



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

## BUSINESS PAPER

### ORDINARY COUNCIL MEETING

### WEDNESDAY, 22 APRIL 2020

Notice is hereby given in accordance with the provisions of the *Local Government Act 1993*, and pursuant to Clause 2.3 of Council's Code of Meeting Practice that an **Ordinary Council Meeting** will be held via teleconference/Zoom, on **Wednesday, 22 April 2020** commencing at **9.30am**.

Terry Dodds  
Chief Executive

## COMMUNITY CONSULTATION – PUBLIC ACCESS

**Community Consultation (Public Access) relating to items on this Agenda can be made between 9.30 am and 10.30 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

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. Community Consultation (Public Access)
9. Mayoral Minute
10. Recommendations for Items to be Considered in Confidential Section
11. Open Council Reports
  - Our Community
  - Our Economy
  - Our Environment
  - Our Governance
12. Reports of Delegates & Committees
13. Notices of Motion
14. Resolution Register
15. Confidential Business
16. Meeting Close

# AGENDA

## 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

*"I would like to acknowledge the traditional custodians of this land that we are meeting on today. I would also like to pay respect to the Elders past, present, and emerging of the Jukembal, Kamilaroi and Bundjalung nations and extend that respect to other Aboriginal people present."*

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## 4. DISCLOSURES & DECLARATIONS OF INTEREST

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

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) 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.

## **16. MEETING CLOSED**

## **CLOSED COUNCIL**

### **Confidential Reports**

#### **(Section 10A(2) of The Local Government Act 1993)**

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representations to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals others than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act provides that Council, or a Committee of the Council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10B(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act,) the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matters referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) The discussion of the matter may:
  - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the Council or committee.

#### **Resolutions passed in Closed Council**

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.



**(ITEM MIN3/20) CONFIRMATION OF PREVIOUS MINUTES**

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**REPORT BY:** Noelene Hyde, Executive Assistant & Media

**RECOMMENDATION**

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

- **Ordinary Council Meeting – 26 February 2020**

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

**ATTACHMENTS**

- 1 Minutes - Ordinary Council Meeting - 26 February 2020 24 Pages

# MINUTES



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

## **MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 26 FEBRUARY 2020**

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Legume Community Hall on Wednesday, 26 February 2020 commencing at 9.38 am.

**ATTENDANCE**

Councillor Peter Petty (Mayor)  
Councillor Greg Sauer (Deputy Mayor)  
Councillor Don Forbes  
Councillor John Macnish  
Councillor Brian Murray  
Councillor Tom Peters  
Councillor Bronwyn Petrie  
Councillor Michael Petrie  
Councillor Bob Rogan  
Councillor Gary Verri

**ALSO IN ATTENDANCE**

Chief Executive (Terry Dodds)  
Executive Assistant & Media (Noelene Hyde)  
Chief Corporate Officer (Kylie Smith)  
Director Infrastructure (Fiona Keneally)

*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.*

**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**

*In opening the meeting, Mayor Peter Petty described a brief history of the refurbished Legume Community Hall, and thanked the Legume Progress Association for hosting the meeting.*

*Mayor Petty also welcomed Councillor Don Forbes back to Council following his recent health issues.*

**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**

*I would like to acknowledge the traditional custodians of this land that we are meeting on today. I would also like to pay respect to the Elders, past, present and emerging of the Jukemba, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.*

**APOLOGIES**

Nil

**DISCLOSURE & DECLARATIONS OF INTEREST**

**1/20**

**Resolved** that Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

| <b>Name</b>   | <b>Type</b>                                                                      | <b>Item</b>                                        |
|---------------|----------------------------------------------------------------------------------|----------------------------------------------------|
| Cr Tom Peters | Less than Significant<br>Non Pecuniary –<br>Member of Tenterfield<br>Pistol Club | Item COM2/20 – Bushfire<br>Drought Recovery Grants |
| Cr Bob Rogan  | Non Pecuniary<br>Significant –                                                   | Item COM2/20 – Bushfire<br>Drought Recovery Grants |

|               |                                                                                     |                                                                                          |
|---------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|               | President of the Tenterfield Archery Club                                           | Will leave the meeting during voting.                                                    |
| Cr Greg Sauer | Non Pecuniary Significant – Chairman of Tenterfield’s National Monument Association | Item COM2/20 – Bushfire Drought Recovery Grants<br>Will leave the meeting during voting. |

(Bronwyn Petrie/Gary Verri)

**Motion Carried**

**(ITEM MIN1/20) CONFIRMATION OF PREVIOUS MINUTES**

**2/20**

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

- Ordinary Council Meeting – 18 December 2019

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

(Bob Rogan/Brian Murray)

**Motion Carried**

**TABLING OF DOCUMENTS**

- Councillor Bob Rogan – Tenterfield Monument Project
- Mr Stuart Bell – Submission for Grant Proposal for the Border Mountains – The Border Mountains Tourism Association (Paddys Flat Tank Traps – A Tourist Attraction)

**URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS**

Nil.

**COMMUNITY CONSULTATION (PUBLIC ACCESS)**

- **Item GOV1/20 – Monthly Operational Report – December 2019 / January 2020 – Office of the Chief Corporate Officer – Corporate & Governance**  
Erika Bursford, Manager Customer Service, Governance & Records – Addressed Council with respect to the new format of the Monthly Operational Report, Council’s new telephone system and the Mobile App.
- **Item COM2/20 – Bushfire Drought Recovery Grants**  
Stuart Bell – On behalf of the Border Mountains Tourism Association – Addressed Council to advocate amendments to the Funding Action Plan as per Item COM2/20 to include additional tourism allocation.

**MAYORAL MINUTE**

Nil.

**OPEN COUNCIL REPORTS**

**OUR COMMUNITY**

**(ITEM COM1/20) UPDATE - POLICY 1.016 - AUSTRALIA DAY AWARDS & CITIZENSHIP CEREMONIES**

**SUMMARY**

The purpose of the report is to update Policy 1.016 regarding Australia Day Awards and include the requirements for Citizenship Ceremonies as per the new Australian Government (Department of Home Affairs) Australian Citizenship Ceremonies Code.

**3/20**

**Resolved** that Council:

- (1) Adopts the updated Australia Day Awards & Citizenship Ceremonies Policy 1.016; and
- (2) Advises the Department of Home Affairs of Council's Citizenship Ceremonies dress code as required under the Australian Citizenship Ceremonies Code.

(Bob Rogan/Brian Murray)

**Motion Carried**

*Manager Economic Development & Community Engagement, Harry Bolton, entered the meeting, the time being 10.15 am*

**(ITEM COM2/20) BUSHFIRE DROUGHT RECOVERY GRANTS**

**SUMMARY**

The purpose of this report is to seek Council endorsement of plans in regard to allocation of proposed grant funds under a range of programs.

For the purposes of this report grant Programs and funds include:

- Bushfire Immediate Relief,
- Resilience Fund,
- National Bushfire Tourism Grant and;
- Drought Communities Extension Programme.

This report will capture planned projects, events and relief and include a number of items from the aspirations list. This will assist Council in making their final decision on funding allocations. Shading has been included to demonstrate proposed allocation of funds which have been discussed in previous Council Workshops.

**RECOMMENDATION**

That Council endorse the Proposed Funding Action Plan as at Attachment 1 (Attachment Booklet 1)).

(Tom Peters/Michael Petrie)

**AMENDMENT**

(1) That Council as a whole adopt all recommendations inclusive of any changes listed here, with the exception of:

- Economic & Resilience Strategy (Monument Project) – Drought Community Program;
- Tenterfield Archery Club – Bushfire Community Resilience;
- Tenterfield Pistol Club – Bushfire Community Resilience; and

(2) That Council vote on each item excluded from consideration, allowing those with a declaration of interest to determine an individual action as appropriate; and

(3) That the following items be included in the list after individual consideration by those participating:

- Economic & Resilience Strategy (Monument Project) – Drought Community Program;
- Tenterfield Archery Club – Bushfire Community Resilience;
- Tenterfield Pistol Club – Bushfire Community Resilience.

(Greg Sauer/John Macnish)

**Amendment Carried**

**SUSPENSION OF STANDING ORDERS**

**4/20** **Resolved** that Standing Orders be suspended.

(Greg Sauer/Bob Rogan)

**Motion Carried**

The meeting adjourned for Morning Tea, the time being 10.20 am

The meeting reconvened with the same members present, the time being 10.38 am.

**RESUMPTION OF STANDING ORDERS**

**5/20** **Resolved** that Standing Orders be resumed.

(Brian Murray/Greg Sauer)

**Motion Carried**

**Economic and Resilience Strategy (Monument Project) – Drought  
Community Program**

*Having declared an interest, Councillor Greg Sauer left the meeting, the time being 10.39 am.*

**AMENDMENT**

That Council defer any decision regarding the Monument Project funding until a special Council workshop can be organised to further discuss this matter and that the Working Group or Committee that is chaired by the Deputy Mayor be requested to attend the workshop and provide an explanation on the Group's progress and their intentions pertaining to the expenditure of these funds.

(Bob Rogan/Gary Verri)

**Amendment Carried**

*Councillor Bronwyn Petrie recorded a vote against the amendment.*

*Councillor Greg Sauer returned to the meeting, the time being 10.57 am.*

**Tenterfield Archery Club –Bushfire Community Resilience**

*Having declared an interest, Councillor Bob Rogan left the meeting, the time being 10.58 am.*

**PROCEDURAL MOTION**

**6/20** **Resolved** that items relating to the Tenterfield Archery Club – Bushfire Community Resilience and Tenterfield Pistol Club - Bushfire Community Resilience be dealt with together.

(Gary Verri/Bronwyn Petrie)

**Motion Carried**

*Having declared an interest, Councillor Tom Peters left the meeting, the time being 10.59 am.*

**Tenterfield Archery Club – Bushfire Community Resilience & Tenterfield  
Pistol Club – Bushfire Community Resilience**

**AMENDMENT**

That the proposed grant amount of \$5,000 each for the Tenterfield Archery Club and the Tenterfield Pistol Club be approved.

