



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING 26 JULY 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 July 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

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### 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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### **OUR GOVERNANCE**

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**14. CONFIDENTIAL BUSINESS**

**15. MEETING CLOSED**

**(ITEM MIN6/23) 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 – 30 June 2023**

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

**ATTACHMENTS**

- 1** Unadopted Minutes - Ordinary Council Meeting - Friday 30 June 2023 22 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 ECO14/23</b>                                                         |
| <b>Subject:</b>      | <b>RECOMMENDATION FOR FUTURE OF VISITOR INFORMATION SERVICES - JULY 2023</b> |

|                                                               |                                                                                                                                                   |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                   |
| <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 in terms of the sale of the Visitor Centre component of Council's Fiscal Repair Strategy and the required reduction in ongoing Opex and Capex. As Council is aware, the Fiscal Repair Strategy requires the divestment of non-performing assets to:

**A: Generate income to reduce the need for further borrowing and to remove future capital costs in terms of maintenance, depreciation and associated outgoings.**

**B: Reduce noncritical services, thereby reducing operational expenses and generate identified savings.**

As Council is aware, the Fiscal Repair Strategy commits to identifying alternative ways of delivering services via social enterprise models, including visitor economy services via the Chamber of Tourism, Industry and Business.

### OFFICER'S RECOMMENDATION:

#### That Council:

- (1) Continues to Work with the Tenterfield Chamber of Tourism, Industry and Business (TCTIB) to transfer Visitor Information Services to the Chamber, as per its proposal outlined in the attached document.**
- (2) Cease all Council-run Visitor Information Services at the Visitor Information Centre (VIC), 157 Rouse St; and cease all Council promotion services and transition all such services to the Tenterfield Chamber of Tourism, Industry and Business no later than the 1 September 2023 – ensuring no interruption to Visitor Services.**
- (3) Council allocates \$100,000 (One hundred thousand dollars) to the Tenterfield Chamber of Tourism, Industry and Business to establish the community-led social enterprise model (\$100,000 to be paid in FY 2023/24); as \$50,000 (Fifty thousand dollars) for set up costs as well as an annual stipend of \$50,000 (Fifty thousand dollars) annually for three years, thus providing the Tenterfield Chamber of Tourism, Industry and Business continuity and stability to plan to the end of FY**

Our Economy No. 14 Cont...

**2025/26. Total investment \$200,000 (Two hundred thousand) over three years to provide ongoing tourism development and marketing service to the shire of Tenterfield.**

- (4) Authorise the Chief Executive Officer to list the premises at 157 Rouse Street, Tenterfield (Lot. 11/DP1241545) (Visitor Information Centre) for sale with all interested real estate agents for an asking price of \$700,000, sign any associated paperwork and contracts and enter into a contract for sale should the price of \$700,000 be achieved.**
- (5) Remove the Tenterfield Tourism Advisory Committee from the Tenterfield Shire Council Committee Register from the date of commencement of the newly formed Tenterfield Chamber of Tourism, Industry and Business tourism subcommittee (TCTIB).**

## **BACKGROUND**

As a component of its fiscal repair strategy, Council is working to redress budget deficits through efficiency gains, service reductions and sale of under-performing assets.

Visitor Information Services have been identified as an area for cost-savings, and following:

### **Resolution 93/23**

***Resolved*** that Council:

- (1) Council defers the appointment of a community group to operate out of the visitor Centre until it explores further options that have been identified; and*
- (2) Work with the Chamber of Commerce and other interested parties to identify alternative social enterprise models to deliver visitor information services in a sustainable but effective way.*

*(Tom Peters/Kim Rhodes)*

### **Motion Carried**

Councillors were briefed by representatives of The Chamber of Tourism, Industry and Business, Councillors were informed of the concept of a tourism subcommittee, to be formed as entity under the Tenterfield Chamber of Tourism, Industry & Business and provided a draft concept document –The Chamber of Tourism Industry and Business are seeking a council contribution to assist the new subcommittee to be successful.

