



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 26 JUNE 2024

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the "Koreelah Room", 247 Rouse St, Tenterfield NSW 2372 on Wednesday 26 June 2024 commencing at 9.36 am.

ATTENDANCE

Councillor Bronwyn Petrie (Mayor)
Councillor John Macnish (Deputy Mayor)
Councillor Peter Petty
Councillor Tim Bonner
Councillor Tom Peters
Councillor Kim Rhodes
Councillor Greg Sauer (VIA ZOOM)
Councillor Geoff Nye

ALSO IN ATTENDANCE

General Manager (Hein Basson)
Executive Assistant & Media (Elizabeth Melling)
Acting Chief Corporate Officer (Roy Jones)
Director of Infrastructure (Matthew Francisco)

Clause 254(b) of the Local Government (General) Regulation 2005 requires that the names of the mover and seconder of the motion or amendment are recorded and shown in the Minutes of the meeting.

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil.

WEBCASTING OF MEETING

I advise all present that this meeting is being recorded for placement on Council’s website 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.

OPENING AND WELCOME

CIVIC 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.

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 Wahlbul people of our Shire, and extend our respect to all people."

APPLICATION FOR LEAVE OF ABSENCE

91/24

Resolved that the application for a leave of absence made by Councillor Peter Murphy be approved.

(Peter Petty/Kim Rhodes)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

That councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

Name	Type	Item
Nil.		

(ITEM MIN8/24) CONFIRMATION OF PREVIOUS MINUTES

92/24

Resolved that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting – 22 May 2024

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

(Kim Rhodes/Tim Bonner)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil.

MAYOR MINUTE

Nil.

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

93/24

Resolved that the following items be considered in the Confidential Section of the Meeting:-

- (1) ITEM COM4/24 TENTERFIELD WAR MEMORIAL BATHS – EXTENSION OF CONTRACT WITH CURRENT SUPPLIER.
- (2) ITEM GOV41/24 FACILITATION OF ANNUAL PERFORMANCE REVIEW OF GENERAL MANAGER AND DIRECTORS.

(Geoff Nye/Kim Rhodes)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

OUR ECONOMY

Nil.

OUR ENVIRONMENT

Nil.

OUR GOVERNANCE

(ITEM GOV42/24) ADDITIONAL COUNCIL MEETING TO CONSIDER TENDERS OUTSIDE OF THE CARETAKER PERIOD

SUMMARY

The purpose of this report is to advise Council that there will need to be an additional Council meeting to consider two Tenders prior to Council entering the "Caretaker" period, prior to the Local Government Elections on Saturday 14 September 2024. Council is planning ahead to avoid the need to make these types of decisions during the caretaker period and is proposing an additional meeting be held on Wednesday 14 June 2024 – 9.00am.

94/24

Resolved that Council:

Acknowledge that an Additional Council Meeting will need to be held on Wednesday, 14 August 2024 at 9.00 am to enable the consideration of two tenders prior to entering the 2024 Local Government Election - Caretaker period, which commences on 16 August 2024.

(Peter Petty/John Macnish)

Motion Carried

Erika Bursford, Manager Customer Service, Governance & Records entered the meeting, the time being 9.41 am.

(ITEM GOV43/24) POLICY UPDATES - LEGISLATIVE COMPLIANCE AND FRAUD AND CORRUPTION CONTROL POLICIES 2024

SUMMARY

The purpose of this report is to update two existing Council policies, being the Legislative Compliance Policy, and the Fraud and Corruption Prevention Policy.

95/24

Resolved that Council adopts the updated:

- (1) Tenterfield Shire Council Legislative Compliance Policy, and
- (2) Tenterfield Shire Council Fraud and Corruption Control Policy.

(Kim Rhodes/Tom Peters)

Motion Carried

(Item GOV44/24) TENTERFIELD SHIRE COUNCIL - BUDGET REPORT 2024/2025

SUMMARY

The purpose of this report is for Council to adopt the updated 2024/25 Annual Budget (Operational and Capital Budget) for inclusion in the Delivery Program 2024/25 to 2027/28.

OFFICER'S RECOMMENDATION

That Council:

- (1) Notes the staff responses contained in the annexure to the report on the written submission received from a community member, and that these responses be sent to the particular resident with Council's thanks and appreciation for the time and effort taken to prepare this submission.**
- (2) Adopts the updated Annual Budget for the 2024/25 Financial Year as distributed under separate cover with the Business Paper for inclusion in Council's 2024/25 Operational Plan and Delivery Programme for 2024/25 to 2027/28.**
- (3) Notes and ratifies the changes made to the draft 2024/25 Budget as are highlighted and explained within the body of the report; resulting in an operating deficit for the General Fund of \$3.513million (before capital income and contributions).**
- (4) Notes that the 2024/25 Budget provides for a maximum number of 82 full time equivalent (FTE) staff and that the development of a revised organisation structure will officially be pursued by the General Manager in consultation with the Council as soon as is practically possible – acknowledging that the timing is awkward with the general local government elections that are scheduled for 14 September 2024, and the Council caretaker period starting on 16 August 2024.**
- (5) Confirms its resolution adopted at the Ordinary Council Meeting held on 27 March 2024 for a Special Rate Variation (SRV) application to the Independent Pricing and Regulatory Tribunal (IPART) to be prepared for an SRV to be implemented for the 2025/26 Financial Year onwards to address the current and ongoing future operating deficits and associated inability of Council to adequately address the maintenance and renewal of its infrastructure assets.**
- (6) Commences as soon as is possible with the preparation of an updated suite of Integrated Planning and Reporting Framework (IPRF) documents and SRV-application, noting that community consultation is an intrinsic process associated with these preparation actions, and that Centium consultancy firm has been engaged to facilitate the community consultation processes and assist Council staff with the preparation of the SRV-application and the IPRF-suite of documents.**
- (7) Determines a proposed percentage increase for the SRV and the proposed implementation period before the community consultation regarding the SRV commences, and that the Councillor Workshop that is scheduled for 10 July 2024 be**

earmarked for initial information presentations by staff in this regard.