(Greg Sauer/John Macnish)

**Amendment Carried**

*Councillors Bob Rogan and Tom Peters returned to the meeting, the time being 11.00 am.*

**AMENDMENT**

That the updated/amended grant fund allocation presented by Cr Bronwyn Petrie be adopted.

(Bronwyn Petrie/Gary Verri)

**Amendment Lost**

*Voting in favour of the Amendment: Councillors Gary Verri, Bronwyn Petrie, Bob Rogan, Brian Murray, John Macnish.*

*Voting against the Amendment: Councillors Tom Peters, Don Forbes, Michael Petrie, Greg Sauer, Peter Petty.*

*The Mayor exercised his casting vote, voting against the Amendment.*

**\*\* Please see Resolution 40/20 – page 21 of these Minutes**

*Manager Economic Development & Community Engagement, Harry Bolton, left the meeting, the time being 11.32 am.*

*Manager Customer Service, Governance & Records, Erika Bursford, entered the meeting, the time being 11.32 am.*

**(ITEM COM3/20) REQUEST FROM TENTERFIELD FAMILY HISTORY GROUP - RETENTION OF ORIGINAL MAPS FOLLOWING DIGITISATION BY TENTERFIELD SHIRE COUNCIL**

**SUMMARY**

The Tenterfield Family History Group has written to Council, requesting that they be gifted original parish and portion maps of Tenterfield Shire, once these originals have been digitised as part of Council's Records Digitisation Program.

**7/20**

**Resolved** that Council approve the request from the Tenterfield Family History Group to receive original parish and portion maps of Tenterfield Shire, and associated map cabinets, following the completion of digitisation of said maps.

(Michael Petrie/John Macnish)

**Motion Carried**

*Manager Customer Service, Governance & Records, Erika Bursford, left the meeting, the time being 11.34 am.*

**(ITEM COM4/20) LICENCE TO NSW TELECOMMUNICATIONS AUTHORITY AT MT MACKENZIE**

**SUMMARY**

The New South Wales Government Telecommunications Authority require a Licence from Council to install a new Government Radio Network.

**8/20**

**Resolved** that Council:

- (1) Delegate authority to the Chief Executive to enter a Licence Agreement with the NSW Government Telecommunications Authority for the installation and operation of the Government Radio Network on the Council Radio Site at Mt MacKenzie (Lot 7003 DP 92653).
- (2) Authorise the Licence Agreement to be signed under the Seal of Council by the Mayor and the Chief Executive in accordance with Council Policy.



(Bob Rogan/Greg Sauer)

**Motion Carried**

**(ITEM COM5/20) REVIEW OF THE IMPOUNDING ACT 1993**

**SUMMARY**

Tenterfield Shire Council has read and reviewed the discussion paper. With a population of just over 6,000 in the Tenterfield region Council does not experience Key Issues raised by larger City Councils. Council is satisfied with the current impounding Act and will support changes as recommended.

Impounding in the region is generally only undertaken for livestock and motor vehicles and to date no issues have been raised with legislation inadequacies or inconsistencies. Cats and dogs are impounded through the Companion Animal Act 1998.

**9/20**

**Resolved** that Council is satisfied with the current Impounding Act and will support the changes recommended by the Office of Local Government.

(Bronwyn Petrie/Donald Forbes)

**Motion Carried**

*Engineering Officer, Technical Support, Jessica Gibbins, entered the meeting, the time being 11.40 am.*

**(ITEM COM6/20) NAMING OF AN UN-NAMED "TRACK IN USE" - BRUXNER HIGHWAY, DRAKE**

**SUMMARY**

There is a "track in use" that comes off Bruxner Highway, Drake located approximately 6.7 km from Drake Village that services several properties and has not been named. In accordance with Geographical Names Board (GNB) Guidelines, this private track is identified as a "Lane" or "View". There are also discrepancies with mapping sources for the road named Kims Way that need to be rectified to eliminate any confusion.

**10/20**

**Resolved** that Council:

- (1) Proposes the name "Storm View" as the name of this un-named track; and
- (2) Advertises the proposed name and proceeds with the process of officially naming this "track in use" by way of gazettal and signposting;
- (3) Erects "No Through Road" and "Council Does Not Maintain This Road" signage as well as seeking concurrence from Transport for NSW (TfNSW) on road sign design prior to erecting; and
- (4) Ensures that all mapping data including Google and Spatial Services reflects "Kims Way" as highlighted green on the attachment to this report; and

- (5) Ensures that any reference to "Kims Way" such as that held by Google as highlighted red on the attachment to this report, be deleted to eliminate ongoing confusion.

(Greg Sauer/Brian Murray)

**Motion Carried**

**(ITEM COM7/20) UPDATE - ELECTRIC VEHICLE RECHARGING STATION**

**SUMMARY**

The purpose of this report is to seek endorsement from Council to amend previous report ITEM COM22/18 to lease a dedicated car space in Tenterfield Visitor Information Centre carpark for the purpose of NRMA installing an Electric Vehicle Fast Charging Station.

**11/20**

**Resolved** that Council authorises that the License to Occupy for Charging Stations for Electric Vehicles be signed under the Seal of Council by the Mayor and the Chief Executive, thus committing a dedicated car space in the Visitor Information Centre to be allocated for a five (5) year peppercorn lease of \$1 per annum to NRMA for the purpose of electric vehicle recharging.

(Michael Petrie/Bob Rogan)

**Motion Carried**

*Engineering Officer, Technical Support, Jessica Gibbins, left the meeting, the time being 11.44 am.*

*Manager Economic Development & Community Engagement, Harry Bolton, entered the meeting, the time being 11.44 am.*

**OUR ECONOMY**

**(ITEM ECO1/20) PETER ALLEN FESTIVAL**

**SUMMARY**

The purpose of this report is to bring this matter back before Council following the request that it be deferred until such time as Peter Allen Festival organisers produce full audited financials, including balance sheets, for the past two (2) Festivals – refer Motion 274/19.

**RECOMMENDATION**

That Council allocate the remainder of the Empowering Our Communities Grant, a sum of approximately \$10,000, to the Peter Allen Festival Committee in recognition of their community support and loss as a result of the 2019 drought and fire impacted event and the vital support this event provided for the mental health of the community.

(Donald Forbes/Michael Petrie)

**AMENDMENT**

That the motion be withdrawn and remaining monies in the Communities Grant be advertised to any other group to use as they wish.

(Bronwyn Petrie)

**Amendment Withdrawn**

12/20

**Resolved** that Council allocate the remainder of the Empowering Our Communities Grant, a sum of approximately \$10,000, to the Peter Allen Festival Committee in recognition of their community support and loss as a result of the 2019 drought and fire impacted event and the vital support this event provided for the mental health of the community.

(Donald Forbes/Michael Petrie)

**Motion Carried**

Manager Economic Development & Community Engagement, Harry Bolton, left the meeting, the time being 12.02 pm.

Engineering Officer, Technical Support, Jessica Gibbins, entered the meeting, the time being 12.02 pm.

**(ITEM ECO2/20) REID STREET, TENTERFIELD - REQUEST FOR COUNCIL TO TAKE OVER ONGOING MAINTENANCE**

**SUMMARY**

The purpose of this report is to provide information to Council pertaining to the construction of Reid Street, Tenterfield as part of a requirement of a two (2) lot subdivision and the transfer of ongoing maintenance of the road reserve.

13/20

**Resolved** that Council:

- (1) Accepts the addition of Reid Street, Tenterfield to Council's Road Asset Register; and
- (2) Accepts the ongoing maintenance of Reid Street, Tenterfield.

(Brian Murray/Michael Petrie)

**Motion Carried**

Engineering Officer, Technical Support, Jessica Gibbins, left the meeting, the time being 12.03 pm.

Manager Assets & Program Planning, David Counsel, entered the meeting, the time being 12.03 pm.

**(ITEM ECO3/20) HOOTONS ROAD - LAND ACQUISITION AT EMU CREEK**

**SUMMARY**

This report seeks Council approval to acquire land for the purpose of dedication as public road along Hootons Road at Emu Creek.

14/20

**Resolved** that Council:

- (1) Agree to the acquisition of land for the opening of a road reserve nominally 20 metres wide, along the first two (2) kilometres of Hootons Road as part of the Emu Creek bridge replacement project; and

- (2) Delegate authority to the Director Infrastructure to negotiate and agree with the adjacent landowners for the valuation of any compensation for the area of land to be acquired, that being nominally in the order of four (4) hectares; and
- (3) Approve the assigning of the official Council seal to any transfers, title deeds and documents associated with the land acquisition and road opening in this matter; and
- (4) Approve the gazettal of the new road opening.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**

**(ITEM ECO4/20) TRUCK WASH & LOADING RAMP PROJECT - ALTERNATIVE CONCEPTS**

**SUMMARY**

This report provides Council with revised detailed concept design for the Tenterfield Livestock Selling Centre Truck Wash and Loading Ramp.

**15/20**

**Resolved** that Council:

- (1) Note the option for the Council Depot site is not viable at this stage;
- (2) Resolve that the Livestock Selling Centre is the preferred location for the project;
- (3) Resolve that the existing loading ramps facing Boundary Road be upgraded;
- (4) Resolve that the truck wash for the site be proposed for installation on the south western area of the amenities buildings.
- (5) Note that any conditions on this project stemming from the Development Application may impact a further decision by Council on whether to proceed with the truck wash and loading ramp as the cost of implementing these conditions may be prohibitive.

(Michael Petrie/Bob Rogan)

**Motion Carried**

*Manager Assets & Program Planning, David Counsel, left the meeting, the time being 12.13 pm.*

*Manager Planning & Development Services, Tamai Davidson, entered the meeting, the time being 12.13 pm.*

**OUR ENVIRONMENT**

**(ITEM ENV1/20) TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013  
PLANNING PROPOSAL**

**SUMMARY**

The purpose of this report is to advise Council of the outcome of the advertisement of the Planning Proposal PP\_2019\_TENTE\_001\_00 (changing "crematorium" from Permitted with Consent to Prohibited within the RU5 Village zone and making housekeeping amendments to Schedule 5 of the LEP) and to seek resolution to submit the Planning Proposal to the Minister of Planning and Environment for it to be made.

