



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING 26 APRIL 2023

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", Council Administration Building, 247 Rouse St, Tenterfield NSW, on **Wednesday 26 April 2023** 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

*"Tenterfield Shire Council would like to acknowledge the Ngarabal people, the traditional custodians of this land that we are meeting on today, and also pay our respect to the Jukembal, Bundjalung, Kamilaroi, Githabul and Wahlubul people of our Shire, and extend our respect to all people."*

### 3. APOLOGIES

### 4. DISCLOSURES & DECLARATIONS OF INTEREST

### 5. CONFIRMATION OF PREVIOUS MINUTES

(ITEM MIN3/23) 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**

**OUR ECONOMY**

|                |                                                                                           |   |
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| (ITEM ECO5/23) | SALE OF COUNCIL - OWNED LAND - "BENDALL'S" 8933<br>NEW ENGLAND HIGHWAY, TENTERFIELD. .... | 7 |
|----------------|-------------------------------------------------------------------------------------------|---|

**OUR ENVIRONMENT**

**OUR GOVERNANCE**

|                 |                                                                                      |    |
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**12. NOTICES OF MOTION**

**13. RESOLUTION REGISTER**

|                |                                               |    |
|----------------|-----------------------------------------------|----|
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|----------------|-----------------------------------------------|----|

**14. CONFIDENTIAL BUSINESS**

**15. MEETING CLOSED**

**(ITEM MIN3/23) CONFIRMATION OF PREVIOUS MINUTES**

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**REPORT BY:** Elizabeth Melling, Executive Assistant & Media

**RECOMMENDATION**

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

- **Ordinary Council Meeting – 22 March 2023**

**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 22 March 2023 | 15<br>Pages |
|----------|------------------------------------------------------------------------|-------------|

|                      |                                                                                          |
|----------------------|------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                     |
| <b>Submitted by:</b> | Bruce Mills, Senior Advisor Communication & Economic Development                         |
| <b>Reference:</b>    | <b>ITEM ECO5/23</b>                                                                      |
| <b>Subject:</b>      | <b>SALE OF COUNCIL - OWNED LAND - "BENDALL'S" 8933 NEW ENGLAND HIGHWAY, TENTERFIELD.</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 outcome of post auction negotiations for sale of Council-owned land – “Bendall’s” 8933 New England Highway – Lot 2 DP 1037068.

#### **OFFICER’S RECOMMENDATION:**

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

**Accepts the \$1,000,000 (one million) offer from Shun Hung Pty Ltd, subject to finance. Settlement 60 days from exchange of contracts, Deposit \$100,000.**

#### **BACKGROUND**

Council resolved at its Ordinary Meeting 26 October 2022 to sell its property, “Bendall’s” by auction, setting a confidential reserve price.

Local agents were contacted and requested to quote on selling the property by public auction. After reviewing all offers, a decision was made to accept the quote from Nutrien Harcourts – Tenterfield to market the property and conduct the auction.

#### **REPORT:**

The property was listed on Realestate.com and advertised in the local newspaper The Tenterfield Star – with the auction held 11:30am, Thursday March 16, 2023.

There were six registered bidders. The auction did not meet the reserve and the property was passed-in at \$910,000. Highest bidder (Shun Hung Ltd) then offered \$920,000 unconditional, cash, settlement in 35 days.

At its Ordinary Meeting 22 March 2023, Council resolved (43/23) to reject the offer of \$920,000 from Shun Hung Pty Ltd, authorising the Chief Executive to seek higher offers over \$1 million. Since the auction the CEO has had further negotiations with the bidder and after some back and forwards the bidder has come back with an offer of one million dollars.

#### **COUNCIL IMPLICATIONS:**

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



Our Economy No. 5 Cont...

**2. Policy and Regulation**

- Nil
- 

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

Funds would be available to assist with budget.