- (8) Approves and ratifies the actions already taken by the Director of Infrastructure Services to engage professionals to do a detailed asset condition assessment of its sealed roads network – to enable Council to use this robust asset management data to further inform the development of Council’s Long Term Financial Plan (LTFP) over the next 10 years, and to use this reliable data to inform its decision-making pertaining to rate increases for the SRV-application to IPART.**
- (9) Confirms its previously stated position that Council is currently not in a financial position to take up and service any further financial borrowings by way of loans.**
- (10) Approves the revised charges pertaining to the swimming pool and the development approval processes and that these fees and charges be put on public exhibition for a period of 28 days seeking written submissions from the public (except for those charges that have been changed in accordance with the State Government’s prescribed charges) and in the instance of no submissions being received, for the development approval charges to be approved and implemented as from 1 August 2024 (except for those charges that have been changed in accordance with the State Government’s prescribed charges, which charges will take effect from 1 July 2024), and the swimming pool fees and charges as from 1 October 2024 when the swimming season opens.**
- (11) Approves the newly implemented Interment Services Levy by the State Government that Council as cemetery operator needs to pay to Cemeteries and Crematoria NSW (CCNSW) as part of Council’s 2024 List of Fees and Charges, and for these charges to be passed onto the funeral directors operational within its area of jurisdiction; further that Council communicates and explains this new charge to all funeral directors by way of written communication, as well as to residents through its social media outlets.**

(Peter Petty/Greg Sauer)

AMENDMENT

That Council:

- (1) Notes the staff responses contained in the annexure to the report on the written submission received from a community member, and that these responses be sent to the particular resident with Council’s thanks and appreciation for the time and effort taken to prepare this submission.**
- (2) Adopts the updated Annual Budget for the 2024/25 Financial Year as distributed under separate cover with the Business Paper for inclusion in**

Council's 2024/25 Operational Plan and Delivery Programme for 2024/25 to 2027/28.

- (3) Notes and ratifies the changes made to the draft 2024/25 Budget as are highlighted and explained within the body of the report; resulting in an operating deficit for the General Fund of \$3.513million (before capital income and contributions).
- (4) Notes that the 2024/25 Budget provides for a maximum number of 82 full time equivalent (FTE) staff and that the development of a revised organisation structure will officially be pursued by the General Manager in consultation with the Council as soon as is practically possible – acknowledging that the timing is awkward with the general local government elections that are scheduled for 14 September 2024, and the Council caretaker period starting on 16 August 2024.
- (5) Confirms its resolution adopted at the Ordinary Council Meeting held on 27 March 2024 for a Special Rate Variation (SRV) application to the Independent Pricing and Regulatory Tribunal (IPART) to be prepared for an SRV to be implemented for the 2025/26 Financial Year onwards to address the current and ongoing future operating deficits and associated inability of Council to adequately address the maintenance and renewal of its infrastructure assets.
- (6) Commences as soon as is possible with the preparation of an updated suite of Integrated Planning and Reporting Framework (IPRF) documents and SRV-application, noting that community consultation is an intrinsic process associated with these preparation actions, and that Centium consultancy firm has been engaged to facilitate the community consultation processes and assist Council staff with the preparation of the SRV-application and the IPRF-suite of documents.
- (7) Determines a proposed percentage increase for the SRV and the proposed implementation period before the community consultation regarding the SRV commences, and that the Councillor Workshop that is scheduled for 10 July 2024 be earmarked for initial information presentations by staff in this regard.
- (8) Approves and ratifies the actions already taken by the Director of Infrastructure Services to engage professionals to do a detailed asset condition assessment of its sealed roads network – to enable Council to use this robust asset management data to further inform the development of Council's Long Term Financial Plan (LTFP) over the next 10 years, and to use this reliable data to inform its decision-making pertaining to rate increases for the SRV-application to IPART.
- (9) Confirms its previously stated position that Council is currently not in a financial position to take up and service any further financial borrowings by way of loans.
- (10) Approves the revised charges pertaining to the swimming pool and the development approval processes and that these fees and charges be put

on public exhibition for a period of 28 days seeking written submissions from the public (except for those charges that have been changed in accordance with the State Government's prescribed charges) and in the instance of no submissions being received, for the development approval charges to be approved and implemented as from 1 August 2024 (except for those charges that have been changed in accordance with the State Government's prescribed charges, which charges will take effect from 1 July 2024), and the swimming pool fees and charges as from 1 October 2024 when the swimming season opens.

- (11) Approves the newly implemented Interment Services Levy by the State Government that Council as cemetery operator needs to pay to Cemeteries and Crematoria NSW (CCNSW) as part of Council's 2024 List of Fees and Charges, and for these charges to be passed onto the funeral directors operational within its area of jurisdiction; further that Council communicates and explains this new charge to all funeral directors by way of written communication, as well as to residents through its social media outlets.
- (12) Future grant funding applications for new asset creation will require a resolution of Council to proceed.