**16/20**

**Resolved** that Council:

- (1) Support the finalisation and making of the Planning Proposal as exhibited;
- (2) Forward the Planning Proposal to Parliamentary Counsel for drafting of the Instrument and their opinion;
- (3) Authorise Council staff to make any necessary minor amendments to the proposal during the drafting of the instrument in consultation with Parliamentary Counsel and the Department of Planning, Industry and Environment; and
- (4) Delegate to the Chief Executive the power to make the plan on behalf of Council as the local plan-making authority under section 3.36(2)(a) under the Environmental Planning and Assessment Act 1979.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**

*Manager Planning & Development Services, Tamai Davidson, left the meeting, the time being 12.17 pm.*

**(ITEM ENV2/20) REVIEW OF DROUGHT MANAGEMENT PLAN -  
TIMEFRAMES**

**SUMMARY**

The purpose of this report is to outline the timeframe for review of the Drought Management Plan.

**RECOMMENDATION**

That Council note the timeframes for the review of the Drought Management Plan.

(Bob Rogan/Brian Murray)

**AMENDMENT**

That Council reinstate Level 1 Water Restrictions because of sediment incursion in the Dam and the drought is not over.

(Bronwyn Petrie/Bob Rogan)

**Amendment Carried**

17/20

**Resolved** that Council:

- (1) Note the timeframes for the review of the Drought Management Plan; and
- (2) Reinstate Level 1 Water Restrictions because of sediment incursion in the Dam and the drought is not over.

(Bob Rogan/Brian Murray)

**Motion Carried**

#### **(ITEM ENV3/20) PURCHASE OF EXCAVATORS FOR WATER SERVICES**

##### **SUMMARY**

The purpose of this report is to obtain Council approval to purchase two (2) 1.8T mini excavators for use by Engineering's Water Services Departments at Tenterfield and Urbenville.

18/20

**Resolved** that Council:

- (1) Endorses purchase of a 1.8T mini excavator as per the adopted Plant Renewal Program; and
- (2) Resolves to purchase a second 1.8T mini Excavator to be stationed at Urbenville.

(Michael Petrie/Greg Sauer)

**Motion Carried**

#### **OUR GOVERNANCE**

#### **(ITEM GOV1/20) MONTHLY OPERATIONAL REPORT - DECEMBER 2019/JANUARY 2020**

##### **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 2019/2020 Operational Plan.

19/20

**Resolved** that Council receives and notes the status of the Monthly Operational Report for December 2019/January 2020.

(Michael Petrie/Greg Sauer)

**Motion Carried**

*Councillor Bronwyn Petrie to submit a Notice of Motion regarding the Tenterfield Industrial Estate to the March 2020 meeting.*

#### **SUSPENSION OF STANDING ORDERS**

20/20

**Resolved** that Standing Orders be suspended.

(Brian Murray/Greg Sauer)

**Motion Carried**

The Meeting adjourned for lunch followed by the Community Forum, the time being 12.57 pm.

The Meeting reconvened with the same members present, the time being 2.29 pm.

**RESUMPTION OF STANDING ORDERS**

**21/20** **Resolved** that Standing Orders be resumed.

(Brian Murray/Bob Rogan)

**Motion Carried**

**(ITEM GOV2/20) DELEGATED AUTHORITY - COUNCIL RECESS PERIOD**

**SUMMARY**

The purpose of this report is to provide a full list of matters considered under the delegated authority to the Mayor and/or Deputy Mayor and the Acting Chief Executive during the Council Recess Period as per Item (3) of Council Resolution 276/19.

**22/20** **Resolved** that Council receive and note the Report and approve the delegated authority item listed below:

- a) Support for the Murray Darling Association (MDA) Name Change to Murray Darling Local Government Association;
- b) Signing of amended General Manager Certificate for amended amount of \$23,985.03 relating to Assessment 9191;
- c) Authorisation of Overseas Travel for Mayor Peter Petty in accordance with Councillors Expenses and Facilities Policy.

(Donald Forbes/Tom Peters)

**Motion Carried**

**(ITEM GOV3/20) RELOCATION OF COUNCIL MEETINGS - MARCH 2020, APRIL 2020 & MAY 2020**

**SUMMARY**

The purpose of this report is to amend Council Resolution 181/19, Item (3) in order to change the location of Ordinary Council Meetings in March, April & May 2020 due to upgrade works being undertaken in Council's Administration Building, and particularly in the Council Chamber.

**RECOMMENDATION**

That Council amend Council Resolution 181/19, Item (3) to read as follows:

Ordinary Council Meetings be held each month at the Council Chambers in Tenterfield with the exception of February 2020 (Legume), March 2020 (Band Hall), April 2020 (Drake) and May 2020 (RSL Pavilion).

(Gary Verri/Michael Petrie)

**AMENDMENT**

That the March 2020 Ordinary Council Meeting be held at Torrington.  
(Bronwyn Petrie/Gary Verri)

**Amendment Carried**

**AMENDMENT**

That the May 2020 Ordinary Council Meeting be held at Mingoola.  
(Bronwyn Petrie/Gary Verri)

**Amendment Lost**

**23/20**

**Resolved** that Council amend Council Resolution 181/19, Item (3) to read as follows:

Ordinary Council Meetings be held each month at the Council Chambers in Tenterfield with the exception of February 2020 (Legume), March 2020 (Torrington), April 2020 (Drake) and May 2020 (RSL Pavilion).

(Gary Verri/Michael Petrie)

**Motion Carried**

**(ITEM GOV4/20) MURRAY DARLING ASSOCIATION INC -STRATEGIC PLANNING WORKSHOP - MOAMA - 12 AND 13 MARCH 2020**

**SUMMARY**

The purpose of this report is for Council to endorse and approve the attendance of Council delegates on the Murray Darling Association Inc to attend a Strategic Planning Workshop at Moama on 12 and 13 March 2020.

**24/20**

**Resolved** that Council approve the attendance of Council's Murray Darling Association Inc delegates, Deputy Mayor Greg Sauer and Councillor Don Forbes at the Strategic Planning Workshop at Moama, 12 and 13 March 2020.

(Bronwyn Petrie/Bob Rogan)

**Motion Carried**

*Manager Finance & Technology, Paul Della, entered the meeting, the time being 2.40 pm.*

**(ITEM GOV5/20) REVIEW OF BUY LOCAL POLICY**

**SUMMARY**

The purpose of this report is to update Council on the status of a review of the existing Buy Local Policy.

**25/20**

**Resolved** that Council receive a report to the April 2020 Ordinary Council Meeting to further consider this matter, once legal advice and the report from the Internal Auditors in relation to Procurement have been received, so as to align any changes to the existing Buy Local Policy with the adoption of the draft 2020/21 Operational Plan and Budget.

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**



**(ITEM GOV6/20) QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2019**

**SUMMARY**

The purpose of this report is to provide Council with a Quarterly Budget Review Statement (Attachment 1) in accordance with Regulation 203 of the Local Government (General) Regulation 2005 (the Regulation).

**26/20**

**Resolved** that Council adopts the December 2019 Quarterly Budget Review Statement.

(Greg Sauer/Brian Murray)

**Motion Carried**

**PROCEDURAL MOTION**

**27/20**

**Resolved** that Items GOV7/20 – Finance & Accounts – Period Ended 31 December 2019 & GOV8/20 – Finance & Accounts – Period Ended 31 January 2020 be considered together.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV7/20) FINANCE & ACCOUNTS - PERIOD ENDED 31 DECEMBER 2019 & ITEM GOV8/20 FINANCE & ACCOUNTS – PERIOD ENDED 31 JANUARY 2020**

**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.

**28/20**

**Resolved** that Council:

- (1) Receive and note the Finance and Accounts Report for the period ended 31 December 2019; and
- (2) Receive and note the Finance and Accounts Report for the period ended 31 January 2020.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV9/20) CAPITAL EXPENDITURE REPORT AS AT 31 JANUARY 2020**

**SUMMARY**

The purpose of this report is to show the progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

- 29/20** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 January 2020.
- (Gary Verri/Brian Murray)

**Motion Carried**

**(ITEM GOV10/20) REPORT ON LOAN BALANCES**

**SUMMARY**

The purpose of this report is to inform Council of its loan balances as at 31 December 2019.

- 30/20** **Resolved** that Council notes the loan balance as at 31 December 2019 was \$9,686,310.92 (\$9,957,867.09 as at 30 September 2019).
- (Bronwyn Petrie/Michael Petrie)

**Motion Carried**

**REPORTS OF DELEGATES & COMMITTEES**

**(ITEM RC1/20) REPORTS OF COMMITTEES & DELEGATES - BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - MEETING OF 8 NOVEMBER 2019**

**SUMMARY**

A meeting of the Border Regional Organisation of Councils (BROC) was held at Moree Plains Shire Council on Friday, 8 November 2019.

- 31/20** **Resolved** that:
- (1) The report of the Border Regional Organisation of Councils (BROC) meeting of 8 November 2019 be received and noted; and
  - (2) Council support the request of BROC to promote the appointment of a Queensland Cross Border Commissioner.
- (Peter Petty/Bronwyn Petrie)

**Motion Carried**

**(ITEM RC2/20) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD LIQUOR ACCORD - 19 NOVEMBER 2019**

**SUMMARY**

A meeting of the Tenterfield Liquor Accord was held at the Tenterfield Bowling Club on Tuesday, 19 November 2019.

- 32/20** **Resolved** that the report from the Tenterfield Liquor Accord meeting of 19 November 2019 be received and noted.
- (Donald Forbes/Bob Rogan)

**Motion Carried**

**(ITEM RC3/20) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE MEETING - 4 DECEMBER 2019**

**SUMMARY**

A meeting of the Tenterfield Shire Council Audit & Risk Committee was held on Wednesday, 4 December 2019.