**4. Asset Management (AMS)**

Nil – apart from loss of small income from agistment and sign rentals.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Daryl Buckingham  
Chief Executive**

|                               |                                                                                          |
|-------------------------------|------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Bruce Mills, Senior Advisor Communications & Economic Development                        |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                        |
| Department:                   | Office of the Chief Executive                                                            |
| Attachments:                  | <b>1</b> Nutrien Hardcourts - Letter of offer for 8933 New England Highway <b>1</b> Page |

|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Lee Sisson, Governance Officer               |
| <b>Reference:</b>    | <b>ITEM GOV16/23</b>                         |
| <b>Subject:</b>      | <b>MONTHLY OPERATIONAL REPORT MARCH 2023</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. |

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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 March 2023.**

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

|                               |                                                  |          |
|-------------------------------|--------------------------------------------------|----------|
| Prepared by staff member:     | Lee Sisson, Governance Officer                   |          |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer             |          |
| Department:                   | Office of the Chief Corporate Officer            |          |
| Attachments:                  | <b>1</b> March 2023 - Monthly Operational Report | 81 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 GOV21/23</b>                                           |
| <b>Subject:</b>      | <b>TENTERFIELD SHIRE COUNCIL SOCIAL MEDIA POLICY 2023</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 present an adapted version of the NSW Office of Local Government Model Social Media Policy, for application to Tenterfield Shire Council councillors, staff, contractors and volunteers.

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

**That Council adopt the Tenterfield Shire Council Social Media Policy, based on the NSW Office of Local Government Model Social Media Policy, pending 28-day public exhibition period for community comment.**

#### **BACKGROUND**

##### **REPORT:**

A Model Social Media Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations. The Model Social Media Policy sets out an appropriate approach by incorporating examples of best practice from the social media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

The Model Social Media Policy provides councils with a robust framework for the administration and management of their social media platforms. It also sets standards of conduct for all council officials who use social media in their official capacity. It has been developed to be fit-for-purpose in a digital age where innovation and emerging trends are the norm.

The Model Social Media Policy recognises that councils use social media differently depending on factors such as a council's size and resources, the demographics of a local government area, and council's willingness to engage with their community in this way. For these reasons, the Model Social Media Policy is flexible and has been adapted for Tenterfield Shire Council's current and near future requirements.

The Social Media Policy will be publicly exhibited for 28 days for community comment. Should Council receive comments, these will be presented to Council's Ordinary Meeting

Our Governance No. 21 Cont...

of 28 June 2023 for consideration. Should no community comments be received, the policy will be taken as adopted as at 26 April 2023.

### **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 Social Media Policy is a new policy and therefore will be placed on public exhibition for 28 days, from 26 April 2023 to 23 May 2023.

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

As detailed in the 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 councillors, staff and contractors not abiding by the Local Government Act 1993, Local Government (General) Regulations and other legislative requirements.

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

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

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

Nil.

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

|                               |                                                                   |
|-------------------------------|-------------------------------------------------------------------|
| Prepared by staff member:     | Erika Bursford, Manager Customer Service,<br>Governance & Records |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                              |
| Department:                   | Office of the Chief Corporate Officer                             |
| Attachments:                  | <b>1</b> Draft TSC Social Media Policy 2023                       |

|                      |                                                            |
|----------------------|------------------------------------------------------------|
| <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 GOV17/23</b>                                       |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 MARCH 2023</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 March 2023.**

#### **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 March 2023.

Cash Book Balances on this date were as follows:-

|                        |                  |        |
|------------------------|------------------|--------|
| General (Consolidated) | \$ 31,395,544.00 | Credit |
| General Trust          | \$ 382,340.85    | Credit |

##### (b) Summary of Investments

Our Governance No. 17 Cont...

The attachment to this report is a certified schedule of all Council's investments as at 31 March 2023 showing the various invested amounts and applicable interest rates.

### Concealed Water Leakage Concession Policy Update

For the month of March 2023, 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 17 applications for 603 Certificates in March 2023.

In the calendar year to date, there have been 58 applications compared to 103 applications for the same period last year.

