------------------------------|--------------------|--------------------|
| WATER                         | \$1,442,782        | \$2,180,603        |
| SEWER                         | \$6,210,278        | \$5,703,375        |
| WASTE                         | \$8,172,800        | \$7,372,548        |
| STORMWATER                    | \$968,697          | \$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>\$4,255,207</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.

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

Prepared by staff member: Roy Jones, Manager Finance &amp; Technology

Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer

Our Governance No. 97 Cont...

Department:

Office of the Chief Corporate Officer

Attachments:

**1** Investment Report - 31 October  
2022

1  
Page

|                      |                                                         |
|----------------------|---------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>            |
| <b>Submitted by:</b> | Roy Jones, Manager Finance & Technology                 |
| <b>Reference:</b>    | <b>ITEM GOV96/22</b>                                    |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 31 OCTOBER 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> | 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 31 October 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. 96 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, Manager Finance & Technology

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

**1** October 2022 Capital Expenditure Report 3 Pages

|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Roy Jones, Manager Finance & Technology      |
| <b>Reference:</b>    | <b>ITEM GOV98/22</b>                         |
| <b>Subject:</b>      | <b>REVIEW OF INVESTMENT POLICY</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.                                           |
| <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 Council to review and adopt the Investment Policy.

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

**That Council adopts the Investment Policy as attached.**

#### **BACKGROUND**

Council is required to review its Investment Policy each year. The Investment Policy was last revised by Council at the June 2020 Ordinary Council Meeting and is due for review.

It is up to Council to set the Framework for investing Council monies that it considers appropriate in terms of risk management.

#### **REPORT:**

The aim of the Investment Policy continues to be to ensure that all surplus funds are prudently invested, obtaining the best possible interest rates, whilst ensuring the least possible risk by taking into consideration the institution's credit rating.

The proposed Investment Policy incorporates best practice principals based on guidelines for investing as per Office of Local Government, inclusion of definitions application to the context of Tenterfield Shire Council, some practical issues with the current policy resulting in minor amendments.

#### **Counterparty Credit Framework**

This limits the exposure to an individual institution based on the credit rating of that institution such that exposure to any one institution is limited, as detailed in the table below: -

| S&P Long Term Rating | S&P Short Term Rating | Direct Investment Maximum % |
|----------------------|-----------------------|-----------------------------|
| AAA to AA-           | A-1+                  | 60%* (was 50%)              |
| A to A-              | A-1                   | 35%                         |
| BBB+ to BBB          | A-2                   | 15%                         |
| BB+ to D             | -                     | 5%                          |
| Government*          |                       | 100%                        |



Our Governance No. 98 Cont...

**\*Recognising that at times due to timing issues this may increase to 100% for brief periods.**

Australian financial and banking sector has seen a higher than previous years of interest rates rises over the past six months, and this has led to banking institutions providing competitive and comparatively higher interest on return of Council funds.

The above change recognises that if Council only has investments with two financial institutions in the A-1+ rating, a 50% maximum can't be achieved to invest all the funds available.

The addition of an asterixis note recognised the reality that sometimes due to timing of investment maturity funds directly invested in one institution may exceed this percentage for brief periods of time.

### **COUNCIL IMPLICATIONS:**

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

There are no Community Engagement implications as a result of this report.

**2. Policy and Regulation**

This Investment Policy replaces previous versions of the said Policy.

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

Council receipt of interest income will be higher than previous years and this may result in adjustments to be made in the LTFP for FY2023-2024.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

There are no legal implications as a result of this report. Investment risk is managed via the framework included in the Investment Policy.

**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> Investment Policy 10 Pages   |

|                      |                                                   |
|----------------------|---------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>              |
| <b>Submitted by:</b> | Elizabeth Melling, Executive Assistant & Media    |
| <b>Reference:</b>    | <b>ITEM RES11/22</b>                              |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - OCTOBER 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> | Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available to decision makers.                                                             |

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**SUMMARY**

The purpose of this Report is to provide a standing monthly report to the Ordinary Meeting of Council that outlines all Resolutions of Council previously adopted and yet to be finalised.

**OFFICER'S RECOMMENDATION:**

**That Council notes the status of the Council Resolution Register to October 2022.**

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

|                               |                                                                                         |
|-------------------------------|-----------------------------------------------------------------------------------------|
| Prepared by staff member:     | Elizabeth Melling, Executive Assistant & Media                                          |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                       |
| Department:                   | Office of the Chief Executive                                                           |
| Attachments:                  | <b>1</b> Resolution Register - October 2022 <span style="float: right;">21 Pages</span> |