**33/20**

**Resolved** that the report of the Audit & Risk Committee meeting of 4 December 2019 be received and noted.

(Donald Forbes/Michael Petrie)

**Motion Carried**

**(ITEM RC4/20) REPORTS OF COMMITTEES & DELEGATES - TOURISM ADVISORY COMMITTEE - MEETINGS OF 11 DECEMBER 2019 & 5 FEBRUARY 2020**

**SUMMARY**

Meetings of the Tourism Advisory Committee were held on Wednesday, 11 December 2019 and Wednesday, 5 February 2020 in the Tenterfield Shire Council Chamber.

**34/20**

**Resolved** that Council:

- (1) Receive and note this; the combined reports of the Tenterfield Tourism Advisory Committee meetings of 11 December 2019 and 5 January 2020; and
- (2) Pursue membership of the Caravan and Camping Industry Association of Australia and that Council identify a suitable site/sites with a view to establishing additional RV parking spaces within the town. That Council then erect the signage that will be made available through the Association membership.

(Bob Rogan/Greg Sauer)

**Motion Carried**

**NOTICES OF MOTION**

**(ITEM NM1/20) NOTICE OF MOTION - NATIONAL PARKS IN TENTERFIELD SHIRE LOCAL GOVERNMENT AREA**

**SUMMARY**

The purpose of this motion is to highlight the National Parks in the Tenterfield Shire Local Government Area in a positive way so it will make it easier for tourism.

**RECOMMENDATION**

That Council contact our Local State Member, Ms Janelle Saffin MP, asking her to advocate on Council's behalf:

- (a) That all the National Parks in the Tenterfield Shire Local Government Area be managed from Tenterfield; and

- (b) That a local management committee be formed so as to manage these National Parks.

(Gary Verri/Brian Murray)

**AMENDMENT**

That this item be deferred to the next Ordinary Council Meeting to refer to the National Parks & Wildlife Service as to how they work in Tenterfield Local Government Area and what would be involved, etc.

(Bronwyn Petrie/Bob Rogan)

**Amendment Carried**

**35/20**

**Resolved** that this item be deferred to the next Ordinary Council Meeting to refer to the National Parks & Wildlife Service as to how they work in Tenterfield Local Government Area and what would be involved, etc.

(Gary Verri/Brian Murray)

**Motion Carried**

**(ITEM NM2/20) NOTICE OF MOTION - PROMOTING TENTERFIELD'S HISTORIC PAST**

**SUMMARY**

The purpose of this report is to promote Tenterfield's important historic past that led to Federation.

**36/20**

**Resolved** that:

- (1) Council write to Ms Janelle Saffin MP, Member for Lismore and The Hon Barnaby Joyce MP, Member for New England, requesting them to advocate to the Australian Mint on Council's behalf to have images of some of the Shire's historic, Federation sites (but not limited to), put on notes, coins and stamps.
- (2) In addition, the Chief Executive also write to the Australian Mint giving details of all the Shire's historic sites, symbols and very important individuals who were nationally significant.

(Gary Verri/Bob Rogan)

**Motion Carried**

**RESOLUTION REGISTER**

**(ITEM RES1/20) COUNCIL RESOLUTION REGISTER - FEBRUARY 2020**

**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.

**37/20**

**Resolved** that Council notes the status of the Council Resolution Register to February 2020.

(John Macnish/Bob Rogan)

**Motion Carried**

**CONFIDENTIAL BUSINESS**

Nil.

**BUSINESS WITHOUT NOTICE**

**Media Release from Federal Member, The Hon Barnaby Joyce MP**

Councillor Brian Murray referred to this media release dated 24 February 2020 and expressed concern that receipt of media releases from our Federal Member may be construed as politicising the Tenterfield Shire Council.

**Point of Order – Item COM2/20 – Bushfire Drought Recovery Grants**

Councillor Bronwyn Petrie raised a point of order, outlining that the motion for this Item was not adopted by Council.

**ITEM COM2/20 – BUSHFIRE DROUGHT RECOVERY GRANTS**

**RECOMMENDATION**

That the existing Officer's recommendation, being:

- (1) That Council endorse the Proposed Funding Action Plan as at Attachment 1 (Attachment Booklet 1)); and
- (2) That Council as a whole adopt all recommendations inclusive of any changes listed here, with the exception of:
  - Economic & Resilience Strategy (Monument Project) – Drought Community Program;
  - Tenterfield Archery Club – Bushfire Community Resilience;
  - Tenterfield Pistol Club – Bushfire Community Resilience; and
- (3) That Council vote on each item excluded from consideration, allowing those with a declaration of interest to determine an individual action as appropriate; and
- (4) That the following items be included in the list after individual consideration by those participating:
  - Economic & Resilience Strategy (Monument Project) – Drought Community Program;
  - Tenterfield Archery Club – Bushfire Community Resilience;
  - Tenterfield Pistol Club – Bushfire Community Resilience; and
- (5) That Council defer any decision regarding the Monument Project funding until a special Council workshop can be organised to further discuss this matter and that the Working Group or Committee that is chaired by the Deputy Mayor be requested to attend the workshop and provide an explanation on the Group's progress and their intentions pertaining to the expenditure of these funds.
- (6) That the proposed grant amount of \$5,000 each for the Tenterfield Archery Club and the Tenterfield Pistol Club be approved.

be accepted with the following amendment:

Tenterfield Homestead \$200,000 and \$30,000 of the Memorial Hall be interchanged with the first 13 items in the Bushfire Resilience & Community Fund, the Cultural Burn being reduced to \$15,000 and the inclusion of the Post Office Clock for \$20,000.

(Greg Sauer/Michael Petrie)

**Amendment Lost**

**SUSPENSION OF STANDING ORDERS**

**38/20** **Resolved** that Standing Orders be suspended.

(Gary Verri/Tom Peters)

**Motion Carried**

*The Meeting adjourned for a comfort break, the time being 3.58 pm.*

*The Meeting reconvened with the same members present, the time being 4.09 pm.*

**RESUMPTION OF STANDING ORDERS**

**39/20** **Resolved** that Standing Orders be resumed.

(Brian Murray/Michael Petrie)

**Motion Carried**

**ITEM COM2/20 – BUSHFIRE DROUGHT RECOVERY GRANTS**

**AMENDMENT**

That amendment of the grant allocation be as per new tabled document Grant Allocation Version 2.

(Bronwyn Petrie/Bob Rogan)

**Amendment Carried**

**40/20** **Resolved** that:

- (1) Amendment of the grant allocation be as per new tabled document Grant Allocation Version 2 below;

**Grant Allocation Version 2**

| <b>NATIONAL BUSHFIRE RECOVERY GRANT (Received)</b>                                                           |              |
|--------------------------------------------------------------------------------------------------------------|--------------|
| Progress Associations @ \$10,000.00 each                                                                     | \$100,000.00 |
| Bushfire Credit @ \$100.00/Rates notice                                                                      | \$500,000.00 |
| Tourism Stimulus – video and photo footage across the Shire (excluding Tenterfield as footage has been done) | \$20,000.00  |

|                                                                                                                                                                                                                                                                                                               |                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| Tourism Stimulus – photographic footage of Tenterfield and across Tenterfield Shire                                                                                                                                                                                                                           | \$5,000.00            |
| Tourism Stimulus – immediate wider spread advertising campaign plus follow up advertising using Shire footage as well as Tenterfield footage, and production of brochures                                                                                                                                     | \$155,000.00          |
| Beat of The Bush – 7 day Music Event July                                                                                                                                                                                                                                                                     | \$15,000.00           |
| Show & Shine 22 March                                                                                                                                                                                                                                                                                         | \$10,000.00           |
| Oracles of the Bush 2-5 April                                                                                                                                                                                                                                                                                 | \$10,000.00           |
| Liston Coach Opening                                                                                                                                                                                                                                                                                          | \$5,000.00            |
| Ten FM Training Studio                                                                                                                                                                                                                                                                                        | \$27,190.00           |
| Tenterfield Pistol Club                                                                                                                                                                                                                                                                                       | \$5,000.00            |
| Tenterfield Archery Club                                                                                                                                                                                                                                                                                      | \$5,000.00            |
| Tenterfield Physical Culture                                                                                                                                                                                                                                                                                  | \$5,000.00            |
| Friends of the School of Arts – National Trust 75yr Anniversary ( <i>1st building acquired</i> )                                                                                                                                                                                                              | \$15,000.00           |
| School of Arts Wild Wonders Photographic Competition (photos/videos must be taken in Tenterfield Shire) <i>March</i>                                                                                                                                                                                          | \$15,000.00           |
| Tenterfield Railway Station repaint                                                                                                                                                                                                                                                                           | \$85,000.00           |
| Tenterfield Railway Station celebration of 100 year anniversary of Australia’s First Airmail Delivery Lismore/Casino/Tenterfield 26 June                                                                                                                                                                      | \$15,000.00           |
| Tenterfield Station works including replacement and repairs to homestead roof, gutters and verandah, installation of upgraded restrooms and bracing of historic water tank stand/dwelling. ( <i>This will lead to significant tourism growth once the Station can be regularly opened for functions etc</i> ) | \$184,477.00          |
| Tenterfield Post Office Clock chime repair and brochure production                                                                                                                                                                                                                                            | \$20,000.00           |
| Tenterfield Post Office repaint                                                                                                                                                                                                                                                                               | \$45,000.00           |
| Dead tree removal Tenterfield (mostly large pines presenting a danger from fire/falling)                                                                                                                                                                                                                      | \$85,000.00           |
| Dead tree removal and village approach improvements Liston \$10000, Legume \$8000, Lower Acacia \$2000, Drake \$10000, Urbenville \$8000, Old Koreelah \$2000                                                                                                                                                 | \$40,000.00           |
| Warriors partnership incidental expenses                                                                                                                                                                                                                                                                      | \$10,000.00           |
| Tank traps Paddys Flat                                                                                                                                                                                                                                                                                        | \$20,000.00           |
| Tank traps Cement wall WW2 art installation Mt Lindesay Road                                                                                                                                                                                                                                                  | \$20,000.00           |
| <b>TOTAL</b>                                                                                                                                                                                                                                                                                                  | <b>\$1,416,667.00</b> |
| <b>BUSHFIRE COMMUNITY RESILIENCE (Money guaranteed but by application to meet criteria)</b>                                                                                                                                                                                                                   |                       |
| Torrington Hall evacuation centre                                                                                                                                                                                                                                                                             | \$50,000.00           |
| Cultural Burning Workshops in partnership with Victor Steffensen and Moombahlene & Tamworth ALCs Firesticks                                                                                                                                                                                                   | \$20,000.00           |
| Drought/Bushfire Concert                                                                                                                                                                                                                                                                                      | \$10,000.00           |