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

| <b>RESTRICTED CASH ANALYSIS</b>                                         | <b>AS AT 31 MARCH 2023</b> | <b>AS AT 30 JUNE 2022</b> |
|-------------------------------------------------------------------------|----------------------------|---------------------------|
|                                                                         |                            |                           |
| <b>TOTAL CASH &amp; INVESTMENTS</b>                                     | <b>\$37,779,970</b>        | <b>\$37,107,638</b>       |
|                                                                         |                            |                           |
| <b>EXTERNALLY RESTRICTED CASH</b>                                       | <b>\$ 35,383,869</b>       | <b>\$31,625,799</b>       |
|                                                                         |                            |                           |
| <b><i>INCLUDED IN GRANT RELATED (EXCL DEVELOPER CONTRIBUTIONS)</i></b>  | <b>\$ 15,352,105</b>       | <b>\$14,401,703</b>       |
| GRANT-RELATED - GENERAL (EXCL DEVELOPER CONTRIBUTIONS AND RFS RESERVES) | \$ 14,308,702              | \$13,785,826              |
| GRANT-RELATED - WATER (EXCL DEVELOPER CONTRIBUTIONS)                    | \$ 589,414                 | \$615,877                 |
| GRANT-RELATED - SEWER (EXCL DEVELOPER CONTRIBUTIONS)                    | -                          | -                         |
| GRANT-RELATED - WASTE (EXCL DEVELOPER CONTRIBUTIONS)                    | \$ 453,989                 | -                         |
| GRANT-RELATED - STORMWATER (EXCL DEVELOPER CONTRIBUTIONS)               | -                          | -                         |
| BRUXNER WAY WIDENING                                                    | -                          | -                         |
|                                                                         |                            |                           |
| <b><i>INCLUDED IN DEVELOPER CONTRIBUTIONS</i></b>                       | <b>\$732,429</b>           | <b>\$467,232</b>          |
| DEVELOPER CONTRIBUTIONS - GENERAL                                       | \$539,229                  | \$347,608                 |
| DEVELOPER CONTRIBUTIONS - WATER                                         | \$85,142                   | \$37,565                  |
| DEVELOPER CONTRIBUTIONS - SEWER                                         | \$50,721                   | \$41,455                  |
| DEVELOPER CONTRIBUTIONS - WASTE                                         | \$51,501                   | \$36,595                  |
| DEVELOPER CONTRIBUTIONS - STORMWATER                                    | \$5,836                    | \$4,009                   |
|                                                                         |                            |                           |
| <b><i>INCLUDED IN RFS RESERVES</i></b>                                  | <b>\$140,635</b>           | <b>\$92,098</b>           |
| RFS RESERVES                                                            | \$140,635                  | \$92,098                  |
|                                                                         |                            |                           |

Our Governance No. 17 Cont...

|                                                                                                       |                     |                     |
|-------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <b>INCLUDED IN CASH AT BANK AND INVESTMENT LEFTOVERS (AFTER EXCL GRANT RELATED, DC AND RFS ABOVE)</b> | <b>\$19,158,700</b> | <b>\$16,664,766</b> |
| WATER                                                                                                 | \$2,801,885         | \$2,180,603         |
| SEWER                                                                                                 | \$6,575,154         | \$5,703,375         |
| WASTE                                                                                                 | \$8,407,493         | \$7,372,548         |
| STORMWATER                                                                                            | \$991,827           | \$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>\$2,396,101</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. 17 Cont...

**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** Investment Report 31 March 2023



|                      |                                                       |
|----------------------|-------------------------------------------------------|
| <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 GOV18/23</b>                                  |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 2023</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 March 2023.**

#### **BACKGROUND**

The Capital Expenditure Report indicates to Council the financial progress of each project against the forecast expenditure for that project. The information has also been set out to show which Council service the expenditure relates to.

#### **REPORT:**

The carry-forward budgets for capital projects not completed in the 2021/22 year were adopted in the first Quarterly Budget Review at the November 2022 meeting. The budgets for a number of new grants received in the current financial year were also adopted. Further updates to the Capital Expenditure budgets were adopted in the December 2022 Quarterly Budget Review at the February 2023 Council meeting. The Capital Expenditure Report has been updated to show the current list of approved capital projects.

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

#### **COUNCIL IMPLICATIONS:**

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

Our Governance No. 18 Cont...

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

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

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** Capital Expenditure Report as at 31 March 2023 **3** 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 GOV22/23</b>                                           |
| <b>Subject:</b>      | <b>OPERATIONAL PLAN 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> | Provide sound and inclusive decisions using the Community Engagement Strategy to guide our interactions.                                                                                                                |

#### **SUMMARY**

The purpose of this report is for Council to place on public exhibition the draft Tenterfield Shire Council Operational Plan 2023/2024, from 26 April 2023 to 23 May 2023.