**Specifically, the Tenterfield Chamber of Tourism, Industry and Business asks for:**

- An annual contribution to be used solely for visitor economy development and destination marketing activities.

## Our Economy No. 14 Cont...

- "Access to relevant tourism collateral in the VIC Centre including brochures, brochure holders, maps of the town/shire and current business information/pamphlets and key displays like Peter Allen historical collateral."
- "To ensure ongoing marketing of tourism in the Tenterfield Shire, the Tenterfield Chamber of Tourism, Industry and Business will manage all tourism social media pages the Tenterfield Shire Council own as soon as practicable. Business owners are keen to drive tourism hence it is important to ensure this happens as soon as possible and importantly places the responsibility of successful Tourism promotion and growth firmly in the hands of those that most benefit and have skin in the game, in effect making them masters of their own destiny. It is also posited that the industry and commercial operators are best placed to deliver successful tourism development and promotional activities.
- The Chamber of Tourism, Industry and Business will in return, deliver visitor economy development and destination marketing services across the shire and provide Council with an annual report of activities related to tourism promotion.
- The Chamber will only spend the funds provided by Council for the purpose of promoting and growing the whole of shire visitor economy.
- The Chamber will make allowances in their Articles of Association/ Subcommittee Constitution, for two Councillors to represent council in an ex officio capacity at meetings related to tourism and the visitor economy.
- The Chamber will maintain the membership of the New England High Country Tourism Group

*(SEE ATTACHMENT)*

**REPORT:**

The Tenterfield Chamber of Tourism, Industry and Business social enterprise model proposed will generate savings of at least \$260,000 in the first year (after the 100K support for The Chamber of Tourism, Industry and Business) increasing to more than 350k per annum of savings by the third year that will be realised by the Council.

If Council moves to fund a community enterprise such as the Chamber of Tourism, Industry and Business to take over the day-to-day running of the visitor economy services (including marketing and promotion), it is posited that savings will increase as the wind down and sale of the Visitor Information Centre progresses.

Council does not have the budget to address future maintenance costs. Council also has a large deficit that it needs to reduce without the need to borrow further. As such, it was identified that Council needed to find other ways to deliver visitor services. Benchmarking and research have identified that several other Councils of similar size are implementing social models and the benchmark seems to be a Council contribution of \$50,000 per annum to social enterprise entities.

The TCTIB and Shire business operators have formed a sub-committee under TCTIB and provided Councillors with a briefing and a draft plan to take over visitor economy development and marketing services.

Our Economy No. 14 Cont...

## **COUNCIL IMPLICATIONS:**

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

The community is aware of Council's financial position and the need for the drive to cut costs through staff, service reductions, and importantly reductions in capital expenditure. The Fiscal Repair Strategy is clear - there is no option but to sell non-performing assets and assets that have an ongoing cost burden to ratepayers in terms of maintenance and renewal.

The community has been clear that it does not wish to pay more rates and that it wants Council to live within its budget. Council has been clear in its consultation that it must reduce noncritical services or find alternative ways to deliver said services in order to keep future rate rises to a minimum.

The community is aware of alternative proposals to provide visitor information services through a community enterprise, as outlined in the report.

Council has in principle agreed to the documented Fiscal Repair Strategy, although it is yet to be formally adopted

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

- Nil

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

Ceasing physical visitor information services at Council's Visitor Information Centre at 157 Rouse Street, Tenterfield would deliver identified Operational and future Capital savings.

Long-term, sale of the VIC building at 157 Rouse Street would provide a cash injection and on-going depreciation/maintenance savings, and importantly, reduce the need for further borrowing to manage cash-flow.

Against this, Council is being asked to provide \$100,000 in the first year to help establish the new visitor information service centre for an initial 12 months, with \$50,000/year for each of the next two financial years (2024/25 and 2025/26).

