



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

## **BUSINESS PAPER ORDINARY COUNCIL MEETING 22 NOVEMBER 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 22 November 2023** commencing at **9.30 am**.

Glenn Wilcox  
**General Manager**

## 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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## **8. MAYORAL MINUTE**

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

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**15. MEETING CLOSED**

**(ITEM MIN10/23) 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 – 25 October 2023**
- **Extraordinary Council Meeting – 15 November 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 25 October 2023         | 14<br>Pages |
| <b>2</b> | Unadopted Minutes - Extraordinary Council Meeting - 15 November 2023 | 3 Pages     |



|                      |                                                                                                                   |
|----------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Engineering Department</b>                                                                                     |
| <b>Submitted by:</b> | James Paynter, Manager Works                                                                                      |
| <b>Reference:</b>    | <b>ITEM COM10/23</b>                                                                                              |
| <b>Subject:</b>      | <b>BLACK SUMMER BUSHFIRES RECOVERY GRANTS PRORAM (BSBR) - BSBR000438 - Removal of Dead Trees on Council Roads</b> |

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

|                      |                                                                                                                                                                                  |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>Transport</b> - The Tenterfield Shire has an effective transport network that is safe efficient and affordable for us as a community.                                         |
| <b>CSP Strategy:</b> | Deliver a well-designed, safe road network, including carparking, footpaths and cycleways, that is suitable for all users now and take into consideration future network demand. |

#### **SUMMARY**

That Council approve the clearing trees on nominated road verges as per the Black Summer Bushfire Grants Program in this report.

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

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

- (1) Clear roadside vegetation and open up the tree canopy on Brushabers Road and Timbarra Road to help reduce the immediate risks of the bushfire.**
- (2) Where funding allows, Council will attend to – Talmoi Rd, Tarban Loop Rd, Schrodgers Rd, Scrub Rd and Rivertree Rd.**

#### **BACKGROUND**

Council resolved to endorse a report from the Office of the Chief Corporate Officer at an extraordinary meeting on Wednesday, 11 August 2021 – Item COM20/21 – Removal Dead Trees in Tenterfield Shire, Roadside Vegetation, Dead Trees Tenterfield Park and the remainder of Dead Trees from Dead Tree Program – \$344,000.

The grant has three (3) milestones;

| Milestone number | Milestone name and description                                                                                      | Due date   |
|------------------|---------------------------------------------------------------------------------------------------------------------|------------|
| 001              | Milestone 1<br>Complete planning, advertise tender, select supplier and commence tree removal in Tenterfield Park.  | 27/11/2022 |
| 002              | Milestone 2<br>Complete Tree removal in Tenterfield Park & commence roadside vegetation clearing along shire roads. | 27/11/2023 |

## Our Community No. 10 Cont...

| Milestone number | Milestone name and description                                                                           | Due date   |
|------------------|----------------------------------------------------------------------------------------------------------|------------|
| 003              | Milestone 3<br>Complete roadside vegetation clearing along roads within the shire.<br>Project promotion. | 31/03/2024 |

Milestones 001 & 002 are complete.

Council investigated seven roads, Timbarra Rd, Tarban Loop Rd, Scrub Rd, Rivertree Rd, Talmoi Rd, Schroders Rd and Brushabers Rd. The investigation is a series of photographs along the road where the tree canopy and road verges will benefit from clearing to help reduce the immediate effects of bushfire combined with an estimate of costs, to conduct a Review of Environmental Factors (REF), open up the tree canopy, remove under growth and mulch vegetation on site, where possible.

| Road           | From   | To      | Estimate |
|----------------|--------|---------|----------|
| Timbarra Rd    | .16km  | 17.47km | \$136k   |
| Tarban Loop Rd | .38km  | 3.79km  | \$30k    |
| Scrub Rd       | 8.74km | 15.32km | \$66k    |
| Rivertree Rd   | 1.53km | 15.8km  | \$200k   |
| Talmoi Rd      | .03km  | 6.3km   | \$30k    |
| Schroders Rd   | 1.3km  | 4.63km  | \$29k    |
| Brushabers Rd  | 1.27km | 6.12km  | \$99k    |

Timbarra Rd was impacted during the last two fire events and proved to be a strategic link to assisting with controlling fires in this region in 2019.

Tarban Loop Rd was not directly impacted during the 2019 event, but it was used as access to the fire that jumped the New England Highway at Brushabers in 2019.

Scrub Rd was heavily impacted during the 2019 event and as such a lot of clearing has occurred making the road one of Council's better roads in the event of a fire.

Rivertree Rd was impacted during the 2019 event although mostly further down into the valley.

Talmoi Rd was heavily impacted during the 2019 event and will benefit from clearing to assist with controlling fires in this area.

Schroeders Rd was not impacted during the 2019 event.

Brushabers Rd was impacted during the 2019 event and has proved to be a strategic link with controlling fires in this region.

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

Extraordinary Council Meeting Wednesday, 11 August 2021;

Our Community No. 10 Cont...

**Resolved**

**179/21 That Council:**

- (1) Endorse seven (7) Projects totaling \$4,242,000 under the Black Summer Bushfire Recovery Grants Program, being for:-
  - Drake Village Revitalisation (Drake Hall alternative access road and associated drainage, Pathways and Open Space along Bruxner Highway to Timbarra Street & parking and road crossing to include Bus Stop Parking and Highway Crossing – \$2,900,000;
  - Rural Addressing all LGA area including Drake and Torrington (For current properties with no RAN) - \$220,000;
  - Removal Dead Trees in Tenterfield Shire (Roadside Vegetation, Dead Trees Tenterfield Park and the remainder of Dead Trees from Dead Tree Program – \$344,000;
  - Mingoola Hall upgrades to include a stand-alone accessibility friendly disabled toilet - \$120,000;
  - Northern Border Walk Signage Directional Cross Road Signs, Location Signs - \$198,000;
  - Installation of Industrial Ceiling Fans, Emergency Lighting and Upgrade of Switchboard at Memorial Hall - \$220,000; and
  - Pool Equipment Upgrades (Pool Heating, Blankets and Other Equipment) - \$240,000.
- (2) Endorse one (1) project to upgrade Bruxner Park Stairs and Ramp Improvements under a suitable Grant Fund.

(Greg Sauer/Michael Petrie)

**Motion Carried**

**2. Policy and Regulation**

Council staff will attend to some of the works whilst contractors will be hired using Councils' preferred supplier panel (RFT 05/20-21 Hire of Civil Services, Plant and Equipment).

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

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Contractor engagements will be according to Council's Procurement Policy and Section 55 of the NSW Local Government Act.

**7. Performance Measures**

Council staff will monitor staff and contractors for productive effectiveness.

Our Community No. 10 Cont...

**8. Project Management**

**Glenn Wilcox**  
**General Manager**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | James Paynter, Manager Works              |
| Approved/Reviewed by Manager: | Fiona Keneally, Director Infrastructure   |
| Department:                   | Engineering Department                    |
| Attachments:                  | There are no attachments for this report. |

|                      |                                                                                      |
|----------------------|--------------------------------------------------------------------------------------|
| <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 ECO19/23</b>                                                                 |
| <b>Subject:</b>      | <b>NAAS ST / MILLBROOK PARK TENTERFIELD FLYING-FOX CAMP MANAGEMENT PLAN PROGRESS</b> |

|                                                               |                                                                                                                                                                 |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                 |
| <b>CSP Goal:</b>                                              | <b>Environment</b> - Our natural environment will be protected, enhanced and promoted for future generations.                                                   |
| <b>CSP Strategy:</b>                                          | Town and Village planning supports and enhances local place making principles to deliver sustainable land use management practices for our natural environment. |

The purpose of this report is to advise Council of progress with the DRAFT Flying-fox Camp Management Plan (FFCMP) for the Naas St/Millbrook Park camp, with recommendations for adoption and public release.

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

#### **That Council:**

- (1) Review the attached DRAFT plan;**
- (2) Note the comments in the attached letter from the senior officer with the Department of Planning Environment; and**
- (3) Resolve to agree to changes recommended by the Department; adopt the DRAFT with the changes; and publicly release the management plan.**

### **BACKGROUND**

Public concern over the Naas St/Millbrook Park flying-fox camp late last year (2022) led Council to explore options for management and funding for same.