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

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

- (1) Place the draft Tenterfield Shire Council Operational Plan 2023/2024 on public exhibition on Council's website for 28 days for community review and comment, and**
- (2) That a further report be brought back to Council for adoption of the Tenterfield Shire Operational Plan 2023/2024.**

#### **BACKGROUND**

In accordance with the Local Government Act 1993, Council must prepare a number of plans that detail how Council intends to deliver services and infrastructure in the short and long term. These plans are to be based on priorities that have been identified through community engagement in the Integrated Planning and Reporting (IP&R) process and established in a Community Strategic Plan.

Council must have a Delivery Program, detailing the principal activities it will undertake to achieve the objectives of the Community Strategic Plan. The Operational Plan identifies the individual actions and activities that will be undertaken in a specific year to achieve the commitments made in the Delivery Program.

#### **REPORT:**

Section 8C of the Local Government Act 1993 provides the following principles for Integrated Planning and Reporting that apply to Councils:

- a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.*
- b) Councils should identify strategic goals to meet those needs and aspirations.*

Our Governance No. 22 Cont...

- c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.*
- d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.*
- e) Councils should regularly review and evaluate progress towards achieving strategic goals.*
- f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.*
- g) Councils should collaborate with others to maximize achievement of strategic goals.*
- h) Councils should manage risks to the local community or area or to the council effectively and proactively.*
- i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.*

Following the end of the public exhibition period of 28 days on 23 May 2023 the final version of the Operational Plan will be provided to Council's Ordinary Meeting on 28 June 2023.

#### **COUNCIL IMPLICATIONS:**

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

The draft Operational Plan 2023/2024 will be placed on public exhibition on Council's website for a period of 28 days, for community review and comment. The draft Operational Plan 2023/2024 will then be brought back to Council for final review and adoption.

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

- Local Government Act 1993 – Sections 8A 1(c), 8C, 405.

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

The draft Operational Plan 2023/24 includes Council's detailed annual budget, along with the Council's Statement of Revenue Policy, which includes the proposed rates, fees and charges for the financial year 2023/2024.

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

Nil.

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

Nil.

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

In accordance with Sections 405(3) and 405(5) of the Local Government Act 1993, Council is required to provide the draft Operational Plan 2023/2024 for public exhibition for a period of at least 28 days, for public review and comments.

Our Governance No. 22 Cont...

Advertising of the availability of the plan will be done on Council's website for review and comment by the community will be done through Council's website, mobile application and *Your Local News*.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

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

|                               |                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Erika Bursford, Manager Customer Service, Governance & Records                                                                                                                                                                                                                                                                              |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                                                                                                                                                                                                                                                        |
| Department:                   | Office of the Chief Corporate Officer                                                                                                                                                                                                                                                                                                       |
| Attachments:                  | <ol style="list-style-type: none"><li><b>1</b> DRAFT - Tenterfield Shire Council - Delivery Program 2022 - 2026 &amp; Operation Plan 2023 - 2024</li><li><b>2</b> DRAFT - Tenterfield Shire Council - Fees &amp; Charges 2023 - 2024</li><li><b>3</b> DRAFT - Tenterfield Shire Council - Statement of Revenue Policy 2023 - 2024</li></ol> |

|                      |                                                    |
|----------------------|----------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>               |
| <b>Submitted by:</b> | Elizabeth Melling, Executive Assistant & Media     |
| <b>Reference:</b>    | <b>ITEM GOV19/23</b>                               |
| <b>Subject:</b>      | <b>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 provide delegation for Acting Chief Executive during period of leave of Chief Executive.

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

**That Council approve the retrospective, temporary appointment of Chief Corporate Officer, Kylie Smith to the position of Acting Chief Executive for the period Thursday 6 April 2023 to Sunday, 16 April 2023 inclusive.**

#### **BACKGROUND**

Chief Executive Daryl Buckingham was absent on leave during the period Thursday, 6 April 2023 to Sunday, 16 April 2023 inclusive with Chief Corporate Officer, Kylie Smith acting in the position of Acting Chief Executive. Council will need to approve this retrospective, temporary appointment.

#### **REPORT:**

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

The Acting Chief Executive will undertake all delegations of the Chief Executive during his period of absence.

#### **COUNCIL IMPLICATIONS:**

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

Nil.

**2. Policy and Regulation**

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

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

Nil.

Our Governance No. 19 Cont...