|                                                                                                                                                                                                  |                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| Business Chamber Economic Recovery Initiatives                                                                                                                                                   | \$45,000.00           |
| Community events/workshops/training Drake                                                                                                                                                        | \$10,000.00           |
| Community events/workshops/training Legume                                                                                                                                                       | \$10,000.00           |
| Community events/workshops/training Jennings                                                                                                                                                     | \$10,000.00           |
| Community events/workshops/training Liston                                                                                                                                                       | \$10,000.00           |
| Community events/workshops/training Mingoola                                                                                                                                                     | \$10,000.00           |
| Community events/workshops/training Steinbrook                                                                                                                                                   | \$10,000.00           |
| Community events/workshops/training Sunnyside                                                                                                                                                    | \$10,000.00           |
| Community events/workshops/training Torrington                                                                                                                                                   | \$10,000.00           |
| Community events/workshops/training Urbenville                                                                                                                                                   | \$10,000.00           |
| Community events/workshops/training Bolivia                                                                                                                                                      | \$10,000.00           |
| Community events/workshops/training Tenterfield                                                                                                                                                  | \$25,000.00           |
| <b>TOTAL</b>                                                                                                                                                                                     | <b>\$250,000.00</b>   |
| <b>REGIONAL TOURISM BUSHFIRE RECOVERY (Total money for Shire not guaranteed, by application)</b>                                                                                                 |                       |
| <b>Stream 1</b>                                                                                                                                                                                  |                       |
| Peter Allen Festival 2020 10-13 September                                                                                                                                                        | \$30,000.00           |
| Art events                                                                                                                                                                                       | \$30,000.00           |
| <b>TOTAL</b>                                                                                                                                                                                     | <b>\$60,000.00</b>    |
| <b>Stream 2</b>                                                                                                                                                                                  |                       |
| Art Installations Tenterfield Creek                                                                                                                                                              | \$150,000.00          |
| Art Installations Drake                                                                                                                                                                          | \$25,000.00           |
| Art Installations Legume                                                                                                                                                                         | \$25,000.00           |
| Art Installations Jennings                                                                                                                                                                       | \$25,000.00           |
| Art Installations Liston                                                                                                                                                                         | \$25,000.00           |
| Art Installations Torrington                                                                                                                                                                     | \$25,000.00           |
| Art Installations Urbenville                                                                                                                                                                     | \$25,000.00           |
| Angry Bull Mountain Bike Trails establishment                                                                                                                                                    | \$100,000.00          |
| Cultural and Heritage Initiatives across the Shire                                                                                                                                               | \$240,000.00          |
| Pump track/skate board park                                                                                                                                                                      | \$100,000.00          |
| <b>TOTAL</b>                                                                                                                                                                                     | <b>\$740,000.00</b>   |
| <b>DROUGHT COMMUNITIES PROGRAMME EXTENSION (Money guaranteed, by application to meet criteria)</b>                                                                                               |                       |
| Water cartage for human consumption                                                                                                                                                              | \$50,000.00           |
| Economic and Social Resilience through Cultural Tourism recovery – Stage 1 Tenterfield Rouse and High Streets reinstatement of heritage verandah posts, parapet repair and heritage paint scheme | \$700,000.00          |
| Cultural and Heritage Initiatives across the Shire (by application)                                                                                                                              | \$100,000.00          |
| Border Walk/Mountain Bike Track construction, toilets etc                                                                                                                                        | \$100,000.00          |
| Shire Signs                                                                                                                                                                                      | \$100,000.00          |
| <b>TOTAL</b>                                                                                                                                                                                     | <b>\$1,050,000.00</b> |

- (2) That Council as a whole adopt all recommendations inclusive of any changes listed here, with the exception of:



- Economic & Resilience Strategy (Monument Project) – Drought Community Program;
  - Tenterfield Archery Club – Bushfire Community Resilience;
  - Tenterfield Pistol Club – Bushfire Community Resilience; and
- (3) That Council vote on each item excluded from consideration, allowing those with a declaration of interest to determine an individual action as appropriate; and
- (4) That the following items be included in the list after individual consideration by those participating:
- Economic & Resilience Strategy (Monument Project) – Drought Community Program;
  - Tenterfield Archery Club – Bushfire Community Resilience;
  - Tenterfield Pistol Club – Bushfire Community Resilience; and
- (5) That Council defer any decision regarding the Monument Project funding until a special Council workshop can be organised to further discuss this matter and that the Working Group or Committee that is chaired by the Deputy Mayor be requested to attend the workshop and provide an explanation on the Group’s progress and their intentions pertaining to the expenditure of these funds.
- (6) That the proposed grant amount of \$5,000 each for the Tenterfield Archery Club and the Tenterfield Pistol Club be approved.

(Bronwyn Petrie/Bob Rogan)

**Motion Carried**

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 4.18 pm.

.....  
Councillor Peter Petty  
Mayor/Chairperson

**MAYORAL MINUTE****(ITEM MM1/20) COVID-19 FINANCIAL ASSISTANCE****SUMMARY**

President of Local Government NSW, Cr Linda Scott, advises that LGNSW has stepped up representations on government financial assistance and economic stimulus measures. LGNSW is advocating for State and Federal Government financial assistance and economic stimulus to secure the delivery of the essential local government services needed to keep our communities running, to protect people's health, and their livelihoods.

Cr Scott has requested the support of Councils to amplify the sectors advocacy work.

**RECOMMENDATION**

**I, Councillor Peter Petty hereby move the following Mayoral Minute at the Ordinary Council Meeting held on Wednesday, 22 April 2020.**

**That Tenterfield Shire Council support the advocacy work of Local Government NSW by writing to our State and Federal Members to request:**

- **Increased Financial Assistance Grants to 1 per cent;**
- **Immediate financial assistance to support Council employees, especially in early education and care;**
- **Stimulus funding for projects that will boost local economies, including by increasing existing programs such as Roads to Recovery; and**
- **Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.**

|                      |                                                                   |
|----------------------|-------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                              |
| <b>Submitted by:</b> | Executive Assistant & Media                                       |
| <b>Reference:</b>    | <b>ITEM COM10/20</b>                                              |
| <b>Subject:</b>      | <b>CANCELLATION OF ANZAC DAY EVENTS - SATURDAY, 25 APRIL 2020</b> |

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

|                                 |                                                                                                                                                    |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>                | <b>Community</b> - COMM 4 - The community is welcoming, friendly, and inclusive where diverse backgrounds are respected and celebrated.            |
| <b>CSP Strategy:</b>            | The individual unique qualities and strong sense of local identity of Tenterfield Shires towns and villages is respected, recognised and promoted. |
| <b>Delivery Plan Action:</b>    | Promote the liveability of Tenterfield Shire as a place to live, work and invest.                                                                  |
| <b>Operational Plan Action:</b> | Support marketing activities and events to promote Tenterfield as a place to, play, live and invest.                                               |

#### **SUMMARY**

The purpose of this report is to provide information for Council regarding the decision to cancel Anzac Day events across Australia, Saturday, 25 April 2020.

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

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

- (1) Notes the cancellation of 2020 Anzac Day Events across Australia arising from the coronavirus COVID-19 pandemic; and**
- (2) Requests the Mayor to lay a wreath at the Tenterfield War Memorial to honour the fallen on Anzac Day, Saturday, 25 April 2020.**

#### **BACKGROUND**

Notification received at 4.45 pm on Monday, 16 March 2020.

*Anzac Day services will be cancelled across NSW as the coronavirus continues to spread.*

#### **REPORT:**

*RSL NSW Acting State President Ray James said the decision was made on Monday to cancel all public Anzac Day commemoration services across the state.*

*"The risk to vulnerable people during the current health situation is simply too high for these events to continue in their traditional format," he said.*

*"Given the significant concerns around the spread of COVID-19, it would be irresponsible to allow such large gatherings as we see each year on Anzac Day to go ahead."*

*Mr James said this decision was not taken lightly.*

*"The RSL has a responsibility to act in the best interests of veterans and the general public," he said.*

Our Community No. 10 Cont...

**COUNCIL IMPLICATIONS:**

- 1. Community Engagement / Communication (per engagement strategy)**  
Media to be provided.
- 2. Policy and Regulation**  
Nil.
- 3. Financial (Annual Budget & LTFP)**  
Expenditure is contained within existing budget allocations.
- 4. Asset Management (AMS)**  
Nil.
- 5. Workforce (WMS)**  
Nil.
- 6. Legal and Risk Management**  
Nil.
- 7. Performance Measures**  
Nil.
- 8. Project Management**  
Nil.

**Terry Dodds**  
**Chief Executive**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | Noelene Hyde, Executive Assistant & Media |
| Approved/Reviewed by Manager: | Terry Dodds, Chief Executive              |
| Department:                   | Office of the Chief Executive             |
| Attachments:                  | There are no attachments for this report. |

|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Manager Finance & Technology                 |
| <b>Reference:</b>    | <b>ITEM ECO5/20</b>                          |
| <b>Subject:</b>      | <b>BUY LOCAL ADVICE AND POLICY CHANGE</b>    |

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

|                             |                                                                                                                                                                                       |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Economy</b> - ECON 8 - Our existing businesses and industry are supported to reach their full potential and provide quality goods and services both locally and to a wider market. |
| <b>CSP Strategy:</b>        | Maximise the accessibility of business and industrial operations to ensure the exchange of goods and services is supported by sustainable infrastructure.                             |
| <b>CSP Delivery Program</b> | Delivery of survey and design works for infrastructure services, including stormwater drainage, transport, water and sewer infrastructure.                                            |

#### **SUMMARY**

The purpose of this report is to provide an update on matters associated with Council's **Buy Local Policy** after the receipt of legal advice and to provide Council with an indication of the next steps to be taken on this matter.