Council will commit to sell the VIC at 157 Rouse St, Tenterfield for \$700,000 (less agent's commission & legal costs) as a key component of its Fiscal Repair Strategy, reducing the need for borrowings and ongoing Operational and Capital costs.

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

The sale of an under-performing asset would deliver longer-term savings in maintenance/depreciation and is a key component of the Fiscal Repair Strategy.

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

Reduction of staff costs and management time will require adjustment to the WMS.

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

Nil.

Our Economy No. 14 Cont...

### **7. Performance Measures**

Council should receive a report listing tourism promotional and industry development activities from the Chamber of Tourism, Industry and Business on an annual basis (end of each financial year). The Chamber needs to show that it is promoting the whole of Shire and not be Tenterfield town centric. The proposed contribution would also be conditional on the Chamber maintaining membership of The New England High Country Association

### **8. Project Management**

Nil.

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

Prepared by staff member: Bruce Mills, Senior Advisor Communication & Economic Development  
Approved/Reviewed by Manager: Daryl Buckingham, Chief Executive  
Department: Office of the Chief Executive  
Attachments: **1** Tenterfield Tourism Collective 7 Pages

|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Lee Sisson, Governance Officer               |
| <b>Reference:</b>    | <b>ITEM GOV41/23</b>                         |
| <b>Subject:</b>      | <b>MONTHLY OPERATIONAL REPORT JUNE 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 June 2023.**

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

|                               |                                                                                                                                                              |                                   |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Prepared by staff member:     | Lee Sisson, Governance Officer                                                                                                                               |                                   |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                                                                                            |                                   |
| Department:                   | Office of the Chief Corporate Officer                                                                                                                        |                                   |
| Attachments:                  | <ol style="list-style-type: none"> <li><b>1</b> Monthly Operational Report - June 2023</li> <li><b>2</b> Organisational Structure - 17 April 2023</li> </ol> | <p>83<br/>Pages</p> <p>1 Page</p> |

|                      |                                                           |
|----------------------|-----------------------------------------------------------|
| <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 GOV42/23</b>                                      |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 30 JUNE 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 30 June 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 30 June 2023.

Cash Book Balances on this date were as follows:-

|                        |                  |        |
|------------------------|------------------|--------|
| General (Consolidated) | \$ 28,506,578.00 | Credit |
| General Trust          | \$ 382,340.85    | Credit |

##### (b) Summary of Investments

Our Governance No. 42 Cont...

The attachment to this report is a certified schedule of all Council's investments as at 30 June 2023 showing the various invested amounts and applicable interest rates.

### Concealed Water Leakage Concession Policy Update

For the month of June 2023, one concession totaling \$519.75 was 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 13 applications for 603 Certificates in June 2023.

In the calendar year to date, there have been 99 applications compared to 178 applications for the same period last year.