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

It is important for Council to delegate functions to the Acting Chief Executive to enable Council to lawfully make decisions of Council during the period of the Chief Executive's leave. 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, Executive Assistant & Media |
| 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> | Elizabeth Melling, Executive Assistant & Media                                         |
| <b>Reference:</b>    | <b>ITEM GOV20/23</b>                                                                   |
| <b>Subject:</b>      | <b>DESTINATION &amp; VISITOR ECONOMY CONFERENCE - MANLY, SYDNEY - 29 - 31 MAY 2023</b> |

|                                                               |                                                                                                                                                             |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                             |
| <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>                                   | Identify, represent, advocate and lobby for inclusion of the Shire's needs in regional and state planning.                                                  |

### SUMMARY

The purpose of this report is for Council to endorse and approve the attendance of Council delegates to the Destination & Visitor Economy Conference 2023 to be held at Manly, Sydney from Monday, 29 May 2023 to Wednesday, 31 May 2023.

### OFFICER'S RECOMMENDATION:

#### That Council:

- (1) Approve the attendance of Council's Tourism Advisory Committee delegates, Councillor Kim Rhodes and Councillor Tim Bonner at the Destination & Visitor Economy Conference 2023 at Manly, Sydney, 29 to 31 May 2023.**

### BACKGROUND

Council's delegates to the Tourism Advisory Committee are Mayor Bronwyn Petrie, Councillor Kim Rhodes and Councillor Tim Bonner.

### REPORT:

Based on feedback, the Destination & Visitor Economy Conference has been of great interest and education with a program created that will bring an engaging and educational experience to attendees.

Over the three (3) days of the Conference, Councillors will have the opportunity to:

- Stay current on issues affecting Councils in the visitor economy and become inspired with new opportunities which could be implemented in their Local Government areas;
- Participate in interactive breakout sessions of interest to metropolitan and regional councils;
- Participate in site visits and plenary presentations that will provide expert insight into initiatives from around the world that are changing how to cater to the future visitor;



Our Governance No. 20 Cont...

- Participate in exclusive networking opportunities with key sponsors, suppliers, peers and other leaders in the destination marketing/management and visitor economy space.

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

- Councillor Expenses & Facilities Policy 1.160.

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

- Early Bird Registration (until 6 April 2021) - \$1,050 per person
- Registration (Standard 7 April 2023) - \$1,250 per person
- Accommodation - \$250 - \$350 per person per night (as per Council's Policy)

The Council Delegates budget retains sufficient funds for the above costs.

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

Nil.

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

Nil.

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

Nil.

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

Nil.

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

Nil.

### **Daryl Buckingham Chief Executive**

|                               |                                                                                            |          |
|-------------------------------|--------------------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Elizabeth Melling, Executive Assistant & Media                                             |          |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                          |          |
| Department:                   | Office of the Chief Executive                                                              |          |
| Attachments:                  | <b>1</b> Councillors Expenses and Facilities Policy                                        | 14 Pages |
|                               | <b>2</b> Local Government NSW - Destination & Visitors Conference Program 29 - 31 May 2023 | 6 Pages  |

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**(ITEM RC5/23) TENTERFIELD SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE MEETING  
MINUTES THURSDAY 6 APRIL 2023**

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**REPORT BY:** David Counsell, Manager Assets & Programm Planning

That a meeting of the Tenterfield Shire Council Local Traffic Committee was held on Thursday 6 April 2023. Minutes attached.

**RECOMMENDATION****That Council:**

**Receive and note the minutes of the Tenterfield Shire Council Local Traffic Committee meeting of 6 April 2023;**

- (1) And adopt the following recommendations from General Business a) thru c);**
- (a) UNTAMED BORDER RUN – That Council offer no objection to the Killarney Show and Rodeo Society Inc to hold the Untamed Border Run event subject to Police approval and standard conditions;**
  - (b) CBD LOADING ZONE – That Council not install any further loading zone in the main CBD area along Rouse Street;**
  - (c) LIGHT HORSE DRIVE – Council noted that maintenance of Light Horse Drive is not Council responsibility and that the issue be raised with Crown Lands to request road maintenance be undertaken for the benefit of Police vehicles and therefore the community.**

**ATTACHMENTS**

- |                                                                                        |         |
|----------------------------------------------------------------------------------------|---------|
| <b>1</b> Minutes - Tenterfield Local Traffic Committee Meeting - Thursday 6 April 2023 | 5 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 RES3/23</b>                             |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - MARCH 2023</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 March 2023.**

**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> Resolution Register - March 2023 | 15 Pages |