Council has worked through the Dept of Planning & Environment's Biodiversity and Conservation section to develop the DRAFT – using a consultant ecologist (funded by the Dept, \$27.5K incl GST).

Two public meetings were held to gauge and record residents' concerns. Residents were also able to write and send feedback electronically.

At both public meetings there were requests from residents in the immediate vicinity to disperse the colony. At both meetings attendees were advised approval for any sort of dispersal actions would be highly unlikely because the species were listed as vulnerable and protected by both State and Federal laws.

Options to trim/lop/remove the Plane trees hosting the colony were suggested, but both meetings overwhelmingly rejected any trimming, let alone removal.

Residents in the immediate vicinity have planted/tended the Plane trees and wanted no such actions. Other management options included double glazing of windows, additional

Our Economy No. 19 Cont...

water provided by Council for washdown of homes and vehicles etc, creation of "buffer zones" and planting of alternate habitat areas along Tenterfield Creek to the east-northeast of Millbrook Park.

**REPORT:**

Council has worked with the Department and the consultant over many months to achieve the attached DRAFT report. The report has been reviewed twice by the Dept.

As clearly stated by the Department's senior Biodiversity and Conservation officer, dispersal actions including "nudging" have been ruled out. The Department did not agree with the DRAFT's position that "buffers" would need to be at least 50m wide to have any benefit.

The Department's summary position is listed on page 2 of the attached letter.

**COUNCIL IMPLICATIONS:**

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

The community is aware of the flying-fox camp, although so far this year the flying-foxes have not arrived in any numbers. The community is also aware Council has been in the process of preparing a Draft management plan, and there is expectation of its release.

Once Council has resolved a position on the plan, it can be publicly released.

**2. Policy and Regulation**

Management actions must comply with both State and Federal laws.

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

Apart from the cost of Council staff time, the cost of preparing the management plan has been met by the Dept.

**4. Asset Management (AMS)**

Management strategy includes continuing public signs at Millbrook Park and any other approved actions.

**5. Workforce (WMS)**

Nil, apart from any renewal of signs. Trimming/lopping/removal would be expensive and likely to provoke some backlash, and the costs would need to be covered by State grant(s).

**6. Legal and Risk Management**

State and Federal laws protect the species.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Glenn Wilcox**  
**General Manager**

Our Economy No. 19 Cont...

Prepared by staff member: Bruce Mills, Senior Advisor Communication & Economic Development

Approved/Reviewed by Manager: Glenn Wilcox, General Manager

Department: Office of the Chief Executive

Attachments:

|          |                                                                            |           |
|----------|----------------------------------------------------------------------------|-----------|
| <b>1</b> | Biodiversity and Conservation Division Letter                              | 2 Pages   |
| <b>2</b> | Naas St/Millbrook Park Tenterfield Flying Fox Camp Management Plan (Draft) | 110 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 ECO20/23</b>                                                            |
| <b>Subject:</b>      | <b>SALE OF COUNCIL-OWNED LANDS AT 142 MANNERS ST - CURRENTLY USED BY TEN FM</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 seek Council resolution to again defer the sale of Council-owned land at 142 Manners St – currently used by Ten FM – to allow Council to discuss and determine a sales agreement which may include a lease to buy option to allow Ten FM to continue using the site while removing the cost burden of ownership from Council and its ratepayers.

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

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

- (1) That Council extend the lease agreement for Ten FM for a period up to 30th June 2024 to allow Council and Ten FM to discuss and determine a sales agreement which may include a lease to buy option.**
- (2) Council continue with the proposed lot boundary readjustment of 142 Manners St (Lot 2/12/DP 576164) so Council retains the storage shed at the rear of the lot should the sale proceed. Noting the boundary realignment for this lot is part of a larger proposal to adjust other boundaries of Council-owned land in the vicinity, including the main Council office.**

#### **BACKGROUND**

At its September Ordinary Meeting, Council reviewed a report (ECO15/23) which recommended selling the property by listing with all local agents at an asking price of \$450,000 to \$500,000 and authorise the Chief Executive to sign all necessary documents, negotiate with agents to execute the sale, and work with the community group running Ten FM to find a suitable alternative site to continue its operations.

At the September meeting:-  
*Council resolved (155/23) to:*

- (1) Defer the sale of the property at 142 Manners St, Tenterfield on the open market until the October 2023 Ordinary Council meeting;*
- (2) Authorise the Chief Executive or Interim Chief Executive to enter into negotiations with Ten FM Executive for the purchase of the building and small footprint.*



Our Economy No. 20 Cont...

*(John Macnish/Tim Bonner)*

**Motion Carried**

**REPORT:**

**UPDATE FOR THE 22 NOVEMBER MEETING**

Due to the change in Council management, it was decided to defer the matter to the November Ordinary Meeting to give the new General Manager time to review.

A review of this resolution (155/23) has been undertaken.

It is believed Council and Ten FM may be willing to discuss sales options including a lease to buy, with Council providing a low interest loan arrangement, or returning to the original resolution of Council to sell the property after the completion of a subdivision.

**The original report is attached.**

A review of the original report has been undertaken and the reasoning behind the proposed sale of this property.

Council staff are presently reviewing the 2023/24 budget and will begin to prepare the 2024/25 budget in January 2024. This will allow Council time to determine the sale of the premises and on what basis.

A further report will be provided to council as part of the budget consideration and method of loan considerations permitted under the Local Government Act 1993.

**COUNCIL IMPLICATIONS:**

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

General Manager and a Council officer have met with Ten FM managers/volunteers advising the process to negotiate an equitable outcome would take some time. A new lease should be arranged to allow the community radio to continue without undue pressure on either the volunteer group or Council.

**2. Policy and Regulation**

Nil.

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

Minimal impact on Budget.

**4. Asset Management (AMS)**

Minimal impact on AMS.

**5. Workforce (WMS)**

Minimal impact.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

Our Economy No. 20 Cont...

### **8. Project Management**

Should Council resolve to adopt the recommendation, Council staff would proceed with the realignment of the boundary, along with other Council-owned properties in the vicinity and continue negotiating with Ten FM management to achieve a sale of the property.

### **Glenn Wilcox General Manager**

|                               |                                                                                                                                                                            |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Bruce Mills, Senior Advisor Communication & Economic Development                                                                                                           |
| Approved/Reviewed by Manager: | Glenn Wilcox, General Manager                                                                                                                                              |
| Department:                   | Office of the Chief Executive                                                                                                                                              |
| Attachments:                  | <b>1</b> Council Report to 27 September Ordinary Council Meeting - Sale of Council-owned property at 142 Manners St, Tenterfield - currently used by Ten FM <b>3</b> 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 ECO21/23</b>                                             |
| <b>Subject:</b>      | <b>WITHDRAWAL OF VISITOR'S INFORMATION CENTRE FROM SALE.</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 a proposal from Tenterfield Ratepayers' Association to review the sale of the Visitors' Information Centre at 157 Rouse St.

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

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

**Review the sale of the Visitors' Information Centre as requested by the Tenterfield Rate Payers Association.**

#### **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 were identified as an area for cost-savings, and following:

#### **Resolution # 119/23 below:**

##### **Resolved**

*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) *Conditional on Council receiving from the Chamber an acceptable action plan and acceptable commitments thereto 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*

Our Economy No. 21 Cont...

*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 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) Require the Chamber to report quarterly on expenditure against funds received and achievements in promoting and growing the whole of Shire visitor economy.*
- (5) 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 a contract for sale should the price of \$700,000 be achieved.*
- (6) 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).*

*(Peter Murphy/Tom Peters)*

**Motion Carried**

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

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

Our Economy No. 21 Cont...

- 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.

**NB** This arrangement was to be formalised through a Funding Agreement drafted by Bartier Perry Lawyers to include the items outlined above. At the time of writing this report (14/11/2023) the Funding Agreement had yet to be signed / executed by the Chamber.

**REPORT:**

The letter from the Ratepayers' Association outlines reasons for the retention of the Visitors' Information Centre (VIC) and recommends withdrawing the property from sale and retaining ownership pending more information being made available. It also recommends TCTIB (or other appropriate group) engage in meaning dialogue with the past VIC volunteers with a view to re-establishing a face-to-face Visitor Information presence.