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

**That Council note this update on matters associated with Council's Buy Local Policy and the next steps for the development of a new "Optimising Opportunities for Local Suppliers" Policy.**

#### **BACKGROUND**

At Council's November Ordinary Council Meeting, it was resolved:

##### ***Resolution 245/19:***

*"That Council review the existing Buy Local Policy with a view to increasing the current local price advantage from 5% in order to support local businesses, local employment and our local community, with a report to be presented to Council at the February 2020 Ordinary Council Meeting."*

Essentially, this resolution came about as a result of a Business Owner in town feeling disadvantaged because of the higher costs, particularly transportation costs, borne by their business vis-à-vis businesses from out of the Shire and the fact that some other Councils offer a higher local price advantage to support local businesses than Tenterfield Shire Council (conversely, some offer no price advantage).

Council officers were therefore asked to review the existing Policy with a view to increasing the local price advantage to support local businesses.

At Council's February Ordinary Council Meeting, it was further resolved:

Our Economy No. 5 Cont...

**Resolution 25/20**

*"That Council receive a report to the April 2020 Ordinary Council Meeting to further consider this matter, once legal advice and the report from the Internal Auditors in relation to Procurement have been received, so as to align any changes to the existing Buy Local Policy with the adoption of the draft 2020/21 Operational Plan and Budget."*

In the February report to Council, advice was provided that Council was already reviewing the existing Buy Local Policy as part of a broader review of the Procurement function of Council.

Simultaneously with this review and based on advice contained within the Office of Local Government document "Tendering Guidelines for NSW Local Government", legal advice had been sought to ensure that:

*"..the policy does not breach either the Trade Practices Act 1974 (Cth), the Fair Trading Act 1987 (NSW), or various international trade agreements."*

This is because, and once again to quote from the Guidelines:

*"The implementation of local preference policies is not necessarily inconsistent with the principles of National Competition Policy. However, the use of local preference in the evaluation of tenders and awarding of contracts possesses inherent risks in terms of anti-competitiveness and the maintenance of defensibility, accountability and probity."*

Also at the February Ordinary Council Meeting some general comments were made that;

- a) a local preference policy is seen as a means of increasing the amount of local procurement and in turn a means of stimulating the Tenterfield Shire economy, however the ability to quantify this impact outside a general economic multiplier impact is challenging and can vary from location to location. It is widely accepted as a good thing and has a general level of support with the Community.
- b) Any local preference policy must be balanced against the need to obtain best value for money for ratepayers and residents in the procurement of Council works, services and projects. This balance may be achieved by restricting the value of local preference to a reasonable percentage and by capping the total amount of financial cost for each transaction.
- c) It needs to be recognised that providing a subsidy to local businesses comes at a cost to Council and therefore the ratepayer (unless purchasing goods and services from grant funds) and therefore the amount of this subsidy should be treated as a budget item like any other expense.

Some further comments made in that February report were that:

Out of interest to Council and the community, Council procured goods and services to the value \$10.029M locally in the 2018/19 financial year. This equates to approximately 37.6% of Council's total creditor payments being made to local suppliers within the Tenterfield Shire Council area.

It is recognised that there is a positive economic impact on the local economy through increased use of local suppliers.

Our Economy No. 5 Cont...

**REPORT:**

In summary, the legal advice, which was quite detailed, came to the following conclusions:

**Competition and Consumer Act 2010 (Cth) (CCA)**

Offering a price advantage under a Buy Local Policy:

Will not be in breach of the anti-competitive provisions of the CCA where the Council is applying the Policy in connection with the discharge of a **statutory or regulatory function**;

May be in breach of the anti-competitive provisions of the CCA if it were to apply the Policy, and the relevant increase in price advantage, in circumstances where the Council is deemed to be **carrying on a business**, if the application of the Policy or increase would substantially lessen competition in the market by giving a buyers in favour of local suppliers.

**Fair Trading Act 1987 (NSW) (FTA)**

For the same reasoning as under the CCA, when a council is exercising its regulatory functions, it is not acting in trade or commerce and so the Buy Local Policy will not offend this legislation.

Where however councils carries on businesses such as operating airports, it would be considered to be acting in trade or commerce in respect of those services but the FTA only applies to contracts with consumers, and has no application to the procurement process.

**International Free Trade Agreements (Free Trade Agreements)**

None of the terms of Free Trade Agreements between Australia and other Countries apply to local councils.

**POLICY DEVELOPMENT CONSIDERATIONS**

Advice was also provided around matters to consider in revising or developing a new Policy in this area.

Under section 8A of the Act, Councils are required to exercise their functions in accordance with principles set out in that section. Those principles include that Councils should:

- (i) carry out functions in a way that provides the best possible value for residents and ratepayers;
- (ii) act fairly, ethically and without bias, in the interests of the local community.

In making decisions, section 8A(2) requires Council's decision-making to be transparent and decision-makers are to be accountable for decisions and omissions.

Our Economy No. 5 Cont...

Further directions regarding the exercise of a Council's powers in the context of tendering and procurement are set out in the Guidelines. Under the Act, Councils are bound to consider these guidelines when exercising their powers.

The Guidelines reaffirm the principles under section 8A of the Act by stating that when conducting procurement activities, the Council must act in accordance with the following standards:

- (i) honesty and fairness;
- (ii) accountability and transparency;
- (iii) no conflict of interest;
- (iv) rule of law;
- (v) no anti-competitive practices;
- (vi) no improper advantage;
- (vii) intention to proceed with contract; and
- (viii) co-operation.

Paragraph 1.6 of the Guidelines, provides that a council should develop a buy local policy if it wishes to consider local preference as a factor in the procurement process. The Guidelines state that the policy should:

- (i) be based on sound reasoning and include a statement indicating the basis for its use;
- (ii) be clear in its application - for example, where an additional cost would be incurred by the council in implementing its Policy, the maximum amount or percentage of that additional cost should be specified and the particular circumstances in which the amount should also be acceptable to the local community,
- (iii) be disclosed to all potential tenderers prior to their decision to submit a tender;
- (iv) be included in the tender documents and identified in the evaluation criteria; and
- (v) be referred to when reporting the result of the tender evaluation process including the details of any additional cost to be incurred by the council if it accepts a tender, other than the lowest tender, as a result of the implementation of the Policy.

As noted, a buy local policy does not necessarily have to be solely price related, and can vary for particular circumstances. The important thing is that whatever policy is adopted or applied in the particular circumstances, it follows the principles above.

A one-dimensional buy local policy based purely on providing a price advantage to local suppliers may not be based on sound reasoning if applied in all circumstances.

### **The case for a Multi-Dimensional Policy**

Council's Legal Advice on the above was as follows:

The procurement statement/policy issued by the Queensland Government titled "**Optimising Opportunities for Local Suppliers**" is a good example of a multi-dimensional policy. In it, the policy talks about optimising opportunities for local suppliers. Specifically it states that:



Our Economy No. 5 Cont...

*"The approach taken to any procurement will depend on the nature of the procurement at hand. This includes:*

- low value and low business risk purchases*
- procurement that is assessed as being high value and/or has a high degree of business risk."*

It goes on to explain the things that can be done to optimise opportunities including considering the local benefits.

In considering the local benefits it states:

*"Government buyers should consider any benefits that suppliers would bring to the local area. The type of benefits suppliers can bring will vary from procurement to procurement. Therefore, agencies will need to identify what benefits are appropriate during the planning stage and incorporate these in subsequent stages of the procurement process. ..."*

Price advantage is but one of the factors that can be used to support local suppliers and benefit the local community but providing a price advantage to local suppliers is not the only way to do so. Other considerations may be relevant, and there is no reason that a policy cannot be developed to take into account some of those other considerations. The policy will however have to follow the guidelines mentioned earlier.

The Queensland policy speaks of a number of things that can be done to assist local suppliers including:

- (i) holding a 'meet the buyer' forum;
- (ii) understanding and eliminating barriers for local suppliers; and
- (iii) working with suppliers as part of a development program to improve their performance and capabilities.

The best practice policy to promote local suppliers would be a multi-dimensional/faceted policy, that is flexible and seeks to ensure that local suppliers are not only preferred because they are local or given a price advantage, but are helped to improve their performance and capabilities.

An important aspect of a multi-dimensional/faceted policy is incorporating a local benefits test. Such local benefits tests consider:

- (i) local jobs;
- (ii) opportunities for local supply chains;
- (iii) opportunities for apprentices and trainees; and
- (iv) case-by-case benefits.

A local benefits should be readily identifiable, evaluated, measured and reported on.

A benefit of incorporating a local benefits test is that there is scope to balance the interests of the local suppliers and the community as a whole, which is not necessarily the case with a policy based solely on providing local suppliers with a price advantage. The disadvantage of including a local benefits test is it may make the policy, more complex and requires a lot more work to evaluate and make decisions.

Our Economy No. 5 Cont...

It may also be less transparent because of its complexity and the complexity of its application and assessment.

The complexity, work and cost are not insignificant factors and it will be up to Council staff to maintain a record of the cost of implementing this Policy in terms of the additional cost to Council as a result of the Policy. These costs should be reported to Finance after procurement decisions are made if implementing the new Policy has any financial impacts and such impacts will need to be reported on at each Quarterly Budget Review. A purchasing officer position has been included in the draft 2020/21 budget, not just for this purpose but for the central management and oversight of Council's procurement processes and for management of Council's Vendor Panel software and to act as a liaison between Council and local suppliers.

There has been many occasions council has received complaints when a local supplier has failed to win a quote (or multiple quotes), where the local business was 75% dearer than another supplier. As council isn't in a position to breach confidentiality, council is put in a position where extra management and audit effort to defend actions and prove policy compliance is required. The cost to administer, the cost to report, and the cost to defend disputes is real and adds to the local purchase percentage amount.

If for example Council adopted a 5% local buy policy, the real cost, which is difficult to measure, may be 7%. This detracts from council's purchasing power and therefore the capacity to maintain downward pressure on pricing.

"In our opinion, buy local policies that consider amongst other things, local benefits, are more likely to promote the medium to long term benefits of local suppliers and the community as a whole."