(Bronwyn Petrie/Kim Rhodes)

Amendment Carried

96/24

Resolved That Council:

- (1) Notes the staff responses contained in the annexure to the report on the written submission received from a community member, and that these responses be sent to the particular resident with Council's thanks and appreciation for the time and effort taken to prepare this submission.
- (2) Adopts the updated Annual Budget for the 2024/25 Financial Year as distributed under separate cover with the Business Paper for inclusion in Council's 2024/25 Operational Plan and Delivery Programme for 2024/25 to 2027/28.
- (3) Notes and ratifies the changes made to the draft 2024/25 Budget as are highlighted and explained within the body of the report; resulting in an operating deficit for the General Fund of \$3.513million (before capital income and contributions).
- (4) Notes that the 2024/25 Budget provides for a maximum number of 82 full time equivalent (FTE) staff and that the development of a revised organisation structure will officially be pursued by the General Manager in consultation with the Council as soon as is practically possible – acknowledging that the timing is awkward with the general local government elections that are scheduled for 14 September 2024, and the Council caretaker period starting on 16 August 2024.
- (5) Confirms its resolution adopted at the Ordinary Council Meeting held on 27 March 2024 for a Special Rate Variation (SRV) application to the

Independent Pricing and Regulatory Tribunal (IPART) to be prepared for an SRV to be implemented for the 2025/26 Financial Year onwards to address the current and ongoing future operating deficits and associated inability of Council to adequately address the maintenance and renewal of its infrastructure assets.

- (6) Commences as soon as is possible with the preparation of an updated suite of Integrated Planning and Reporting Framework (IPRF) documents and SRV-application, noting that community consultation is an intrinsic process associated with these preparation actions, and that Centium consultancy firm has been engaged to facilitate the community consultation processes and assist Council staff with the preparation of the SRV-application and the IPRF-suite of documents.
- (7) Determines a proposed percentage increase for the SRV and the proposed implementation period before the community consultation regarding the SRV commences, and that the Councillor Workshop that is scheduled for 10 July 2024 be earmarked for initial information presentations by staff in this regard.
- (8) Approves and ratifies the actions already taken by the Director of Infrastructure Services to engage professionals to do a detailed asset condition assessment of its sealed roads network – to enable Council to use this robust asset management data to further inform the development of Council’s Long Term Financial Plan (LTFP) over the next 10 years, and to use this reliable data to inform its decision-making pertaining to rate increases for the SRV-application to IPART.
- (9) Confirms its previously stated position that Council is currently not in a financial position to take up and service any further financial borrowings by way of loans.
- (10) Approves the revised charges pertaining to the swimming pool and the development approval processes and that these fees and charges be put on public exhibition for a period of 28 days seeking written submissions from the public (except for those charges that have been changed in accordance with the State Government’s prescribed charges) and in the instance of no submissions being received, for the development approval charges to be approved and implemented as from 1 August 2024 (except for those charges that have been changed in accordance with the State Government’s prescribed charges, which charges will take effect from 1 July 2024), and the swimming pool fees and charges as from 1 October 2024 when the swimming season opens.
- (11) Approves the newly implemented Interment Services Levy by the State Government that Council as cemetery operator needs to pay to Cemeteries and Crematoria NSW (CCNSW) as part of Council’s 2024 List of Fees and Charges, and for these charges to be passed onto the funeral directors operational within its area of jurisdiction; further that Council communicates and explains this new charge to all funeral directors by way of written communication, as well as to residents through its social media outlets.

(12) Future grant funding applications for new asset creation will require a resolution of Council to proceed.

(Bronwyn Petrie/Kim Rhodes)

Motion Carried

Cr Peter Petty left the meeting, the time being 10.25 am.

Cr Peter Petty returned to the meeting, the time being 10.27 am.

SUSPENSION OF STANDING ORDERS

97/24 **Resolved** that Standing Orders be suspended.

(Geoff Nye/Peter Petty)

Motion Carried

The meeting adjourned for morning tea, the time being 10.49 am.

RESUMPTION OF STANDING ORDERS

98/24 **Resolved** that Standing Orders be resumed.

(Kim Rhodes/Tom Peters)

Motion Carried

The meeting reconvened, the time being 11.10 am.

(ITEM GOV45/24) TENTERFIELD SHIRE COUNCIL OPERATIONAL PLAN 2024/2025 INCLUDING STATEMENT OF REVENUE POLICY 2024/2025

SUMMARY

The purpose of this Report is for Council to adopt the Tenterfield Shire Council Operational Plan 2024/2025, including Statement of Revenue Policy, Fees and Charges and Annual Budget, following public exhibition for community comment for 28 days, from 28 March 2024 to 24 April 2024.