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

| <b>RESTRICTED CASH ANALYSIS</b>                                                                              | <b>AS AT 30 JUNE 2023</b> | <b>AS AT 30 JUNE 2022</b> |
|--------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
|                                                                                                              |                           |                           |
| <b>TOTAL CASH &amp; INVESTMENTS</b>                                                                          | <b>\$34,891,004</b>       | <b>\$37,107,638</b>       |
|                                                                                                              |                           |                           |
| <b>EXTERNALLY RESTRICTED CASH</b>                                                                            | <b>\$28,400,617</b>       | <b>\$31,625,799</b>       |
|                                                                                                              |                           |                           |
| <b><i>INCLUDED IN GRANT RELATED (EXCL DEVELOPER CONTRIBUTIONS)</i></b>                                       | <b>9,742,406</b>          | <b>\$14,401,703</b>       |
| GRANT-RELATED – GENERAL (EXCL DEVELOPER CONTRIBUTIONS AND RFS RESERVES)                                      | \$9,128,072               | \$13,785,826              |
| GRANT-RELATED - WATER (EXCL DEVELOPER CONTRIBUTIONS)                                                         | \$168,055                 | \$615,877                 |
| GRANT-RELATED - SEWER (EXCL DEVELOPER CONTRIBUTIONS)                                                         | -                         | -                         |
| GRANT-RELATED - WASTE (EXCL DEVELOPER CONTRIBUTIONS)                                                         | \$446,279                 | -                         |
| GRANT-RELATED - STORMWATER (EXCL DEVELOPER CONTRIBUTIONS)                                                    | -                         | -                         |
|                                                                                                              |                           |                           |
| <b><i>INCLUDED IN DEVELOPER CONTRIBUTIONS</i></b>                                                            | <b>\$870,032</b>          | <b>\$467,232</b>          |
| DEVELOPER CONTRIBUTIONS - GENERAL                                                                            | \$651,144                 | \$347,608                 |
| DEVELOPER CONTRIBUTIONS - WATER                                                                              | \$94,296                  | \$37,565                  |
| DEVELOPER CONTRIBUTIONS - SEWER                                                                              | \$53,994                  | \$41,455                  |
| DEVELOPER CONTRIBUTIONS - WASTE                                                                              | \$63,921                  | \$36,595                  |
| DEVELOPER CONTRIBUTIONS - STORMWATER                                                                         | \$6,677                   | \$4,009                   |
|                                                                                                              |                           |                           |
| <b><i>INCLUDED IN RFS RESERVES</i></b>                                                                       | <b>\$122,329</b>          | <b>\$92,098</b>           |
| RFS RESERVES                                                                                                 | \$122,329                 | \$92,098                  |
|                                                                                                              |                           |                           |
| <b><i>INCLUDED IN CASH AT BANK AND INVESTMENT LEFTOVERS (AFTER EXCL GRANT RELATED, DC AND RFS ABOVE)</i></b> | <b>\$17,665,850</b>       | <b>\$16,664,766</b>       |



Our Governance No. 42 Cont...

|                               |                    |                    |
|-------------------------------|--------------------|--------------------|
| WATER                         | \$1,182,588        | \$2,180,603        |
| SEWER                         | \$6,658,718        | \$5,703,375        |
| WASTE                         | \$8,464,494        | \$7,372,548        |
| STORMWATER                    | \$977,709          | \$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>\$6,490,387</b> | <b>\$5,481,839</b> |
|                               |                    |                    |

On 27 June 2023 Council received 100% advance payment of the Financial Assistance Grant 2023/24. This has contributed in Council achieving a positive unrestricted funds.

### 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**

Our Governance No. 42 Cont...

**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 Register as at 30 June 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 GOV43/23</b>                                 |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 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 30 June 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 March 2023 Quarterly Budget Review at the May 2023 Council meeting. The Capital Expenditure Report has been updated to show the current list of approved capital projects.

Projects that are ongoing at the end of June 2023, in particular grant-funded works, will be carried-forward to the next financial year in the first Quarterly Budget Review for September 2023.

#### **COUNCIL IMPLICATIONS:**

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

Our Governance No. 43 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:                  | <b>1</b> Capital Expenditure Report - June 2023 <b>3</b> 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 GOV44/23</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 the final, amended, Tenterfield Shire Council Social Media Policy, based on 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.**

#### **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 Draft Tenterfield Shire Council Social Media Policy, based on the Model Social Media Policy, was publicly exhibited for 28 days for community comment from 26 April 2023 to 23 May 2023. Council received one public submission, as included below.

| SUBMITTER                           | COMMENTS                                                                                                                                                                                                                                                                                             | RESPONSE                                                                                                                                                                                                                   |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Resident of Liston<br>IN23/1CC24CF9 | <b>NOTE:</b> Council's Utube Channel, Council's livestreamed Social Media tools & Council's ZOOM (?) tool may need to be added to the list of TSC current social media tools/sites etc for the Public Exhibition item relating to "Tenterfield Social Media Policy" (submissions close 23 May 2023). | <ul style="list-style-type: none"> <li>Statement included in Part 2 of the policy to capture any other platforms Council may use in the future, noting that Council can change the policy as and when required.</li> </ul> |

Councillors provided commentary on the suitability of one of the principles identified in Part 1, being Openness, on page 3 of the policy. It was identified that the current static status of Council's social media accounts, for example Council's Facebook page, does not allow for multi-way commentary and discussion by the community on such

Our Governance No. 44 Cont...

accounts. As such, this principle has been removed until such time as Council is able to deliver this capability.