It was also mentioned at the February Ordinary Council meeting about the internal audit work that was being undertaken in the Procurement area. There is nothing in the draft internal audit report that is inconsistent with the above.

It should also be noted that in any new policy purchasing through Local Government Procurement related businesses should be a priority, particularly for tenders but also for significant other purchases, this is because the administration has basically already been done for Council by LGP and we get the best price available.

### **Next steps**

As a result of the advice received, it is proposed that a new **Optimising Opportunities for Local Suppliers Policy** be developed and that the existing **Buy Local Policy** be revoked.

It will be suggested in this new Policy, as per the advice above, that no local benefit be given to businesses tendering or quoting for Council goods or services where the area of Council the proposed purchase relates to is deemed to be "carrying on a business".

Examples of Council business where a local benefit may not be applicable includes:

- Water Supply
- Sewerage Supply
- Saleyards
- Swimming Pool

Our Economy No. 5 Cont...

- Private Works
- Work on premises leased/rented by Council

Further advice is being sought on the above to confirm this.

Having said that, and based on the procurement statement/policy issued by the Queensland Government, it is clear that for low value/low business risk purchases and given Tenterfield's location it will always make sense for some goods and services to always be purchased locally and only if more than one similar business is in the Shire should quotes be obtained (or alternatively business be spread around as evenly as possible) i.e. in a previous Council where there were two tyre stores in town, one year one supplier was used, the next the other supplier was used.

Some of the businesses in this category might include the local newsagent, butchers, and supermarkets, with the full list to be determined by way of Public Consultation.

In terms of higher value purchases, there may be a weighting given based on the number of apprentices employed or new staff the job will generate. The details need to be worked through but this will provide greater benefits longer terms than just price alone.

Of course for high value purchases, above the tender threshold of \$250,000 or where there is no local supplier of a good or service being sought no local benefit would be applicable.

It needs to be emphasised that a local benefit would continue to be **only one of a number of criteria** that need to be assessed in Council's purchasing decisions and the weighting and criteria are operational decisions determined by the panel issuing and evaluating purchasing decisions.

It should also be noted that in any new policy purchasing through Local Government Procurement panel businesses should be a priority, particularly for tenders but also for significant other purchases, this is because the administration has basically already been done for Council by LGP and we get the best price available.

It is proposed that once the draft Policy is developed, that it be widely publicised and public comments sought, particularly from the Chamber of Commerce and indeed all businesses, and this could be tied in with advertising Council's Vendor Panel software and an education campaign on Council's Procurement Processes as per the Local Government Act. This may have to be via engagement hub a number of Zoom meetings with relevant stakeholders.

In terms of timelines it is proposed a draft policy be presented to the June Ordinary Council meeting, public consultation occur in July and that the new Policy and amended Procurement Policy be presented at the August Ordinary Council meeting for adoption.

#### **COUNCIL IMPLICATIONS:**

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

Community engagement needs to be undertaken in relation to a new **"Optimising Opportunities for Local Suppliers Policy"** once the draft is developed and approved for public consultation.

Our Economy No. 5 Cont...

It is envisaged that this consultation process will be via Engagement Hub and Zoom meetings with the Chamber and Business Owners being given opportunities to contribute.

## 2. Policy and Regulation

- It is proposed that the existing Buy Local Policy be rescinded and replaced with a new "Optimising Opportunities for Local Suppliers Policy".
- Some changes may be required to Councils existing Purchasing Policy and Procedures as a result of implementing this new Policy.

## 3. Financial (Annual Budget & LTFP)

It will be up to Council staff to maintain a record of the cost of implementing this Policy in terms of the additional cost to Council as a result of the Policy. This should be reported to Finance after procurement decisions are made if implementing the new Policy has any financial impacts. Such impacts will be reported on at each Quarterly Budget Review.

There has been many occasions council has received complaints when a local supplier has failed to win a quote (or multiple quotes), where the local business was 75% dearer than another supplier. As council isn't in a position to breach confidentiality, council is put in a position where extra management and audit effort to defend actions and prove policy compliance is required. The cost to administer, the cost to report, and the cost to defend disputes is real and adds to the local purchase percentage amount.

If for example Council adopted a 5% local buy policy, the real cost, which is difficult to measure, may be 7%. This detracts from council's purchasing power and therefore the capacity to maintain downward pressure on pricing.

## 4. Asset Management (AMS)

Not Applicable.

## 5. Workforce (WMS)

Not Applicable.

## 6. Legal and Risk Management

Based on the Legal Advice received, Council will be compliant with the Local Government Act and Procurement Guidelines in the development and implementation of a new "**Optimising Opportunities for Local Suppliers Policy**".

## 7. Performance Measures

Not Applicable.

## 8. Project Management

Not Applicable.

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

## Our Economy No. 5 Cont...

Prepared by staff member: Paul Della  
Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer  
Department: Office of the Chief Corporate Officer  
Attachments: **1** Legal Advice re Buy Local Policy and Related Matters 13 Pages



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Paul J Della MIPA AFA  
Manager Finance and Technology  
Tenterfield Shire Council  
PO Box 214, Tenterfield NSW 2372

16 March 2020

Our ref CZP 200432

Email: p.della@tenterfield.nsw.gov.au

Dear Paul,

### **Buy Local Policy**

Thank you for your instructions in relation to this matter.

#### **1. Background**

- (a) We have been instructed that Tenterfield Shire Council (**Council**) provides a price advantage to local suppliers in relation to quotations and tenders for the supply of goods, materials and/or services.
- (b) The Policy of the Council in which this advantage to local suppliers is provided is set out in a Policy Statement titled "Buy Local Policy" (**Policy**) previously adopted on 23 October 2013.
- (c) Under the current Policy, when evaluating quotations or tenders a maximum amount of 5% will be nominally deducted from the local supplier price for the purposes of price comparison only.
- (d) **Local Supplier** is defined as:
  - (i) an organisation that operates from permanently staffed premises within the boundaries of Tenterfield Shire's LGA and has operated from those premises for a minimum period of six (6) months before submitting the quotation or tender; or

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Buy Local Policy

- (ii) an organisation that is more than 49.9% owned by an individual (or individuals) that live/s within the boundaries of Tenterfield Shire's LGA and has done so for a minimum period of six (6) months before the organisation submits the quotation or tender. It is assumed that the individual/s reside/s at their address on the electoral role.
- (e) There has been some discussion about increasing the price advantage under the Policy from 5% to 10%, 15% or more as some other Councils have done.

**2. Issues to be considered**

You have requested our advice on the following:

- (a) whether the Council has the power to make the change proposed to its current "Buy Local Policy" by increasing the price advantage under the Policy in connection with the Council's procurement process;

and if so:

- (b) will the Policy breach any anti-competitive laws such as the *Competition and Consumer Act 2010* (Cth), the *Fair Trading Act 1987* (NSW) or various international trade agreements; and
- (c) drafting recommendations to ensure the Policy is consistent with the guiding principles for councils under the Local Government Act 1993 (**Act**) and the standards of practice for councils set out in the "Tendering Guidelines for NSW Local Government" issued in October 2009 (**Guidelines**).

**3. Does the Council have the power to develop and implement a Buy Local Policy with the proposed changes?**

- (a) Pursuant to section 50 of the Interpretation Act 1987 (NSW), Statutory Corporations, such as councils, may amongst other things, do and suffer all other things that bodies corporate may, by law, do and suffer and that are necessary for, or incidental to, the exercise of its function.
- (b) Councils, much like any other body corporate, can pass a resolution at a to implement directions or a policy, binding on itself, such as a Buy Local Policy if it is necessary for, or incidental to, the exercise of its functions.

Buy Local Policy

- (c) We note that the power to make internal policies is different to the Council's power under the Act to pass policies for approvals and orders which are binding on the general public.
- (d) In fact, the Tendering Guidelines for NSW Local Government (**Guidelines**) state at paragraph 1.6, that a Council should develop a buy local policy if it wishes to consider local preference as a factor in the procurement process.
- (e) The Guidelines state that the policy should:
  - (i) be based on sound reasoning and include a statement indicating the basis for its use;
  - (ii) be clear in its application - for example, where an additional cost would be incurred by the council in implementing its Policy, the maximum amount or percentage of that additional cost should be specified and the particular circumstances in which the amount should also be acceptable to the local community,
  - (iii) be disclosed to all potential tenderers prior to their decision to submit a tender;
  - (iv) be included in the tender documents and identified in the evaluation criteria;
  - (v) be referred to when reporting the result of the tender evaluation process including the details of any additional cost to be incurred by the council if it accepts a tender, other than the lowest tender, as a result of the implementation of the Policy.
- (f) The Guidelines state that councils should consider seeking legal advice regarding their proposed policy to ensure the policy does not breach either the *Competition and Consumer Act 2010* (Cth), the *Fair Trading Act 1987* (NSW) or various international trade agreements.



Buy Local Policy

**4. Will the proposed changes to the policy breach any anti-competitive laws?**

**(a) Competition and Consumer Act 2010 (Cth) (CCA)**

- (i) The CCA regulates the activities of Australian corporations and restricts anti-competitive trade practices. In particular, it prohibits contracts and arrangements which substantially lessen competition in the market.
- (ii) A buy local policy would most probably be in breach of the CCA, if it would substantially lessen competition in the market by giving a biased advantage to local suppliers.
- (iii) However, section 2BA of the CCA provides that the prohibitions regarding restrictive trade practices apply to a council only to the extent that it **“carries on a business”**. It does not apply to activities done by the Council in the performance of its statutory functions.
- (iv) Unfortunately, the CCA gives little assistance in interpreting the phrase **“carries on a business”**. While section 2C of the CCA states what activities do not constitute carrying on a business, the list is not exhaustive.
- (v) Although there is no established test to determine what activities constitute a business, the issue has been dealt with by the courts. The following principles have been established by the courts to help determine the issue:
  - A. For an activity to be regarded as a “business” it must have some element of commerce of trade such as a private citizen or trader might undertake.
  - B. A business refers to activities undertaken as a going concern, not just a one-off activity.
  - C. Although a business can be for non-profit, the existence or absence of a profit-making purpose is relevant.