99/24 **Resolved** that Council:

- (1) Adopts the Tenterfield Shire Council updated Operational Plan 2024/2025.
- (2) Adopt the following updated documents as part of the Tenterfield Shire Council Operational Plan 2024/2025:
 - (a) Tenterfield Shire Council updated Annual Budget for 2024/2025

- (b) Tenterfield Shire Council updated Statement of Revenue Policy for 2024/2025, and
 - (c) Tenterfield Shire Council updated Fees and Charges for 2024/2025.
- (3) In accordance with the provisions of Sections 494 & 535 of the Local Government Act 1993, makes, fixes and levies the rates for the year ending 30 June 2025 for the following rating categories:

Farmland:

A Farmland rate of 0.234433 of a cent in the dollar (shown as 0.234433% on rates notice) on the current land values of all rateable land in the Local Government Area being Farmland, with a base rate of \$580.00 per annum (the total revenue collected from this base amount represents 23.80% of the total revenue collected from this category of land);

Residential – Tenterfield:

A Residential – Tenterfield rate of 0.498446 of a cent in the dollar (shown as 0.498446% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$445.00 per annum (the total revenue collected from this base amount represents 45.62% of the total revenue collected from this category of land);

Residential – Tenterfield (Urban):

A Residential – Tenterfield rate of 0.448210 of a cent in the dollar (shown as 0.448210% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$445.00 per annum (the total revenue collected from this base amount represents 21.92% of the total revenue collected from this category of land);

Residential – Urbenville:

A Residential – Urbenville rate of 0.649359 of a cent in the dollar (shown as 0.649359% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$395.00 per annum (the total revenue collected from this base amount represents 44.65% of the total revenue collected from this category of land);

Residential – Jennings:

A Residential – Jennings rate of 0.838352 of a cent in the dollar (shown as 0.838352% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$395.00 per annum (the total revenue collected from this base amount represents 45.81% of the total revenue collected from this category of land);

Residential – Drake:

A Residential – Drake rate of 0.988153 of a cent in the dollar (shown as 0.988153% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$395.00 per

annum (the total revenue collected from this base amount represents 46.25% of the total revenue collected from this category of land);

Residential – Other:

A Residential – Other rate of 0.368185 of a cent in the dollar (shown as 0.368185% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$203.00 per annum (the total revenue collected from this base amount represents 23.21% of the total revenue collected from this category of land);

Business – Tenterfield:

A Business – Tenterfield rate of 1.586269 of a cent in the dollar (shown as 1.586269% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$786.00 per annum (the total revenue collected from this base amount represents 33.19% of the total revenue collected from this category of land);

Business – Urbenville:

A Business – Urbenville rate of 0.619597 of a cent in the dollar (shown as 0.619597% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$361.00 per annum (the total revenue collected from this base amount represents 43.79% of the total revenue collected from this category of land);

Business – Jennings:

A Business – Jennings rate of 0.475948 of a cent in the dollar (shown as 0.475948% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$361.00 per annum (the total revenue collected from this base amount represents 42.50% of the total revenue collected from this category of land);

Business – Drake:

A Business – Drake rate of 0.926204 of a cent in the dollar (shown as 0.926204% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$361.00 per annum (the total revenue collected from this base amount represents 44.59% of the total revenue collected from this category of land);

Business – Other:

A Business – Other rate of 0.506845 of a cent in the dollar (shown as 0.506845% on rates notice) of the current land values of all rateable land within this category, with a base rate of \$388.00 per annum (the total revenue collected from this base amount represents 23.44% of the total revenue collected from this category of land);

Mining:

A Mining rate of 2.146022 of a cent in the dollar (shown as 2.146022% on rates notice) on the current land values of all rateable land in the Local Government Area where the dominant use is for a coal mine or metalliferous mine, with a base rate of \$632.00 per annum (the total revenue collected from this base amount

represents 41.78% of the total revenue collected from this category of land).

(4) In accordance with the provisions of Section 552 of the Local Government Act 1993, Council makes, fixes and levies a Water Supply Availability Charge on all land rateable to the Water Supply Charge and other water charges for the year ending June 2025, as follows:

- (a) Residential - \$746.00 per property and/or connection per annum;
- (b) Residential Strata - \$561.00 per property and/or connection per annum;
- (c) Mt Lindesay Private Line - \$930.00 per property and/or connection per annum;
- (d) Rural Other - \$746.00 per property and/or connection per annum;
- (e) Non Residential - Meter connection: 20mm - \$746.00 per property and/or connection per annum;
- (f) Non Residential - Meter connection: 25mm - \$746.00 per property and/or connection per annum;
- (g) Non Residential - Meter connection: 32mm - \$746.00 per property and/or connection per annum;
- (h) Non Residential - Meter connection: 40mm - \$1,125.00 per property and/or connection per annum;
- (i) Non Residential - Meter connection: 50mm - \$1,750.00 per property and/or connection per annum;
- (j) Non Residential - Meter connection: 80mm - \$4,490.00 per property and/or connection per annum;
- (k) Non Residential - Meter connection: 100mm - \$7,015.00 per property and/or connection per annum;
- (l) Non Residential - Meter connection: 150mm - \$15,775.00 per property and/or connection per annum;
- (m) Voluntary & Charitable Organisations - \$143.00 per property and/or connection per annum;
- (n) Services installed solely for the purpose of firefighting – No Charge.

(5) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Residential customers (to be by measure of metered water consumption) at the rate of \$6.20 per kilolitre for water consumption between nil (0) and 450 kiloliters per annum, and \$9.60 per kilolitre for water consumed over 450 kilolitres per annum.

(6) In accordance with Section 502 of the Local Government Act, that Council makes, fixes and levies a stepped tariff for the charge for water consumed by Rural/Mt Lindesay customers (to be by measure of metered water consumption) at the rate of \$6.20 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum, and \$9.60 per kilolitre for water consumed over 450 kilolitres per annum.