### **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 was on public exhibition for 28 days, from 26 April 2023 to 23 May 2023. One public submission was received.

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

As detailed in the policy

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

Nil.

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

Nil.

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

Nil.

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

Up to date and clear policies assist 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> TSC Social Media Policy July 2023                        |

|                      |                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                      |
| <b>Submitted by:</b> | Erika Bursford, Manager Customer Service, Governance & Records;<br>Lee Sisson, Governance Officer |
| <b>Reference:</b>    | <b>ITEM GOV45/23</b>                                                                              |
| <b>Subject:</b>      | <b>STATEMENT OF BUSINESS ETHICS - MODERN SLAVERY<br/>UPDATE</b>                                   |

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

## SUMMARY

The purpose of this Report is for Council to adopt the Statement of Business Ethics containing an update regarding modern slavery.

## OFFICER'S RECOMMENDATION:

**That Council adopt the updated Statement of Business Ethics 2023.**

## BACKGROUND

Council adopted the current Statement of Business Ethics in 2014 as a result of the recommendations from the Promoting Better Practice Program report (2008) by the then NSW Department of Local Government. Changes in legislation require regular updates to be made to the Statement.

## REPORT:

Council's Statement of Business Ethics sets the framework for business interactions between Council employees and suppliers of goods and services to Council. The commencement of the Modern Slavery Act 2018 (NSW), (the Act), introduced new obligations for councils under the Local Government Act 1993 relating to modern slavery. Councils are required to take reasonable steps to ensure that goods and services procured by and for the council are not the product of modern slavery within the meaning of the Act.

"Modern slavery" is defined in the Act as any conduct constituting a modern slavery offence within the meaning of the Act and any conduct involving the use of any form of slavery, servitude or forced labour to exploit children or other persons taking place in the supply chains of organisations.

Tenterfield Shire Council's Statement of Business Ethics has been updated with the following section to address this requirement:

*We expect our suppliers to provide a fair and ethical workplace free from workplace bullying, harassment, victimisation and abuse. Our suppliers are expected to make all reasonable efforts to ensure that businesses within their supply chain are not*

Our Governance No. 45 Cont...

*engaged in, or complicit with, human rights abuses, such as forced or child labour or any other form of modern slavery.*

*If our suppliers become aware of the presence of modern slavery in their operations or supply chain, they must report this to Council as soon as possible. Reporting should outline details of the human rights violation discovered and what remedial and preventive measures are occurring.*

### **COUNCIL IMPLICATIONS:**

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

Changes to Council's documents are a legislative requirement under the Modern Slavery Act 2018 (NSW).

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

Council's associated procurement documents will be updated to reflect the requirements of the Act. All policies requiring updating under the Act will be presented to Council for re adoption, when completed.

#### **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:

Erika Bursford; Manager Customer Service, Governance & Records; Lee Sisson, Governance Officer

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

**1** TSC Statement of Business Ethics July 2023 4 Pages



|                      |                                                                                                                    |
|----------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                                               |
| <b>Submitted by:</b> | Elizabeth Melling, Executive Assistant & Media; Chris Thomas, IT Support Officer; Penny Robertson, Revenue Officer |
| <b>Reference:</b>    | <b>ITEM GOV46/23</b>                                                                                               |
| <b>Subject:</b>      | <b>PROPOSED WARD BOUNDARY ALTERATIONS - 2024 LOCAL GOVERNMENT ELECTIONS</b>                                        |

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

## SUMMARY

The purpose of this Report is to bring before Council, Ward Boundary changes as required under Section 211 of the Local Government Act 1993 to enable NSW Electoral Commission rolls to be amended prior to the next Local Government Elections due to be held, 14 September 2024.