**COUNCIL IMPLICATIONS:**

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

The community is aware of Council's financial position and moves undertaken to cut costs through staff and service reductions, and importantly reductions in capital expenditure.

Closure of formal visitor information services and sale of the VIC have been widely discussed / debated in the community.

**2. Policy and Regulation**

- Nil

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

Withdrawing the former VIC Centre at 157 Rouse St from sale would mean potential of up \$700K, less selling costs, would not be realised to assist with Council's fiscal repair strategy.

**4. Asset Management (AMS)**

Retaining the property would result in on-going asset maintenance/depreciation costs.

**5. Workforce (WMS)**

Retaining the property would add some staff costs and management time.

**6. Legal and Risk Management**

See above.

**7. Performance Measures**

**Project Management**

Nil.

**Glenn Wilcox**  
**General Manager**

Our Economy No. 21 Cont...

Prepared by staff member: Bruce Mills, Senior Advisor Communication & Economic Development

Approved/Reviewed by Manager: Glenn Wilcox, General Manager

Department: Office of the Chief Executive

Attachments: **1** Correspondence received from Tenterfield Ratepayers Association - Proposing the Withdrawal of the VIC from Sale **2** Pages

|                      |                                                                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Engineering Department</b>                                                                                                                     |
| <b>Submitted by:</b> | James Paynter, Manager Works                                                                                                                      |
| <b>Reference:</b>    | <b>ITEM ENV13/23</b>                                                                                                                              |
| <b>Subject:</b>      | <b>TENDER EVALUATION FOR COUNCIL'S ANNUAL RESEALS AND INITIAL SEALS VIA 23-24 TENTERFIELD SHIRE COUNCIL REQUEST FOR QUOTATION UNDER LGP213-2.</b> |

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

|                      |                                                                                                                                                                                  |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>Transport</b> - The Tenterfield Shire has an effective transport network that is safe efficient and affordable for us as a community.                                         |
| <b>CSP Strategy:</b> | Deliver a well-designed, safe road network, including carparking, footpaths and cycleways, that is suitable for all users now and take into consideration future network demand. |

#### **SUMMARY**

The purpose of this report is to provide Council with a report and recommendation on the Council's Reseal Tender via Local Government Procurement (LGP) 213-2.

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

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

- (1) Engage COLAS for Council reseals and initial seals due to competitive pricing and fit for purpose reseal bitumen types and seal designs.**
- (2) That Council note the inclusion of Commercial Pricing in the Confidential section of this report.**

#### **BACKGROUND**

Council conducts reseals each year as per Council's allocated budgets and recommendations according to Council's Assets Team.

#### **REPORT:**

Council requested five suppliers for pricing, COLAS, APS, SPA, NSWSS/RPQ and BORAL, via Local Government Procurement (LGP). BORAL did not price the work and returned an email stating "at this stage Boral wouldn't have the resources to complete these works". Nil response was received from APS.

COLAS, SPA and NSWSS/RPQ all responded with compliant workings.

#### **COLAS:**

Overall, COLAS designs are applicable and price competitive. These rates are the same for each job requested except the initial seals. COLAS was emailed for confirmation of site inspections with a response received of "No site inspections were conducted; seal designs were calculated from aggregate test reports from our best priced quarry and following Austroads guide for the provided traffic data. Sites were visibly inspected with near maps, but sand texture depths have not been taken". Pricing and design is good and spot checks and interrogation of data shows pricings to be competitive with spray rate changes to match Council calculated spray rates. An email was sent to COLAS to confirm outcomes 'if spray rate changes occur what is the financial impact to Council?'. COLAS returned an email 'If spray rates vary within 10% of the tendered seal design

Our Environment No. 13 Cont...

Binder Application Rates (BAR) i.e., 1.4L/m<sup>2</sup> (@15°C) as high as 1.54 L/m<sup>2</sup> or as low as 1.26 L/m<sup>2</sup> then Colas will hold the rates submitted with this tender, variance beyond this tolerance will be subject to a reprice for the material and associated logistical costs'. COLAS represents the best value for money. COLAS submission is a very good proposed bitumen type of S45R for the reseals.

#### **SPA:**

Each site was inspected, and the necessary inspections undertaken to calculate accurate spray rates and bitumen needs for that road/street. The seal designs and bitumen types are 7.5% PMB with a mixture of 10mm and 7 mm aggregate. One reseal on the Bruxner Way has an S45R 10mm. Pricing is on the limits of Council budgetary constraints which would not allow for any over runs or variations i.e.; areas larger than we have estimated.

#### **NSWSS/ RPQ**

Each site was inspected, and the necessary inspections undertaken to calculate accurate spray rates and bitumen needs for that road/street. The seal designs and bitumen types are mostly C 170 with 7mm aggregate. One reseal on the Bruxner Way is a S35E with 10mm aggregate. Pricing is good and within Council's budgets, each design has a focus towards 7mm, which does not give Council the best outcome for the asset in the longer term, particularly for the Regional Roads.

#### **COUNCIL IMPLICATIONS:**

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

Community engagement is via Council's adoption of the Road Asset Management Plan.

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

The legislative requirements applying to tendering for NSW Local Government is prescribed by Section 55 of the NSW Local Government Act and by the Regulation. Where costs are expected to exceed \$250,000, tenders must be called.

The Local Government (General) Regulation 2005, Clause 178 - Acceptance of Tenders, states that:

- (1) After considering the tenders submitted for a proposed contract, the Council must either:
  - (a) Accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or
  - (b) Decline to accept any of the tenders.

Councils Procurement Policy also applies.

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

Council's current budgets for financing reseals and initial seals –

|                                       |                    |
|---------------------------------------|--------------------|
| Urban Reseals                         | \$122,000          |
| Rural Local Roads Reseals             | \$280,165          |
| Regional Roads Reseals                | \$537,892          |
| LRCI Phase 4 Funding – Undercliffe Rd | \$374,000          |
| <b>Total Funding</b>                  | <b>\$1,314,057</b> |



Our Environment No. 13 Cont...

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

As per page 22 of Council's Road Asset Management Plan, "Bitumen resealing is undertaken to prevent further surface deterioration, to seal fine cracks, to prevent the infiltration of water into the pavement, to inhibit oxidation and hardening of the existing surface and to restore skid resistance".

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

Nil.

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

Council's RAMP refers to 3.1 Road Safety which demonstrates Risk Evaluation and Risk Control in 3.1.2 and 3.1.3. Section 3.2 refers to Maintenance and Renewal, specifically mentioning "road resealing". The Asset Manager using these tools assesses and allocates roads to be resealed.

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

Roads that are resealed or sealed under this tender will be monitored for imperfections or failures that are seal related as per section 7 of Schedule D – Standard Term & Conditions of Standing Offer Deed for Bitumen, Emulsions and Asphalt Materials and Services (LGP213-2).

Suppliers have a defect liability period of 12 months for the seal component.

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

Council has called tenders via LGP to collect tenders for Council's annual reseal program. Prep work by Council staff has commenced for all those roads identified by the Assets Team for resealing. Council anticipates commencing resealing mid-December to mid-January, depending on suppliers' availability.

**Glenn Wilcox**  
**General Manager**

|                               |                                                            |            |
|-------------------------------|------------------------------------------------------------|------------|
| Prepared by staff member:     | James Paynter, Manager Works                               |            |
| Approved/Reviewed by Manager: | Fiona Keneally, Director Infrastructure                    |            |
| Department:                   | Engineering Department                                     |            |
| Attachments:                  | <b>1</b> CONFIDENTIAL - 23/24 RESEALS<br>TENDER EVALUATION | 3<br>Pages |

|                      |                                                                                                                              |
|----------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                                                 |
| <b>Submitted by:</b> | Tamai Davidson, Manager Planning Property & Development                                                                      |
| <b>Reference:</b>    | <b>ITEM ENV14/23</b>                                                                                                         |
| <b>Subject:</b>      | <b>DEVELOPMENT APPLICATION 2023.092 FOUR (4) LOT SUBDIVISION - BOUNDARY ADJUSTMENT - 132-142 MANNERS STREET, TENTERFIELD</b> |

|                                                               |                                                                                                                                                                 |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                 |
| <b>CSP Goal:</b>                                              | <b>Environment</b> - Our natural environment will be protected, enhanced and promoted for future generations.                                                   |
| <b>CSP Strategy:</b>                                          | Town and Village planning supports and enhances local place making principles to deliver sustainable land use management practices for our natural environment. |

## SUMMARY

The purpose of this report is to present to Council a Development Application (DA) for a proposed four (4) subdivision/boundary adjustment to Council owned land located at 132-142 Manners Street, Tenterfield. In accordance with Council's Policy, the application has been prepared and assessed by external parties. A copy of the external DA assessment report is attached, recommending the DA be approved subject to conditions.