(7) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Non-

Residential customers (to be by measure of metered water consumption) at the rate of \$6.20 per kilolitre for water consumption between nil (0) and 1,000 kilolitres per annum, and \$9.60 per kilolitre for water consumed over 1,000 kilolitres per annum.

- (8) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a minimum water consumption account charge of \$25.00 for each of the six (6) monthly billing periods. Further, that if at the time of reading a water meter it is found to be damaged or has stopped, an account will be issued based on the previous two corresponding water bills.
- (9) In accordance with the provisions of Section 501(1) and 502 of the Local Government Act 1993, makes, fixes and levies a Sewerage Service Availability Charge of \$1,460.00 on all Residential land in the Tenterfield and Urbenville Town Areas and is:
- (a) connected to the Council's sewer main, or
 - (b) not connected to the Council's sewer main but any part of the property is no more than 75 metres from the Council's sewer main; and
 - (c) land from which sewerage can be discharged into the sewers of Council for the year ending June 2025.

Further, that in respect of Residential Flat Buildings a Sewerage Availability Charge will be made equal to the number of residential flats multiplied by the service charge for a single connection

- (11) In accordance with the provisions of Sections 501(1) and 552 of the Local Government Act 1993, Council makes, fixes and levies Annual Access Charges for Commercial and Non-Residential Sewerage for the year ending June 2025, as follows:

A Sewerage Access Charge will be incurred proportional to the customer's water connection diameter plus a pay-for-use charge based on the water used, calculated in accordance with the following connection options and the formula following subparagraph "k" below:

- (a) Non Residential - Meter connection: 20mm - \$1,460.00 per occupancy per property per annum;
- (b) Non Residential - Meter connection: 25mm - \$1,460.00 per occupancy per property per annum;
- (c) Non Residential - Meter connection: 32mm - \$1,890.00 per occupancy per property per annum;
- (d) Non Residential - Meter connection: 40mm - \$2,940.00 per occupancy per property per annum;
- (e) Non Residential - Meter connection: 50mm - \$4,585.00 per occupancy per property per annum;
- (f) Non Residential - Meter connection: 80mm - \$11,735.00 per occupancy per property per annum;
- (g) Non Residential - Meter connection: 100mm - \$18,335.00 per occupancy per property per annum;
- (h) Non Residential - Meter connection: 150mm - \$41,260.00

- per occupancy per property per annum;
- (i) Voluntary & Charitable Organisations - \$281.00 per occupancy per property per annum;
 - (j) Services installed solely for the purpose of firefighting – No Charge.
- (k) The formula to calculate Non-Residential Sewerage Charges is:

$$AC + SDF \times (C + UC)$$

Where:

AC = Access Charge

SDF = Sewerage Discharge Factor (determined by type/use)

C = Customers Annual Water Consumption in kilolitres

UC = Sewerage Usage Charge

- (12) Makes, fixes and levies a Sewerage Usage Charge of \$3.50 per kilolitre in 2024/2025.
- (13) Makes, fixes and levies Trade Waste Annual Charges for the year ending June 2025, as follows:
- (a) Non-Residential Trade Waste Fee: Category 1 - \$204.00 per property per annum
 - (b) Non-Residential Trade Waste Fee: Category 2 - \$204.00 per property per annum
 - (c) Non-Residential Trade Waste Fee: Category 3 - \$974.00 per property per annum
- (14) Makes, fixes and levies Trade Waste Usage Charges for the year ending June 2025, as follows:
- (a) Non-Residential Trade Waste Usage Charge: Compliant - \$2.30 per kilolitre
 - (b) Non-Residential Trade Waste Usage Charge: Non-Compliant - \$23.50 per kilolitre
- (15) In accordance with section 501 of the Local Government Act 1993 makes, fixes and levies the Waste Management Facility Charge of \$321.00 per property per annum for the year ending June 2025.
- (16) In accordance with sections 496 and 501 of the Local Government Act 1993 makes, fixes and levies Waste Collection Charges for the year ending June 2025, as follows:
- (a) Residential Waste Collection: 120L Bin - \$517.00 per service per annum
 - (b) Residential Waste Collection: 240L Bin - \$665.00 per service per annum

- (c) Non-Residential Waste Collection: 120L Bin - \$517.00 per service per annum
 - (d) Non-Residential Waste Collection: 240L Bin - \$665.00 per service per annum
- (17) In accordance with sections 496 and 501 of the Local Government Act 1993 makes, fixes and levies Recycling Collection Charges for the year ending June 2025, as follows.
- (a) Residential Recycling Collection - \$98.50 per service per annum
 - (b) Non-Residential Recycling Collection - \$98.50 per service per annum
- (18) In accordance with section 496A of the Local Government Act 1993 makes, fixes and levies Stormwater Management Charges for the year ending June 2025, for properties within the Tenterfield, Urbenville and Jennings town areas where there is a structure.
- (a) Residential – \$25.00 per annum
 - (b) Residential Strata Title Per Unit - \$12.50 per annum
 - (c) Non-Residential: <350m square - \$25.00 per annum
 - (d) Non-Residential: 350m square-1200m square - \$50.00 per annum
 - (e) Non-Residential: 1200m square-5000m square - \$221.00 per annum
 - (f) Non-Residential: >5000m square - \$357.00 per annum
- (19) Provides three (3) waste vouchers that will be issued with the annual rate notices. Under amendments to NSW Treasury laws and regulations, Council is extending the expiry date for vouchers. Vouchers for 2024/2025 will be current for three (3) financial years, up to and including 2026/2027 financial year. Previously issued vouchers for 2023/2024 will remain valid for two (2) financial years, up to and including 2025/2026. Previously issued vouchers for 2022/2023 will remain valid up to and including 2024/2025 financial year.
- (20) Borrowings:
Nil borrowings – subject to service level reductions and further amendments proposed in the amended Operational Plan for 2024/2025.
- (21) In accordance with the provisions of Section 566(3) of the Local Government Act 1993, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2025.
- (22) In accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan 2024/2025 on its website within 28 days.