## OFFICER'S RECOMMENDATION:

### That Council:

- (1) That the Officer's Report "Proposed Ward Boundary Alterations – 2024 Local Government Elections" be received and noted; and further**
- (2) That the Ward Boundary Plans be placed on public exhibition for a period 28 days; and**
- (3) That Council accept submissions on the Ward Boundary Plans for a period of 42 days, this period to run in conjunction with the 28 days of public exhibition; and**
- (4) Following the period of acceptance of submissions, the matter be referred to Council for adoption of the Ward Boundary amendments and the NSW Electoral Commission be notified accordingly.**

## BACKGROUND

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

Ward naming and renaming information is required within a specific timeframe for Council election purposes. In particular, this information is integral to the production

Our Governance No. 46 Cont...

of electoral roles. Final date for changes to boundary and name changes is 5 October 2023.

#### **REPORT:**

As required under Section 210A of the *Local Government Act 1993*, Council has consulted with the NSW Electoral Commission who have advised that the variation between Council's lowest and highest ward number exceeds the 10% threshold and Council must review and adjust its ward boundaries. The NSW Electoral Commission has provided data to enable Council to draw the boundary changes, and they have also accepted the proposed changes as reasonable and stated that they are in compliance with the Act.

In accordance with Section 210A (2)-(5) the proposed boundary change is required to be placed on public exhibition (28 days) and including a submission period of 42 days means that Council will need to consider any submissions at the September 2023 Ordinary Council meeting in order to meet the 5 October 2023 deadline.

Number of electors for wards (June 2023) are as follows:

#### **A Ward**

Current 1013

No Amendment Required

#### **B Ward**

Current 1095

**Following Amendment 979**

#### **C Ward**

Current 970

No Amendment Required

#### **D Ward**

Current 985

No Amendment Required

#### **E Ward**

Current 901

**Following Amendment 1017**

The proposed Ward Boundary Plans are attached.

#### **GOVERNANCE/POLICY IMPLICATIONS**

In order to ensure current elector numbers in each ward fall within the limits of the variation and taking into account projected population growth in individual areas, the NSW Electoral Commission has recommended the adjustments to ward boundaries as contained within this report.

#### **CONCLUSION**

In order to ensure current elector numbers in each ward fall within the limits of the variation and taking into account projected population growth in individual areas, the NSW Electoral Commission has recommended the adjustments to ward boundaries as contained within this report.

Our Governance No. 46 Cont...

### COUNCIL IMPLICATIONS:

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

Councils must publicly exhibit the ward boundary plan for at least 28 days and consider any submissions made during the 42-day consultation period.

#### 2. Policy and Regulation

- Section 211 of the Local Government Act 1993
- Section 277A of the Local Government (General) Regulation 2021

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

Nil.

#### 4. Asset Management (AMS)

Nil.

#### 5. Workforce (WMS)

Nil.

#### 6. Legal and Risk Management

Council is required under Section 211 of the *Local Government Act 1993* to amend the ward boundaries to ensure that a difference of greater than 10% in elector numbers does not exist between the wards.

#### 7. Performance Measures

Further ward number variation calculations will need to continue into the next term of council from September 2024 onwards.

#### 8. Project Management

Nil.

