



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.

A handwritten signature in black ink, appearing to be 'K. Petrie', is located in the bottom right corner of the page.

(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.

Motion Carried

(Geoff Nye/Kim Rhodes)

OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

OUR ECONOMY

Nil.

OUR ENVIRONMENT

Nil.



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**



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



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.



- (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



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-

- 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

(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



(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



(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



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:



- (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