(23) Community contributions and donations:

That In accordance with the provisions of Section 356 of the Local Government Act 1993 Council adopt the individual allocation of community contributions / donations to a total of \$85,000 as detailed below.

No	Organisation	Project	Amount \$
1	Drake Primary School	Presentation Night	150.00
2	Jennings Public School	Presentation Night	150.00
3	St Joseph's Convent Schools	Presentation Night	150.00
4	Sir Henry Parkes Memorial Primary School	Presentation Night	150.00
5	Tenterfield High School	Presentation Night	150.00
6	Urbenville Public School	Presentation Night	150.00
7	Woodenbong Public School	Presentation Night	150.00
8	Drake Primary School	Learn to Swim – contribution to transport	550.00
9	Urbenville Public School	Learn to Swim – contribution to transport	550.00
10	Westpac Helicopter Rescue Service	Helicopter Rescue Service – Annual Contribution	2,000.00
11	Liston Hall Committee	Annual contribution to assist with operating costs	500.00
12	Bolivia Hall Committee	Annual contribution to assist with operating costs	500.00
13	Legume Hall Committee	Annual contribution to assist with operating costs	500.00
14	Drake Hall Committee	Annual contribution to assist with operating costs	500.00
15	Urbenville Hall Committee	Annual contribution to assist with operating costs	500.00
16	Steinbrook Hall Committee	Annual contribution to assist with operating costs	500.00
17	Sunnyside Hall Committee	Annual contribution to assist with operating costs	500.00
18	Mingoola Hall Committee	Annual contribution to assist with operating costs	500.00
19	Torrington Hall Committee	Annual contribution to assist with operating costs	500.00
20	Tenterfield Highlander Pipe Band	Annual contribution to assist with operating costs	500.00
21	Urbenville Community	Bus Registration Costs	850.00
22	Tenterfield Seniors Week Committee	Seniors Week Activities	1,000.00

	Total External organisations Contributions and Donations		11,000.00
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(Peter Petty/Geoff Nye)

Motion Carried

Erika Bursford – Manager Customer Service, Governance & Records left the meeting, the time being 11.13 am.

Cr Peter Petty left the meeting, the time being 11.15 am.

Cr Peter Petty returned to the meeting, the time being 11.16 am.

(ITEM GOV46/24) ACCEPTANCE OF A QUALIFIED OPINION FROM THE NSW AUDIT OFFICE FOR THE FINANCIAL STATEMENTS 30 JUNE 2024 - REGARDING RECOGNITION OF RURAL FIRE SERVICE ASSETS

SUMMARY

The purpose of this Report is to inform Council regarding the implied intention of the Audit Office of New South Wales to issue a qualified audit opinion to Tenterfield Shire Council if Rural Fire Service (RFS) Assets are not recognised in Council’s Financial Statements.

100/24

Resolved:

- (1) That Council notes its submission to the Public Accounts Committee – Legislative Assembly into NSW Rural Fire Service assets and operations, and the fact that 61 other NSW Councils and Joint Organisations have also lodged submissions with this Committee.
- (2) That Council adopts a firm position on the issue of Rural Fire Service assets, being that the Rural Fire Service Act 1997 should be amended to make it clear that control of all assets rests with the Rural Fire Service itself and not Council; therefore, all assets relating to activities of the Rural Fire Service should be reflected on its Balance Sheet and the necessary depreciation costs should be reflected in their Income Statements as an expense item.
- (3) That Council adopts an Acceptance of a Qualified Opinion from the Audit Office of New South Wales for the 30 June 2024-Financial Statements.

(Kim Rhodes/Geoff Nye)

Motion Carried

(ITEM GOV47/24) MONTHLY OPERATIONAL REPORT FOR MAY 2024

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.

101/24

Resolved that Council:

Notes the status of the Monthly Operational Report for May 2024.

(Peter Petty/Tom Peters)

Motion Carried

Cr John Macnish left the meeting, the time being 11.56 am.

Cr John Macnish returned to the meeting, the time being 11.58 am.

(ITEM GOV48/24) FINANCE & ACCOUNTS - PERIOD ENDED 31 MAY 2024

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.

Addition financial information on Water Leakage, 603 Certificates, and financial business units is presented for Councillor and community information.

102/24

Resolved that Council notes the Finance and Accounts Report for the period ended 31 May 2024.

(Kim Rhodes/Geoff Nye)

Motion Carried

(ITEM GOV49/24) ANNUAL REMUNERATION FOR COUNCILLORS AND THE MAYOR - 2024-2025

SUMMARY

The purpose of this Report is to address the recent determination of the NSW Local Government Remuneration Tribunal which handed down an increase in the fees payable to Councillors and the Mayor of 3.75% for the 2024/2025 financial year.

The increase applies to both the minimum and maximum allowable rates for both Councillors and the Mayor. Council is required to determine at which rate it sets fees for both Councillors and the Mayor within the minimum and maximum allowable amounts for the upcoming financial year. In the past, Tenterfield Shire

Council have applied the “maximum” allowable amount for both Councillors and Mayor.