**Kylie Smith**  
Chief Corporate Officer

|                               |                                                                                                                          |            |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------|
| Prepared by staff member:     | Elizabeth Melling, Executive Assistant & Media;<br>Chris Thomas, IT Support Officer; Penny<br>Robertson, Revenue Officer |            |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive                                                                                        |            |
| Department:                   | Office of the Chief Executive                                                                                            |            |
| Attachments:                  | <b>1</b> Proposed Ward Boundary<br>Adjustment - June 2023                                                                | 2<br>Pages |

**(ITEM RC8/23) AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES - 6 JULY 2023**

---

**REPORT BY:** Erika Bursford, Manager Customer Service, Governance & Records

Tenterfield Shire Council's Audit, Risk and Improvement Committee convened for a special meeting on 6 July 2023 for the purpose of reviewing and considering the IPART determination of 15 June 2023 on Council's Special Rate Variation application and the resultant impacts of this decision.

**RECOMMENDATION**

**That the resolution from the Audit, Risk and Improvement Committee meeting of 6 July 2023 be received and accepted by Council.**

**ATTACHMENTS**

- |                                                                                                          |            |
|----------------------------------------------------------------------------------------------------------|------------|
| <b>1</b> Special Audit, Risk & Improvement Committee Meeting Minutes - IPART Determination - 6 July 2023 | 2<br>Pages |
|----------------------------------------------------------------------------------------------------------|------------|

**(ITEM RC9/23)** AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES - 7 JUNE 2023

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**REPORT BY:** Erika Bursford, Customer Service, Governance & Records

Tenterfield Shire Council's Audit, Risk and Improvement Committee convened for a scheduled ordinary meeting on 7 June 2023. Minutes of the meeting are attached.

**RECOMMENDATION**

**That the report and recommendations from the Audit, Risk and Improvement Committee meeting of 7 June 2023 be received and accepted.**

**ATTACHMENTS**

- 1 Audit, Risk & Improvement Committee - Minutes 7 June 2023 5 Pages

|                      |                                                                                         |
|----------------------|-----------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                    |
| <b>Submitted by:</b> | Councillor, Greg Sauer                                                                  |
| <b>Reference:</b>    | <b>ITEM NM2/23</b>                                                                      |
| <b>Subject:</b>      | <b>NOTICE OF MOTION - PROPOSED REIMBURSEMENT OF UNUSED TENTERFIELD CINEMA VOUCHERS.</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> | Promote and support community involvement in Council decision making process.                                                                        |

#### **SUMMARY**

The purpose of this Notice of Motion is to seek further time for the community to apply for reimbursement of their unused Tenterfield Cinema Vouchers up to 31 August 2023.

#### **NOTICE OF MOTION:**

**That Council reimburse all unused Cinema Vouchers that are submitted to Council before 31 August 2023.**

#### **BACKGROUND**

Councillor Greg Sauer prepared the attached Notice of Motion to extend the period of time that the Cinema Vouchers issued could be redeemed. This Notice of Motion is supported by Cr Kim Rhodes.

#### **Explanation**

*"TSC only notified the public on 5/7/23 that the Cinema would be closing and that Vouchers should be used before that closure occurred.*

*Given that the closure occurred less than 2 weeks later, I do not believe that was adequate time for those with unused Cinema Vouchers to use them. I understand that when the Vouchers were purchased, a period of 3 years was given as a "use by date".*

*The cost of these reimbursements will be minimal in the big scheme of things but will be most welcomed by those affected."*

This Notice of Motion follows on from Council's Ordinary Meeting – 30 June 2023 and subsequent *Resolution 101/23*:

**Resolved** that Council:

- (1) Cease operations of the following services on 30 July 2023:
  - (a) Cinema
  - (b) Theatre and
  - (c) Sir Henry Parkes Museum.

*(Peter Murphy/Greg Sauer)*

**Motion Carried**

## Notice of Motion No. 2 Cont...

The public were officially advised of the Cinema, Museum and Theatre Closure and the need to redeem any unused cinema vouchers on 5 July 2023 by way of posts on Council's Facebook Page and an article in Council's Newsletter - Your Local News (Issue 188 distribution week 17 July 2023).

Cr Sauer's Notice of Motion seeks a further month for the community to be reimbursed financially for the outstanding/unused Cinema Vouchers.