## OFFICER'S RECOMMENDATION:

### That Council:

**Approve Development Application 2023.098 for a Four (4) Lot Subdivision – Boundary adjustment of 132-142 Manners Street, Tenterfield, subject to the conditions contained in the external consultant's assessment report.**

## BACKGROUND

The proposed subdivision has arisen as a result of recent discussions by Council in relation to rationalising Council's assets and land at the location. Existing lot boundaries do not currently reflect existing development located on the lots involved.

## REPORT:

Refer to attachment for assessment report under the provisions of Clause 4.15 of the *Environmental Planning & Assessment Act, 1979*.

## COUNCIL IMPLICATIONS:

- 1. Community Engagement / Communication (per engagement strategy)**  
Tenterfield Development Control Plan 2014 does not require Development Applications for subdivisions to be notified or advertised.
- 2. Policy and Regulation**
  - Council Policy – "Limit of Delegated Authority when Dealing with DA's and CDC's" – Section 3.1 Applications where Council may have a perceived conflict of interest applies. The application has been prepared external to Council (Tenterfield Surveys Pty Ltd) and the application has been

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assessed under the relevant provisions of the *Environmental Planning & Assessment Act, 1979* by an external consultant.

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

No implications to existing budget.

**4. Asset Management (AMS)**

No implications.

**5. Workforce (WMS)**

No implications.

**6. Legal and Risk Management**

No implications.

**7. Performance Measures**

No implications.

**8. Project Management**

No implications.

**Roy Jones**

**Acting Chief Corporate Officer**

|                               |                                                         |
|-------------------------------|---------------------------------------------------------|
| Prepared by staff member:     | Tamai Davidson, Manager Planning Property & Development |
| Approved/Reviewed by Manager: | Roy Jones, Acting Chief Corporate Officer               |
| Department:                   | Office of the Chief Corporate Officer                   |
| Attachments:                  | There are no attachments for this report.               |

|                      |                                                |
|----------------------|------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>   |
| <b>Submitted by:</b> | Lee Sisson, Governance Officer                 |
| <b>Reference:</b>    | <b>ITEM GOV71/23</b>                           |
| <b>Subject:</b>      | <b>MONTHLY OPERATIONAL REPORT OCTOBER 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. |

**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 2023/2024 Operational Plan.

**OFFICER'S RECOMMENDATION:**

**That Council:**

**Notes the status of the Monthly Operational Report for October 2023.**

**Glenn Wilcox**  
**General Manager**

|                               |                                                   |
|-------------------------------|---------------------------------------------------|
| Prepared by staff member:     | Lee Sisson, Governance Officer                    |
| Approved/Reviewed by Manager: | Glenn Wilcox, General Manager                     |
| Department:                   | Office of the Chief Corporate Officer             |
| Attachments:                  | <b>1</b> October 2023 Operational Report 42 Pages |

|                      |                                                           |
|----------------------|-----------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>              |
| <b>Submitted by:</b> | Roy Jones, Manager Finance & Technology                   |
| <b>Reference:</b>    | <b>ITEM GOV72/23</b>                                      |
| <b>Subject:</b>      | <b>QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 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 to provide Council with a Quarterly Budget Review Statement in accordance with Regulation 203 of the Local Government (General) Regulation 2005 (the Regulation).

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

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

**Adopts the September 2023 Quarterly Budget Review Statement and recommendations therein that:**

- a) No additional operating or capital expenditure outside of the recommendations in this review be approved by Council unless they are offset by other savings (e.g. with road works such as re-sheeting, with a plan to reduce maintenance costs) or grant funded, and even then only where there will be no additional operating costs as a result of the expenditure i.e. if capital related expenditure, it should be for the replacement of existing assets only, not new assets;**
- b) Acknowledge the ongoing governance and treasury management difficulties Council faces with the current structure of many grant and disaster funding payments, and advocate for changes to the timing of these cash payments from State and Federal governments;**
- c) Council continues to explore increases in operational income by considering selling assets and reassessing commercial lease agreements to increase cash flow to meet requirements for the financial year in line with original budget.**

#### **BACKGROUND**

Regulation 203 of the Regulation states that:

- (1) Not later than two months after the end of each quarter (except the June quarter), the Responsible Accounting Officer of a Council must prepare and

Our Governance No. 72 Cont...

submit to the Council a Budget Review Statement that shows, by reference to the estimate of income and expenditure set out in the Council's Statement of Revenue Policy included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.

- (2) A Budget Review Statement must include or be accompanied by:
  - (a) a Report as to whether or not the Responsible Accounting Officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure, and
  - (b) if that position is unsatisfactory, recommendations for remedial action.
- (3) A Budget Review Statement must also include any information required by the Code to be included in such a statement.

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

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

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

#### **REPORT:**

The original budget adopted by Council indicated that the Net Operating Deficit at the end of the 2023/24 financial year was expected to be **(\$679,004)**. The Operating Deficit was **(\$323,972)** when capital grants and contributions were included. This was based on budgeted total revenue of \$26,488,672 and budgeted total operating expenditure of \$26,812,644.

**In the September 2023 Quarterly Budget Review, the net effect of changes made has resulted in a decline of **(\$3,299,719)** from the projected deficit of the original budget, to result in a projected Net Operating Deficit of **(\$3,978,723)** excluding capital grants and contributions.**

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

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

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

---

Total Continuing Operating Revenue

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For the 2023/24 year, Council originally budgeted for a negative Operating Ratio (deficit) both including and excluding Capital income of (1.22%) and (2.60%) respectively.

This has changed in the September 2023 Quarterly Budget Review to 42.50% and (12.59%) respectively. This is due to grant funding capital works carried forwards from previous year of approximately \$17 million. Further, grants carried forward for operational purposes totaled approximately \$4.3 million.

**Comment by the Responsible Accounting Officer:**

The report clearly indicates that the projected financial position as at 30 June 2024 is unsatisfactory. Further action needs to be taken to address this issue urgently to reduce operating deficit in this financial year and into the future years. Noting, this is primarily due to funding and timing of grants despite administrations ongoing operational deferrals.

A key challenge facing council is its ability to generate own sourced operating revenue. Council as part of its draft financial statements had a ratio of 24.08% which is well below the benchmark of greater than 60%.

Council's cash position has been positive unrestricted as of 30 September 2023 primarily due to advance payment of the Financial Assistance Grant in June 2023.

As required under the Regulation, some remedial actions continue to be proposed as part of the September 2023 review, including that:

- a) No additional operating or capital expenditure outside of the recommendations in this review be approved by Council unless they are offset by other savings (e.g. with road works such as re-sheeting, with a plan to reduce maintenance costs) or grant funded, and even then only where there will be no additional operating costs as a result of the expenditure i.e. if capital related expenditure, it should be for the replacement of existing assets only, not new assets;
- b) Acknowledge the ongoing governance and treasury management difficulties Council faces with the current structure of many grant and disaster funding payments, and advocate for changes to the timing of these cash payments from State and Federal governments.
- c) Council continues to explore increase in operational income by considering selling assets and to reassess current commercial lease agreements.

While the above will not return the operating position to surplus by 30 June 2024, the aim is to continue to ensure the financial sustainability of Council in the longer term.

It is recommended that Council focuses on increasing own source funding and minimize the reliance on external loans in the future.