103/24

Resolved that Council:

- (1) Notes the Report and Determination of the NSW Remuneration Tribunal 29 April 2024.
- (2) Sets the level of fees payable to all Councillors at \$13,520 per annum effective from 1 July 2024 to 30 June 2025.
- (3) Sets the additional fee payable to the Mayor at \$29,500 per annum effective from 1 July 2024 to 30 June 2025.

(Peter Petty/John Macnish)

Motion Carried

Erika Bursford – Manager Customer Service, Governance & Records entered the meeting, the time being 12.29 pm.

(ITEM GOV50/24) APPOINTMENT OF COUNCILLOR OBSERVER - AUDIT, RISK AND IMPROVEMENT COMMITTEE

SUMMARY

The objective of the Tenterfield Shire Audit, Risk and Improvement Committee (the Committee) is to provide independent assistance to Tenterfield Shire Council (Council) by monitoring, reviewing and providing advice on risk management, control frameworks, governance processes and external accountability responsibilities.

As part of the implementation of the NSW Office of Local Government’s Risk Management and Internal Audit Framework for local government, the NSW Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023 (the Regulation) gained royal assent in December 2023, giving effect to the requirements set out for the Committee. Council is now required to appoint a Councillor observer, who does not hold the office of Mayor, to the Committee.

104/24

Resolved that Council appoints Councillor Geoff Nye, to the Tenterfield Shire Council Audit, Risk and Improvement Committee, as per Section 216C(2) and Section 216C(4) of the NSW Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023.

(Kim Rhodes/Geoff Nye)

Motion Carried

Erika Bursford – Manager Customer Service, Governance & Records left the meeting, the time being 12.31 pm.

(ITEM GOV51/24) TENTERFIELD CHAMBER OF TOURISM, INDUSTRY AND BUSINESS - TENTERFIELD TOURISM GROUP PLAN 2024/2025

SUMMARY

This report is to present to Council the Tenterfield Chamber of Tourism, Industry and Business – Tenterfield Tourism Group – Action Plan under the funding agreement between Tenterfield Chamber of Tourism, Industry and Business (TCTIB) and Tenterfield Shire Council. The Tenterfield Tourism Group is required to report to Council 14 days prior to each payment date a written action plan outlining the expected services to be performed and expenditure for which the funds will be used.

105/24

Resolved that Council:

- (1) Notes with thanks the report dated 17 June 2024 from the Tenterfield Tourism Group for the period 1 January 2024 to 31 March 2024.
- (2) Approves the \$50,000 provided in the 2024/25-Budget to be paid to the Tenterfield Tourism Group on 1 July 2024 (\$25,000) and 1st January 2025 (\$25,000) contingent on meeting the contract conditions.
- (3) Approves the unexpended monies provided to the Tenterfield Tourism Group for the 2023/24 financial year to be carried forward to the 2024/25 financial year to be expended on the actions and projects identified in the report received from this Group.

(Kim Rhodes/John Macnish)

Motion Carried

Cr Peter Petty left the meeting, the time being 12.32 pm.

Cr Peter Petty returned to the meeting, the time being 12.35 pm.

Cr John Macnish left the meeting, the time being 12.56 pm.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC7/24) TENTERFIELD SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE MEETING MINUTES - THURSDAY 13TH JUNE 2024

106/24

Resolved that the Council:

- (1) Receives and notes the unconfirmed Minutes of the Tenterfield Shire Council Local Traffic Committee Meeting held on Thursday, 13 June 2024.
- (2) Adopts the following recommendations from the Local Traffic Committee
- (3) MANNERS STREET BUS STOP

TfNSW representatives to discuss the new location of the Manners Street Bus Stop with Council's Director of Infrastructure and Manager Works.

(4) NEW ENGLAND HIGHWAY – INTERSECTION OF OLD BALLANDEAN ROAD AND BRUXNER WAY

The plan submitted by Mayor Bronwyn Petrie provided by a local bus operator to be provided to TfNSW.

(5) GENERAL BUSINESS

(a) That the Committee raises no objection to the proposed Untamed Border Run on 22nd June 2024 subject to NSW Police approval being obtained and standard conditions of compliance including traffic management and safety, as well as public liability insurance being held.

(b) That the committee approves the grids on Razorback Creek Road (application and payment has been provided) and standard procedure for grid approval is carried out.

(c) If the Liston Tea House is to open again Council is to assess the on-site parking and parking issues on Mount Lindesay Road. Clarify if any parking conditions are in place with the business approval from the Planning department. Future parking studies to include Liston through Road, Mount Lindesay Road.

(d) Council arranges for staff do more maintenance vegetation clearing on approaches to Herding Yard Creek bridge. Determine if any preliminary work for grant applications has been done for bridge replacement to two lane bridge.

(e) TfNSW to assess if the intersection of Scott and Miles Street fits into the guidelines of Give Way sign or Stop Sign. Once advice is received from TfNSW, Council will install the appropriate measure and line marking as resources allow.

(Tom Peters/Peter Petty)

Motion Carried

(ITEM RC8/24) REPORT OF COMMITTEES & DELEGATES - COUNTRY MAYORS ASSOCIATION - THURSDAY 13 & FRIDAY 14 JUNE 2024

107/24

Resolved that the report of the Country Mayors Association of NSW meeting from 13th to 14th June 2024 be received and noted.