In line with Council's Resolution the Cinema, Museum and Theatre will all be officially closed at the days end Sunday 30 July 2023.

Cr Sauer's Notice of Motion noted that this would result in a limited period of time for the community to use the Vouchers. This totaled approximately 3.5 weeks for unused vouchers to be used.

**REPORT:**

Under Council's "Tenterfield Shire Councils Model Code of Meeting Practice - 2023"

"If the General Manager considers that a Notice of Motion submitted by a Councillor for consideration at an Ordinary Meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the Chief Executive may prepare a Report in relation to the Notice of Motion for inclusion with the business papers for the meeting at which the Notice of Motion is to be considered by the Council."

The following comments from staff relate to the operational considerations and should be considered by Council when voting on this notice of motion.

Reimbursement will only be made available, with the following provisos:-

Reimbursement of unused Cinema Vouchers is only available via EFT payment (as Council administration has not handled cash since March 2020) into individual's bank accounts to the current value Adult \$14.00, Child (15 yrs & under) \$10.00, Concession \$10.00, Family \$40.00 (2 Adults & 2 Children) (Council's 2022/2023 Fee's & Charges) of the unused vouchers from the date of Councils resolution until 4.00 pm Thursday 31 August 2023.

To complete this process, persons with unused Vouchers will need to present to Council's Administration Building with Valid Vouchers showing a "valid until date" with proof of purchase, if available (receipt or bank statement) and complete a Tenterfield Shire Council "Creditor Form" and supporting documentation to enable an EFT Payment to their nominated account. Vouchers with no "Valid until date" will not be accepted. Reimbursement to be made at the current 2023/2024 Fees and Charges scheduled with unused Vouchers will only be accepted up until 4.00pm - 30 August 2023. No Valid Vouchers for redemption will be received by post.

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

Nil.

**2. Policy and Regulation**

## Notice of Motion No. 2 Cont...

As the Vouchers issued from the Cinema have only recently (March 2022) included a "valid to: date" typed onto them and no other Terms & Conditions printed onto them, and no register of Voucher's sold, it is difficult to extrapolate the number of vouchers that have been sold or redeemed in the last three years.

The lack of registered purchasers and ticket verification process such as numbering, creates concerns on how to identify valid tickets and ensure that accurate refunds are provided. To combat this issue, it is suggested where possible, proof of purchase is provided with refund request, and a record of refund is kept identifying the recipient.

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

No budget allocation for the 2023/2024 financial year has been identified to undertake these refunds, however with the closure of the service operational funds savings may offset this cost. The amount of refunds that could be sought is also unknown.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Customer Service Officers will need to be briefed in the management of the redeemability of said Vouchers should this proposal be adopted.

**6. Legal and Risk Management**

Cinema Vouchers in their current form leave Council open to fraudulent copies being presented. The lack of Terms & Conditions amongst other issues, have financial repercussions for Council.

**7. Performance Measures**

Nil.

**8. Project Management**

Some degree of Project Management by staff will be required to fulfill all requirements to complete the refund process. The extent of refunds requested is unknown however it is estimated that the processing costs will be higher than the value of the refund.

**Daryl Buckingham  
Chief Executive**

|                               |                                               |
|-------------------------------|-----------------------------------------------|
| Prepared by staff member:     | Greg Sauer, Councillor                        |
| Approved/Reviewed by Manager: | Daryl Buckingham, Chief Executive             |
| Department:                   | Office of the Chief Executive                 |
| Attachments:                  | <b>1</b> Notice of Motion - Cr G Sauer 1 Page |



|                      |                                                |
|----------------------|------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>           |
| <b>Submitted by:</b> | Elizabeth Melling, Executive Assistant & Media |
| <b>Reference:</b>    | <b>ITEM RES6/23</b>                            |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - JUNE 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. |
| <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 June 2023.**

**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: **1** Resolution Register - June 2023 21 Pages