**Outcome of Special Rate Variation Application:**

As part of March 2022 Quarterly Budget Review council resolved:

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*e) That a plan be developed to increase operational income and further reduce operational expenditure as per previous discussions and comments in Council Reports, may include a Special Rates Variation request with a view to returning Council's operating position to surplus." (resolution 103/22).*

In the Financial Year 2023 Council applied to IPART to increase its general income by a cumulative 104.49% through a permanent special rate variation of 43% (including rate peg for financial year 2023/2024) and a further 43% (including rate peg for financial year 2024/2025).

IPART approved a one – year special rate variation of 43% (including rate peg) for financial year 2023/2024. For the financial year 2024/2025 Council was prescribed the rate peg amount.

The rate peg for FY 2023/2024 is 4.2%.

This equates to an approved rate variation of 38.8% excluding rate peg.

In monetary terms this 38.8% equals \$1.88 Million additional income.

Council had sought the funds be spent in accordance with the following categories:

75% of additional income – Roads, Transport, Stormwater and Drainage.

15% of additional income – Buildings Renewal and Maintenance

10% of additional income – Other assets (e.g. swimming pool, parks and open spaces)

| Categories                                                      | Distribution       |
|-----------------------------------------------------------------|--------------------|
| <b>Roads, Transport, Stormwater and Drainage</b>                | \$1,408,493        |
| <b>Buildings Renewal and Maintenance</b>                        | \$281,699          |
| <b>Other assets (e.g. swimming pool, parks and open spaces)</b> | \$187,799          |
| <b>Total</b>                                                    | <b>\$1,877,991</b> |

### **Operational Budget Review:**

Council once again reduced budgets significantly and deferred operational expenditure as part of the 2023/24 budget process. This included a review of the operational expenditure by the Executive Management Team and a further review of capital income and expenditure with a view to align the budget with the Original adopted budget. This was presented as part of the amended operational plan which council adopted for 2023/24. As shown in the September Quarterly Budget Review, the unsatisfactory financial position continues to be a risk to Council's financial sustainability.

Council also continues to face challenges in treasury management of cash-flow due to the many grant-funded and disaster recovery (DRFA) works being funded in arrears (wherein cash is received after expenditure has been incurred).

As of September 2023, it is estimated that \$3.4Million is owed to Council in reimbursement for Flood Events AGRN 1012 which took place in February 2022.

The September 2023 budget review has increased the Operational Expenditure budget by \$8.7 million. The majority of the increase is due to ongoing operational grant projects



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carried-forward from the 2022/23 financial year, as well as a number of new operational grants as shown below:

| Service Area      | Expenditure Allocations                                                                                                                   | Budget       |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Transport Network | Regional Emergency Road Repair Fund                                                                                                       | \$ 4,306,702 |
| Transport Network | Regional & Local Roads Repair Program                                                                                                     | \$ 2,783,183 |
| Transport Network | Disaster Recovery Funding Agreement (DRFA) Category D program - AGRN1012 Jubullum/Gungyah Ngallingnee Aboriginal Community Internal Roads | \$ 400,000   |

### Capital Budget Review:

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

The September 2023 budget review has increased the Capital works expenditure budget by \$35.4 million, mainly due to the many ongoing capital grant projects carried-forward from the 2022/23 financial year.

The total value of new capital expenditure grants added to the budget is \$13,562,801 as shown below:

| Service Area      | Capital Grant Project                                                                                           | Total Project Budget |
|-------------------|-----------------------------------------------------------------------------------------------------------------|----------------------|
| Transport Network | Disaster Recovery Funding Agreement (DRFA) Category D program - AGRN1012 Integrated Smart Infrastructure System | \$ 600,000           |
| Transport Network | Local Roads & Community Infrastructure Program Round 4                                                          | \$ 1,646,730         |
| Transport Network | DRFA AGRN960 March 2021 Essential Public Asset Restoration - Dumaresq River Bridge, Bruxner Way                 | \$ 11,316,071        |

### Cash and Investment Review:

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

As at 30 September 2023 Council reported a **positive unrestricted cash balance of \$5,003,792. Of which \$4.5 Million has been allocated for payments associated with projects which require initial payment and subsequent reimbursements.**

Our Governance No. 72 Cont...

**Therefore, resulting in \$503,792.00 as available cash.** This was a positive result and is predominately due to receipt of Financial Assistance Grant in advance. However, cash remains a major concern given that this is a very small amount and there is no ability to re-establish internally restricted funds e.g. for Employee Leave Entitlements, or Plant & Vehicle Replacement. By not having sufficient funds within internal restrictions Council is at a higher risk to use externally restricted cash for general purpose. This would result in a breach of the Local Government Act.

The Quarterly Budget Review also includes a reconciliation of Council's cash and investments on hand as at 30 September 2023.

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

Further, a declaration as to the preparation of bank reconciliations is also required. Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the September 2023 quarter occurred on 05 October 2023.

#### **Contracts:**

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

#### **Consultancy and Legal Expenses:**

The current expenditure as at 30 September 2023 on qualifying consultancies and legal fees are identified in the QBRS and this expenditure is budgeted for and, given the size and nature of Council's operations, is considered reasonable.

#### **COUNCIL IMPLICATIONS:**

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

Nil.

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

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

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

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

In the September 2023 Quarterly Budget Review, the forecast Operating Position has been revised to a surplus of \$26,297,503 (including capital grants) and an **Operating Deficit of (\$3,978,723) (excluding capital grants).**

Our Governance No. 72 Cont...

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

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

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

**7. Performance Measures**

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

**8. Project Management**

Nil.

**Glenn Wilcox**  
**General Manager**

|                               |                                                      |             |
|-------------------------------|------------------------------------------------------|-------------|
| Prepared by staff member:     | Roy Jones, Manager Finance & Technology              |             |
| Approved/Reviewed by Manager: | Glenn Wilcox, General Manager                        |             |
| Department:                   | Office of the Chief Corporate Officer                |             |
| Attachments:                  | <b>1</b> Quarterly Budget Review -<br>September 2023 | 13<br>Pages |

|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                 |
| <b>Submitted by:</b> | Roy Jones, Manager Finance & Technology                      |
| <b>Reference:</b>    | <b>ITEM GOV73/23</b>                                         |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 OCTOBER 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 note the Finance and Accounts Report for the period ended 31 October 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 of 31 October 2023.

Cash Book Balances on this date were as follows: -

|                        |                  |        |
|------------------------|------------------|--------|
| General (Consolidated) | \$ 30,138,000.44 | Credit |
| General Trust          | \$ 69,074.00     | Credit |

##### (b) Summary of Investments

Our Governance No. 73 Cont...

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

### Concealed Water Leakage Concession Policy Update

For the month of October 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 31 applications for 603 Certificates in October 2023.

In the calendar year to date, there have been 200 applications compared to 284 applications for the same period last year.

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

Please note: Council is currently undertaking its Annual Financial Statements and Audit reporting requirements for 30 June 2023. However, a detailed analysis has been presented for 31 October 2023.

| <b>RESTRICTED CASH ANALYSIS</b>                                                | <b>AS AT 31 OCTOBER 2023</b> | <b>AS AT 30 JUNE 2023</b> |
|--------------------------------------------------------------------------------|------------------------------|---------------------------|
|                                                                                |                              |                           |
| <b>TOTAL CASH &amp; INVESTMENTS</b>                                            | <b>\$37,207,074</b>          | <b>\$34,891,004</b>       |
|                                                                                |                              |                           |
| <b>EXTERNALLY RESTRICTED CASH</b>                                              | <b>\$33,241,214</b>          | <b>\$28,078,266</b>       |
|                                                                                |                              |                           |
| <b><i>INCLUDED IN GRANT RELATED (EXCL DEVELOPER CONTRIBUTIONS)</i></b>         | <b>\$12,211,578</b>          | <b>\$9,285,089</b>        |
| GRANT-RELATED - <i>GENERAL</i> (EXCL DEVELOPER CONTRIBUTIONS AND RFS RESERVES) | \$11,529,838                 | \$8,670,754               |
| GRANT-RELATED - <i>WATER</i> (EXCL DEVELOPER CONTRIBUTIONS)                    | \$402,471                    | \$168,056                 |
| GRANT-RELATED - <i>SEWER</i> (EXCL DEVELOPER CONTRIBUTIONS)                    | -                            | -                         |
| GRANT-RELATED - <i>WASTE</i> (EXCL DEVELOPER CONTRIBUTIONS)                    | \$279,269                    | \$446,279                 |
| GRANT-RELATED - <i>STORMWATER</i> (EXCL DEVELOPER CONTRIBUTIONS)               | -                            | -                         |
| BRUXNER WAY WIDENING                                                           | -                            | -                         |
|                                                                                |                              |                           |
| <b><i>INCLUDED IN DEVELOPER CONTRIBUTIONS</i></b>                              | <b>\$1,043,144</b>           | <b>\$870,032</b>          |
| DEVELOPER CONTRIBUTIONS - <i>GENERAL</i>                                       | \$781,328                    | \$651,144                 |
| DEVELOPER CONTRIBUTIONS - <i>WATER</i>                                         | \$109,187                    | \$94,296                  |
| DEVELOPER CONTRIBUTIONS - <i>SEWER</i>                                         | \$67,588                     | \$53,994                  |
| DEVELOPER CONTRIBUTIONS - <i>WASTE</i>                                         | \$77,968                     | \$63,921                  |
| DEVELOPER CONTRIBUTIONS - <i>STORMWATER</i>                                    | \$7,073                      | \$6,677                   |
|                                                                                |                              |                           |