(Bronwyn Petrie/Kim Rhodes)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES5/24) COUNCIL RESOLUTION REGISTER - MAY 2024

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.

108/24

Resolved that Council notes the status of the Council Resolution Register to May 2024.

(Kim Rhodes/Geoff Nye)

Motion Carried

SUSPENSION OF STANDING ORDERS

109/24

Resolved that Standing Orders be suspended, to allow Council to move into Closed Committee.

(Tim Bonner/Kim Rhodes)

Motion Carried

The recording device was turned off and the meeting moved into Closed Committee, the time being 1.05 pm.

CONFIDENTIAL BUSINESS

(ITEM COM4/24) TENTERFIELD WAR MEMORIAL BATHS - EXTENSION OF CONTRACT WITH CURRENT SUPPLIER

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

SUMMARY

The purpose of this report is to seek Council's resolution to extend the current Deed of Assignment held with Just Sports n Fitness Tenterfield for the operation of the Tenterfield War Memorial Baths (the Baths) for the 2024/25 swim season.

110/24

Resolved that Council:

- (1) Extends the existing Deed of Assignment with Just Sports n Fitness Tenterfield for the operation of the Tenterfield War Memorial Baths for the duration of the 2024/25 swim season on the basis of a reduced fee entry to the swimming pool.
- (2) Calls for new tenders during the 2024/25 pool season.

- (3) Undertakes a review during the 2024/25 swimming season to determine the impact of the reduced fee entry, as well as the new payment arrangements with the operators.

(Peter Petty/Kim Rhodes)

Motion Carried

(ITEM GOV41/24) FACILITATION OF ANNUAL PERFORMANCE REVIEW OF GENERAL MANAGER AND DIRECTORS

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) (d(ii)) (d(iii)) of the Local Government Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed (iii) reveal a trade secret.

SUMMARY

There is an employment contractual need for Council to enter into a performance agreement with its General Manager. Pursuing best practice management principles, it is recommended for Council to engage an external performance review facilitator for the General Manager (and the Directors of Infrastructure and Corporate Services) – consistent with the NSW Office of Local Government “Guidelines for the Appointment and Oversight of General Managers”. Three proposals have been received for Council’s consideration from Local Government Management Solutions, the Local Government Services Group, and McArthur Talent Architects.

111/24

Resolved that Council:

- (1) After have considered the facilitation proposals received from Local Government Management Solutions, the Local Government Services Group, and McArthur Talent Architects for the annual performance review of the General Manager, as well as the Director of Corporate Services and Director of Infrastructure Services, and.
- (2) Having assessed the overall value for Council of the above-mentioned facilitation proposals against the following criteria: demonstrated experience within the NSW local government sector, demonstrated ability to provide an ongoing timely and quality service, demonstrated ability to add value to the performance review process of the General Manager and the two mentioned Directors, and the price submitted by each consultancy firm,
- (3) Appoints as its General Manager’s performance review facilitator the following consultancy firm: **Local Government Management Solutions.**

- (4) In accordance with the NSW Office of Local Government's "Guidelines for the Appointment and Oversight of General Managers", nominates the Mayor, Deputy Mayor, and **Councillor Greg Sauer** to form the Council-appointed General Manager's Annual Performance Review Panel; acknowledging that the General Manager will also appoint a Councillor as his representative onto this Panel as a fourth Councillor member.
- (5) Notes that the performance reviews of the two above-mentioned Directors will be done by the Facilitator and the General Manager in separate sessions prior to the General Manager's review session being held.
- (6) Delegates the authority to the Mayor and the rest of the General Manager's Performance Review Panel to develop appropriate performance objectives and actions in consultation with the Facilitator and the General Manager – and for these key performance indicators to be aligned with Council's Delivery Program and Operational Plan – further, that full responsibility for performance management be delegated to the Performance Review Panel, including discussions about the General Manager's performance, any actions that should be taken and the determination of a new performance agreement.
- (7) Notes that, commensurate with the afore-mentioned NSW Office of Local Government's "Guidelines for the Appointment and Oversight of General Managers", the findings and recommendations of the Performance Review Panel will be reported to all Councillors in Closed Session of a formal Council Meeting, and that Councillors who are not members of the Panel are invited to contribute to the performance review process by providing feedback to the Mayor on the General Manager's performance relevant to the agreed performance criteria.
- (8) Provides as an overarching strategic direction the following matters as priority items to be included with the performance review document of the General Manager: Council's current and future financial sustainability and the particularly weak financial position of Council's General Fund, and the development of an Organisation Structure that will facilitate a "Core Function Council" – acknowledging the particular importance of adequately maintaining and renewing its roads infrastructure and bridges, as well as other asset classes.
- (9) Communicates its thanks and appreciation to all three consultancy firms who have submitted proposals, for their time and effort in preparing the high-quality documents submitted to Council.

(Peter Petty/Kim Rhodes)

Motion Carried

RESUMPTION OF STANDING ORDERS

112/24 **Resolved** that Council resume Standing Orders and return to an Open meeting.

(Bronwyn Petrie/Peter Petty)

Motion Carried

The meeting moved out of Closed Committee and the recording device was turned on, the time being 1.32 pm.

In accordance with Section 253 of Local Government Regulations (General) 2005, the Mayor read the resolutions as resolved whilst in Closed Committee

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 1.36 pm.

.....
Councillor Bronwyn Petrie
Mayor/Chairperson