Our Governance No. 73 Cont...

|                                                                                                       |                     |                     |
|-------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <b>INCLUDED IN RFS RESERVES</b>                                                                       | <b>\$65,591</b>     | <b>\$111,166</b>    |
| RFS RESERVES                                                                                          | \$65,591            | \$111,166           |
|                                                                                                       |                     |                     |
| <b>INCLUDED IN CASH AT BANK AND INVESTMENT LEFTOVERS (AFTER EXCL GRANT RELATED, DC AND RFS ABOVE)</b> | <b>\$19,920,901</b> | <b>\$17,811,979</b> |
| WATER                                                                                                 | \$1,940,004         | \$1,210,136         |
| SEWER                                                                                                 | \$6,877,877         | \$6,763,527         |
| WASTE                                                                                                 | \$10,018,446        | \$8,464,494         |
| STORMWATER                                                                                            | \$1,015,500         | \$991,481           |
| TRUST FUND                                                                                            | \$69,074            | \$382,341           |
|                                                                                                       |                     |                     |
| <b>INTERNAL RESTRICTIONS</b>                                                                          |                     |                     |
| PLANT AND VEHICLE REPLACEMENT                                                                         | -                   | -                   |
| EMPLOYEES LEAVE ENTITLEMENTS                                                                          | -                   | -                   |
| SPECIAL PROJECTS                                                                                      | -                   | <b>\$5,500,000</b>  |
|                                                                                                       |                     |                     |
| <b>UNRESTRICTED FUNDS</b>                                                                             | <b>\$3,965,860</b>  | <b>\$1,312,738</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. 73 Cont...

**Glenn Wilcox**  
**General Manager**

Prepared by staff member: Roy Jones, Manager Finance & Technology  
Approved/Reviewed by Manager: Glenn Wilcox, General Manager  
Department: Office of the Chief Corporate Officer  
Attachments: **1** Investment Report as at 31 October 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 GOV74/23</b>                                    |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 31 OCTOBER 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 note the Capital Expenditure Report for the period ended 31 October 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 that are ongoing from the 2022/23 year, in particular grant-funded works, will be presented in the first Quarterly Budget Review for September 2023. These projects account for the most significant capital expenditure variances at this stage of the financial year, which is to be expected.

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

#### **COUNCIL IMPLICATIONS:**

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

Nil.

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

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



Our Governance No. 74 Cont...

- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government Circulars

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

Nil.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Glenn Wilcox**  
**General Manager**

|                               |                                                                 |
|-------------------------------|-----------------------------------------------------------------|
| Prepared by staff member:     | Roy Jones, Manager Finance & Technology                         |
| Approved/Reviewed by Manager: | Glenn Wilcox, General Manager                                   |
| Department:                   | Office of the Chief Corporate Officer                           |
| Attachments:                  | <b>1</b> October 2023 Capital Expenditure Report <b>5</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 GOV75/23</b>                                           |
| <b>Subject:</b>      | <b>TENTERFIELD SHIRE COUNCIL ANNUAL REPORT 2022/2023</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 for Council to receive the Annual Report, inclusive of the draft Annual Financial Statements, for the financial year ending 30 June 2023.

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

**That Council adopt the Annual Report for 2022/2023 Noting that due to the late advice from the NSW Audit Office as to amendments issued state wide that the Financial Statements are in Draft form and these statements will be replaced on the website once a final set of statements and advice is issued to Council.**

#### **BACKGROUND**

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

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

Our Governance No. 75 Cont...

(b) *such other information or material as the regulations or the guidelines under section 406 may require.*

(5) *A copy of the Council's Annual Report must be posted on the Council's website and provided to the Minister and such other persons and bodies as the Regulations may require. A copy of a Council's Annual Report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the Report on the Council's website.*

#### **REPORT:**

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

The Annual Report consists of several sections commencing with the Mayor's annual message, followed by statistics about the Shire, our achievements over the year against the Community Strategic Plan strategies, and statutory reporting items. The Annual Report also includes the draft financial statements for the 2022/2023 financial year. This is due to an Audit Office of NSW imposed delay in the completion of the audit of Council's financial statements. The Annual Report will be resubmitted to Council for review and readoption once the audited financial statements have been provided to Council.

#### **COUNCIL IMPLICATIONS:**

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

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

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

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

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

Nil.

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

Nil.

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

Nil.

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

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

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

Nil.

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

Nil.

Our Governance No. 75 Cont...

**Roy Jones**  
**Acting Chief Corporate Officer**

Prepared by staff member: Erika Bursford, Manager Customer Service,  
Governance & Records

Approved/Reviewed by Manager: Roy Jones, Acting Chief Corporate Officer

Department: Office of the Chief Corporate Officer

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 GOV76/23</b>                                                                        |
| <b>Subject:</b>      | <b>COUNCIL RECESS PERIOD - PROPOSED COUNCIL MEETING DATES JANUARY 2024 - SEPTEMBER 2024</b> |

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

## SUMMARY

The purpose of this report is for Council to recommend the dates for the Ordinary Council Meetings – January 2024 to January 2025. In accordance with s356 of the NSW Local Government Act 1993, Council is required to meet at least ten (10) times per year, each time in a separate month.

## OFFICER'S RECOMMENDATION:

### That Council:

- (1) Resolve to hold the first meeting of the Council on 28 February 2024 with the following dates for meetings:**
  - a) Ordinary Council Meetings to be held in each month of the calendar year with the exception of January 2025;**
  - b) Council Meetings be held on the fourth Wednesday of the meeting month at a time to be determined, with the exception of December 2024 which will be held on the third Wednesday of the month; and**
  - c) Ordinary Council Meetings be held each month in the "Koreelah Room", Council Administration Building with the exception of two meetings to be held in the villages of Legume and Torrington.**
  - d) Council will hold an election in September 2024 and the dates and times of meetings will be determined by a new Council after the election.**

## BACKGROUND

Council is required to ensure that appropriate delegations are in place for the General Manager, if on leave or uncontactable during the "closedown" period so that the functions of Council can continue as required. Current advice is that Council's General

Our Governance No. 76 Cont...

Manager will be available throughout the "closedown" period, therefore no additional delegations are required.

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

**REPORT:**

Development applications will be administered via the standard process or at the first meeting in the new year, February 2024.

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

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

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

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

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

As the last two village meetings for this calendar year were postponed due to Council's Fiscal Repair Strategy by Council Resolution #164/23

***Resolved that Council:***

*Resolve to hold the remainder of its 2023 Ordinary and Extraordinary Council meetings in the "Koreelah Room", Council Administration Building, 247 Rouse Street, Tenterfield.*

*(Kim Rhodes/Tim Bonner)*

**Motion Carried**

2023 – Legume & Torrington

**COUNCIL IMPLICATIONS:**

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

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

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

**2. Policy and Regulation**

- NSW Local Government Act 1993;

Our Governance No. 76 Cont...

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

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

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

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

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

**8. Project Management**

Nil.

**Glenn Wilcox**  
**General Manager**

|                               |                                                |
|-------------------------------|------------------------------------------------|
| Prepared by staff member:     | Elizabeth Melling, Executive Assistant & Media |
| Approved/Reviewed by Manager: | Glenn Wilcox, General Manager                  |
| 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> | Glenn Wilcox, General Manager                        |
| <b>Reference:</b>    | <b>ITEM GOV77/23</b>                                 |
| <b>Subject:</b>      | <b>ESTABLISHMENT OF WORKS AND SERVICES COMMITTEE</b> |

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

|                                 |                                                                                                                                                                                                                         |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>                | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>            | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <b>Delivery Plan Action:</b>    | Provide sound and inclusive decisions using the Community Engagement Strategy to guide our interactions.                                                                                                                |
| <b>Operational Plan Action:</b> | Comply with the regulatory and legislative requirements of Councils as outlined by the Office of Local Government and other bodies.                                                                                     |

#### **SUMMARY**

The purpose of this report is for Council to consider forming a Works and Services Committee.

A Terms of Reference has been prepared for discussion and adoption.

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

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

- (1) Establish a Works and Services Committee.**
- (2) That the Terms of Reference for the Works and Services Committee be approved for consideration by the Committee.**
- (3) That Council elect two (2) Councillors as representatives for this Committee.**
- (4) That Council note that all minutes of this Committee shall be presented to Council for any actions, budgetary expenditure, or decision to commit the Council, for consideration and decision making.**

#### **BACKGROUND**

The operation of Council is subject to many aspects that require both in house and public consideration. Council may wish to resolve to form a Works Committee and this report is to establish a Terms of Reference to assist the membership and Councils management.

#### **REPORT:**

This report is presented to Council to form a Works Committee and to allow the Council to consider a Terms of Reference, membership, and reporting procedure. Under Councils Special Rate Variation requests, it has been required to identify and develop plans and strategies to improve road and other assets.



Our Governance No. 77 Cont...

It is considered that an inhouse Council Committee should be formed to discuss improvements, service levels and issues that may prevent the delivery of service outcomes.

This Committee shall report to Council for approval of recommendations before works or budgets allocations are undertaken.

Attached is a Draft Works Committee Terms of Reference for consideration.

### **COUNCIL IMPLICATIONS:**

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

None undertaken as an internal Councilor Committee only.

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

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

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

Council should be using the proposed Works and Services Committee to strategically plan its annual and long-term financial plans based across the areas identified in the terms of reference and under the special rate variations as approved.

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

Nil.

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

Nil.

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

Council can establish committees under the Local Government Act 1993 to assist the Council to develop, inform and review its direction.

Low Risk – where Council resolves to establish a Works and Services Committee to strategically assess and develop outcomes in the areas identified in the Terms of Reference.

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

Nil.

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

Nil.

**Glenn Wilcox**  
**General Manager**

|                               |                                                               |                   |
|-------------------------------|---------------------------------------------------------------|-------------------|
| Prepared by staff member:     | Glenn Wilcox                                                  |                   |
| Approved/Reviewed by Manager: | Glenn Wilcox, General Manager                                 |                   |
| Department:                   | Office of the Chief Executive                                 |                   |
| Attachments:                  | <b>1</b> DRAFT Terms of Reference -<br>Works Committee - 2023 | <b>2</b><br>Pages |

|                      |                                                   |
|----------------------|---------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>              |
| <b>Submitted by:</b> | Glenn Wilcox, General Manager                     |
| <b>Reference:</b>    | <b>ITEM GOV78/23</b>                              |
| <b>Subject:</b>      | <b>ESTABLISHMENT OF COUNCIL FINANCE COMMITTEE</b> |

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

**SUMMARY**

To form a Finance Committee.

A Terms of Reference has been prepared for discussion and adoption.

**OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) Establish a Finance Committee.**
- (2) That the Terms of Reference for the Finance Committee be approved for consideration by the Committee.**
- (3) That Council elect two (2) Councillors as representatives for this Committee.**
- (4) That Council note that all minutes of this Committee shall be presented to Council for any actions, budgetary expenditure, or decision to commit the Council, for consideration and decision making.**

**BACKGROUND**

The operation of Council is subject to many aspects that require both in house and public consideration. Council may wish to resolve to form a Finance Committee and this report is to establish a Terms of Reference to assist the membership and Councils management.

**REPORT:**

This report is presented to Council to form a Finance Committee and to allow the Council to consider a Terms of Reference, membership, and reporting procedure.

Under Councils Special Rate Variation requests, it has been required to identify and develop plans and strategies to improve road, buildings, and other assets. It is also very important for the Council to take a greater control of all future expenditure and to ensure that a transparent process is available for Councillors and the community to understand the staff requests and reporting.

It is considered that an inhouse Council Committee should be formed to discuss financial improvements, service levels and issues that may prevent the delivery of service outcomes.

Our Governance No. 78 Cont...

It is further considered that Council should develop a policy and procedure around the authorisation of expenditure within its annual budget to ensure that projects are fully developed from a financial position and that Council is aware of the financial implications. This policy and the delegations to staff should be limited to \$100,000 per complete project and that the policy does not support project splitting as per the tendering Regulations.

This Committee shall report to Council for approval of recommendations before works or budgets allocations are undertaken.

Attached is a Draft Finance Committee Terms of Reference for consideration.

Council may not resolve to establish a Finance Committee.

### **COUNCIL IMPLICATIONS:**

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

Nil as internal Councilor committee only.

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

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

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

Council should be using the proposed Finance Committee to strategically plan its annual and long-term financial plans based across the areas identified in the terms of reference and under the special rate variations as approved.

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

Nil.

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

Nil.

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

Council can establish committees under the Local Government Act 1993 to assist the Council to develop, inform and review its direction.

Low Risk – where Council resolves to establish a Finance Committee to strategically assess and develop outcomes in the areas identified in the Terms of Reference.

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

Nil.

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

Nil.

Our Governance No. 78 Cont...

**Glenn Wilcox**  
**General Manager**

|                           |                                                       |         |
|---------------------------|-------------------------------------------------------|---------|
| Prepared by staff member: | Glenn Wilcox, General Manager                         |         |
| Department:               | Office of the Chief Executive                         |         |
| Attachments:              | <b>1</b> DRAFT Terms of Reference - Finance Committee | 2 Pages |

|                      |                                                                                              |
|----------------------|----------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                         |
| <b>Submitted by:</b> | Glenn Wilcox, General Manager                                                                |
| <b>Reference:</b>    | <b>ITEM GOV79/23</b>                                                                         |
| <b>Subject:</b>      | <b>ESTABLISHMENT OF TENTERFIELD SCHOOL OF ARTS MUSEUM, CINEMA AND THEATRE S355 COMMITTEE</b> |

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

**SUMMARY**

To form a Tenterfield School of Arts Museum, Cinema and Theatre S355 Committee.

A Terms of Reference has been prepared for discussion and adoption.

**OFFICER'S RECOMMENDATION:****That Council:**

- (1) That Council form a S355 Committee under the Local Government Act 1993 to support the voluntary operation areas of the Tenterfield School of Arts Museum, Cinema and Theatre.**
- (2) That two Councillors are nominated and appointed to the S355 Committee.**
- (3) That Council publicly advertise for individuals or group to nominate for a position on the committee as per the Draft Terms of Reference.**
- (4) That Council consider all nominations from individuals or groups and that these persons or groups are formally appointed by resolution of Council as per the Draft Terms of Reference.**
- (5) That Council and the National Trust discuss the formation of a revised Joint Committee under the Terms of the Lease.**
- (6) That Council elect two Councillors to the Joint Committee as permitted in the Lease, and**
- (7) That Council call a meeting of the Joint Committee to discuss the overall operation of the School of Arts and all other requirements as prescribed by the Lease as soon as practicable.**

Our Governance No. 79 Cont...

### **BACKGROUND**

Council had entered into a Lease Agreement in 1999 with the National Trust of Australia (New South Wales) for the Lease of the Tenterfield School of Arts. The Lease under Clause 18 requires a Joint Management Committee to be established.

Council undertook a review of the operation of the Tenterfield School of Arts and determined it would remove staffing and commence discussions with the National Trust as per its resolution of Councils Ordinary Meeting 30 June 2023 that states:

***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**

Since this resolution, the Council reduced access to the premises except for the library, foyer, and café. Approval for one off event has been provided.

Discussion has been held with members of the Friends of the School of Arts and other interested community members, staff, and Councillors.

The Lease agreement does contain a requirement to have a Joint Committee.

The Joint Committee has defined outcomes and membership and is separate from the S355 Committee proposed to support volunteers with the operation and delivery of services at the School of Arts.

### **REPORT:**

This report is to ask Council to formalise the development and appointment of a community-based committee to support the voluntary provision of services, tourist information, education and other activities permitted under the Lease.

The proposed S355 Committee is separate from the Lease requirements of the Joint Committee which states that the Tenant (Council) will establish a joint committee for the purposes of the lease as per the Lease **Clause 18**.

**18.11.1** *to provide advice, monitor and review the re-development of the building undertaken by the Tenant in accordance with the conditions of the deed of agreement executed by the Tenant in accordance with the conditions of the deed of agreement executed by the Tenant in relation to funding for the Tenterfield School of Arts Restoration Project under the Federation Cultural and Heritage Project Program.*

**18.11.2** *to carry out the annual functions set out in the schedule to this Lease.*

**18.11.3** *the determination of such other matters or things as this lease requires or permits to be determined or approved by the joint committee.*

**18.11.4** *generally, the determination and execution of all matters relating to the implementation and completion of the project, the conduct of the Museum and Library and the ongoing maintenance of the land and the building during the duration of this lease.*

Our Governance No. 79 Cont...

and the items listed in the **Reference Schedule under subclause 6.**

**6.(6.1) Use of Land**

**(a)** *The redevelopment of the Tenterfield School of Arts Complex by means of conservation restoration extension and adaptive reuse works in accordance with the conditions of the deed of agreement executed by the Tenant in relation to funding for the Tenterfield School of Arts Restoration Project under the Federal Cultural and Heritage Project program.*

**(b)** *The restoration refurbishment redevelopment maintenance, repair, and preservation of the building in accordance with clause 9 of this Lease.*

**(c)** *The conduct of the Sir Henry Parkes Museum, Tenterfield Public Library and cultural community and other activities approved by the Landlord within the building in accordance with the Act, and this Lease, such approval by the Landlord not to be unreasonably withheld.*

**(d)** *Such additional and further uses, being for the benefit of the public and not inconsistent with the Act, as are determined by the joint committee and approved by the Landlord, such approval not to be unreasonably withheld.*

This Joint Committee has specified roles and is required to meet at least annually to discuss the functions. Membership of this committee is also specified.

To allow the Council as Tenant to operate this facility it requires a more hands on role. It needs to have regular meetings with its volunteers, to ensure that the volunteers are more inclusive in the day-to-day management.

The School of Arts is a multi-functional building allowing for a museum, cinema and a theatre in the voluntary spaces and a commercial café and Council staffed library, Council will need to ensure each subgroup has a clear and distinct understanding of the limits of their involvement.

- The library is a Council operated facility and staffing in this area rests solely with the Council through the General Manager.
- The Café is a commercially leased area, and its operational needs are through the agreed lease and managed by Council through its General Manager.
- The Museum has been operated jointly by Council and volunteers and this area would operate under the agreed direction of the S355 Committee and only with Council approval.
- The Cinema has been operated jointly by Council and volunteers and this area would operate under the agreed direction of the S355 Committee and only with Council approval.
- The Theatre has been operated jointly by Council and volunteers and this area would operate under the agreed direction of the S355 Committee and only with Council approval.

A general Community Terms of Reference is attached.

Our Governance No. 79 Cont...

In consideration of the General Terms of Reference, the following points have been considered.

### **INDEPENDENT INDIVIDUAL OR ORGANISATION**

Council will need to determine if it would like to have volunteers who are an independent individual or an Organised Group.

For simplicity reasons, it may be appropriate to enter into an agreement with an Associated organisation, treating the arrangement like a contractor, or applying a time frame in line with the term of Council. The Group should be able to demonstrate to Council their ability to undertake the task or project in a safe manner.

Council would apply its policies and procedures to the volunteer group(s) as required. the groups commitment and ability to deliver health and safety initiatives in managing the tasks/project.

As highlighted above, there are three distinct areas where volunteers may wish to provide a service, being the museum, the cinema, and the theatre.

A single Association may be formed by the community to cover all three areas or up to three groups may be formed as separate Associations to cover one or more areas.

Council should call for nominations by individuals or groups who are interested to show support or provide advice on the volunteer makeup.

### **Section 355 Committees**

Where Council has delegated some of its functions to a Section 355 committee, the Committee's constitution / terms of reference must specify the Council representative that is responsible for overall management and supervision of work health and safety for the Committee's activities.

The S355 Committee makeup would be determined after calling for interested individuals or groups to volunteer in the delivery of services as above. Representation on the S355 Committee would allow for up to three (3) volunteer members to cover the three delivery areas.

### **Volunteer Associations**

Where external organisations are engaged to provide volunteer services, the organisation must provide adequate information for Council to assess if the volunteers involved meet the prerequisites for the activity. Volunteers in an Association must still be individually approved by Council and complete Council's induction prior to commencing work.

Council will provide all volunteers with an electronic copy of its Volunteer Policies, Procedures and Councils Code of Conduct.

This report is to request Council to establish a committee under S355 LGA1993 to assist in the volunteer management of the Tenterfield School of Arts.

Council may or may not form a committee.

### **COUNCIL IMPLICATIONS:**

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

Council would advertise for members of the community or associated groups to apply for a position on the committee and to operate the volunteers.



Our Governance No. 79 Cont...

## 2. Policy and Regulation

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

## 3. Financial (Annual Budget & LTFFP)

Council will be required to provide funding for the repairs and maintenance of the Tenterfield School of Arts as per its Lease agreement. Council will be required to provide operational funding to cover electricity, rates, insurance and to provide reasonable expenditure to support the museum exhibits, theatre, and cinema equipment.

It is proposed that rent from the library and the café shall be directed towards the building maintenance costs whilst other costs and upgrades shall be subject to annual ongoing funding by Council, the National Trust where possible and from grants or community donations.

It is estimated that income of approximately \$35,000 and expenditure of \$50,000 would be budgeted for as a start-up amount from July 2024.

## 4. Asset Management (AMS)

Nil.

## 5. Workforce (WMS)

Nil.

## 6. Legal and Risk Management

Council has a Lease with the National Trust (NSW) in place, and this placed obligations on the Council to open this facility and maintain it in a reasonable manner.

The Lease requires Council to have a Joint Committee which has specified roles and functions.

Council may establish a community committee under S355 LGA1993 as below.

### 355 How a council may exercise functions:

A function of a council may, subject to this Chapter, be exercised—

- (a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities, or facilities or by any other means, or
- (b) by a committee of the council, or
- (c) partly or jointly by the council and another person or persons, or
- (d) jointly by the council and another council or councils (including by means of a joint organisation or a Voluntary Regional Organisation of Councils of which the councils concerned are members), or
- (e) by a delegate of the council (which may, for example, be a joint organisation or a Voluntary Regional Organisation of Councils of which the council is a member).

Our Governance No. 79 Cont...

Council is required to make the final decision on all recommendations from the committees. This reduces the risks in the strategic and community consultation process.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Glenn Wilcox**  
**General Manager**

Prepared by staff member:

Glenn Wilcox, General Manager

Department:

Office of the Chief Executive

Attachments:

**1** DRAFT Terms of Reference -  
Tenterfield School of Arts S355  
Committee

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 RES10/23</b>                              |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - OCTOBER 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 October 2023.**

**Glenn Wilcox**  
**General Manager**

|                               |                                                                                         |
|-------------------------------|-----------------------------------------------------------------------------------------|
| Prepared by staff member:     | Elizabeth Melling, Executive Assistant & Media                                          |
| Approved/Reviewed by Manager: | Glenn Wilcox, General Manager                                                           |
| Department:                   | Office of the Chief Executive                                                           |
| Attachments:                  | <b>1</b> Resolution Register - October 2023 <span style="float: right;">26 Pages</span> |