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- D. A business activity is an activity which takes place in a business context and which bears a business character. An activity is unlikely to have a business character if it involves the carrying out of a regulatory or governmental function in the interests of the community or the performance of a statutory duty in relation to which fees are charged.
- (vi) As mentioned, the CCA does not regulate activities undertaken by the Council in the discharge of a statutory or regulatory function. These activities are not considered to be activities in the carrying on of a business.
- (vii) Certain functions of Council are mandated in the Act and the Regulations such as the provision of sewage services. Other functions of Council are to be exercised with discretion. For example, under section 24 of the Act, a council may use its discretion to provide goods, services and facilities and carry out activities, appropriate to the current and future needs within its local community and of the wider public.
- (viii) The courts have held that those goods, services or activities required by councils and those that the council chooses to carry out to meet community needs are both in performance of its statutory function. The element of discretion is irrelevant.
- (ix) However, there must be a strong connection between the statutory purpose and the activities being performed. The building of a public school would not be a business and would not be subject to the restricted trade practices in the CCA. However, the renting out of a school hall by the Council for profit would likely be a business activity subject to the CCA which would prohibit the Council from applying anti-competitive practices in such arrangement.
- (x) Caution must be applied when an activity constitutes the performance of a statutory function but also has commercial elements that a private citizen or trader might undertake. For example, in *Murphy v Victoria [2014] VSCA 238* the government was building a tollway motorway in partnership with a private company. Although the point was referred

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back to the trial court for a rehearing, the Court did not exclude the possibility that developing and running the motorway could constitute both the provision of state services and operate as a business. If this were to be the case, the CCA would likely apply to the business aspects of that activity.

(xi) In short, before issuing a request for tender the Council must determine whether the works to be performed are in the discharge of its governmental function or whether they are commercial in nature. If the works are being undertaken as a **governmental function** the Council may apply a buy local policy in the procurement process without being in breach of the CCA.

(xii) **(Summary)** In summary therefore increasing the price advantage under the Policy from 5% to 10%, 15% or more:

A. will not be in breach of the anti-competitive provisions of the CCA where the Council is applying the Policy in connection with the discharge of a statutory or regulatory function;

B. however it may do so if it were to apply the Policy, and the relevant increase in price advantage, in circumstances where the Council is deemed to be carrying on a business, if the application of the Policy or increase would substantially lessen competition in the market by giving a buyers in favour of local suppliers.

(b) **Fair Trading Act 1987 (NSW) (FTA)**

(i) The FTA is NSW State legislation dealing with the treatment of customers by suppliers in trade and commerce.

(ii) The FTA applies to councils to the extent that they are supplying goods or services to a consumer in "trade or commerce". Section 4 of the FTA defines "trade or commerce" as including any business or professional activity.

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- (iii) **(Summary)** For the same reasoning as under the CCA, when a council is exercising its regulatory functions, it is not acting in trade or commerce and so the Buy Local Policy will not offend this legislation.
  - (iv) Where however councils carries on businesses such as operating airports, it would be considered to be acting in trade or commerce in respect of those services but the FTA only applies to contracts with consumers, and has no application to the procurement process.
- (c) **International Free Trade Agreements (Free Trade Agreements)**
- (i) Australia has entered into six free trade agreements that include government procurement provisions applying to NSW government agencies, these are:
    - A. Australia – United States Free Trade Agreement (2005);
    - B. Australia – Chile Free Trade Agreement (2009);
    - C. Korea – Australia Free Trade Agreement (2014);
    - D. Japan – Australia Economic Partnership Agreement (2015);
    - E. Singapore – Australia Free Trade Agreement (amended 2017),
    - F. Comprehensive and Progressive Agreement for Trans-Pacific Partnership (2018).
  - (ii) The terms of these Free Trade Agreements have been incorporated into both federal and state law.
  - (iii) Crucially, none of the terms of these Free Trade Agreements apply to local councils. These terms are only binding on state and federal governments, and have the effect of preventing the application of buy local policies on the procurement for high value works.
  - (iv) For completeness we note the following:
    - A. Across the board, the Free Trade Agreements have the same application thresholds to procurement works. In most cases, the Free Trade Agreements will apply to any procurement that:

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- for construction work, exceeds \$9.247M, and
- for any other goods or services, exceeds \$657,000.

B. If the threshold is reached, generally the following requirements apply:

- *Equal treatment.* No discrimination against any tenderer due to its degree of foreign affiliation or ownership, such as preventing a local tenderer from participating on the basis that they have foreign shareholders or on the basis that they supply products originating in other countries;
- *Offsets.* Tenderers must not be required to provide conditions or undertakings that require the use of local content, a domestic supplier, the licensing of technology, or similar actions aimed at encouraging local development.
- *Conditions for participation.* Conditions for participation in a tender are permitted, but must not inappropriately discriminate against international tenderers, such as requiring previous experience in Australia.
- *Open approaches to market.* Government organisations must generally use an open approach to market for all relevant procurements, unless an exception applies.

(v) However as stated above, none of the terms of these Free Trade Agreements apply to local councils.

**5. Drafting Recommendations for a Buy Local Policy**

- (a) Under section 8A of the Act, Councils are required to exercise their functions in accordance with principles set out in that section. Those principles include that Councils should:
- (i) carry out functions in a way that provides the best possible value for residents and ratepayers;

Buy Local Policy

- (ii) act fairly, ethically and without bias, in the interests of the local community.
- (b) In making decisions, section 8A(2) requires Councils decision-making to be transparent and decision-makers are to be accountable for decisions and omissions.
- (c) Further directions regarding the exercise of a Council's powers in the context of tendering and procurement are set out in the Guidelines. Under the Act, Councils are bound to consider these guidelines when exercising their powers.
- (d) The Guidelines reaffirm the principles under section 8A of the Act by stating that when conducting procurement activities, the Council must act in accordance with the following standards:
  - (i) honesty and fairness;
  - (ii) accountability and transparency;
  - (iii) no conflict of interest;
  - (iv) rule of law;
  - (v) no anti-competitive practices;
  - (vi) no improper advantage;
  - (vii) intention to proceed with contract; and
  - (viii) co-operation.
- (e) As stated earlier, paragraph 1.6 of the Guidelines, provides that a council should develop a buy local policy if it wishes to consider local preference as a factor in the procurement process. The Guidelines state that the policy should:
  - (i) be based on sound reasoning and include a statement indicating the basis for its use;
  - (ii) be clear in its application - for example, where an additional cost would be incurred by the council in implementing its Policy, the maximum

Buy Local Policy

amount or percentage of that additional cost should be specified and the particular circumstances in which the amount should also be acceptable to the local community,

- (iii) be disclosed to all potential tenderers prior to their decision to submit a tender;
  - (iv) be included in the tender documents and identified in the evaluation criteria; and
  - (v) be referred to when reporting the result of the tender evaluation process including the details of any additional cost to be incurred by the council if it accepts a tender, other than the lowest tender, as a result of the implementation of the Policy.
- (f) As noted, a buy local policy does not necessarily have to be solely price related, and can vary for particular circumstances. The important thing is that whatever policy is adopted or applied in the particular circumstances, it follows the principles in paragraph (e) above.
- (g) A one-dimensional buy local policy based purely on providing a price advantage to local suppliers may not be based on sound reasoning if applied in all circumstances.
- (h) The procurement statement/policy issued by the Queensland Government title "Optimising Opportunities for Local Suppliers" is a good example of a multi-dimensional policy. In it, the policy talks about optimising opportunities for local supplies. Specifically it states that:
- "The approach taken to any procurement will depend on the nature of the procurement at hand. This includes:
- low value and low business risk purchases
  - procurement that is assessed as being high value and/or has a high degree of business risk.

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- (i) It goes on to explain the things that can be done to optimise opportunities including considering the local benefits. In considering the local benefits it states:

“Government buyers should consider any benefits that suppliers would bring to the local area. The type of benefits supplied can bring will vary from procurement to procurement. Therefore, agencies will need to identify what benefits are appropriate during the planning stage and incorporate these in subsequent stages of the procurement process.  
...”
- (j) Price advantage is but one of the factors that can be used to support local suppliers and benefit the local community but providing a price advantage to local suppliers is not the only way to do so. Other considerations may be relevant, and there is no reason that a policy cannot be developed to take into account some of those other considerations. The policy will however have to follow the guidelines in paragraph 1.6 of the Guidelines (see 5(e) above).
- (k) The Queensland policy speaks of a number of things that can be done to assist local suppliers including:
  - (i) holding a ‘meet the buyer’ forum;
  - (ii) understanding and eliminating barriers for local suppliers; and
  - (iii) working with suppliers as part of a development program to improve their performance and capabilities.
- (l) The best practice policy to promote local suppliers would be a multi-dimensional/faceted policy, that is flexible and seeks to ensure that local suppliers are not only preferred because they are local or given a price advantage, but are helped to improve their performance and capabilities.
- (m) An important aspect of a multi-dimensional/faceted policy is incorporating a local benefits test. Such local benefits tests consider:
  - (i) local jobs;
  - (ii) opportunities for local supply chains;



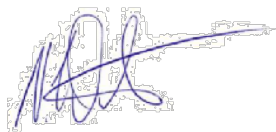
Buy Local Policy

- (iii) opportunities for apprentices and trainees; and
  - (iv) case-by-case benefits.
- (n) A local benefits should be readily identifiable, evaluated, measured and reported on.
- (o) A benefit of incorporating a local benefits test is that there is scope to balance the interests of the local suppliers and the community as a whole, which is not necessarily the case with a policy based solely on providing local suppliers with a price advantage.
- (p) The disadvantage of including a local benefits test is it may make the policy, more complex and requires a lot more work to evaluate and make decisions. It may also be less transparent because of its complexity and the complexity of its application and assessment.

**6. Conclusion**

- (a) In our opinion, the application and/or increasing the price advantage given to local suppliers is permitted, and does not offend any anti-competitive legislation applicable in the circumstances discussed above.
- (b) It is not however the only way to assist local industry/suppliers, and may not necessarily deliver long-term sustainable benefits to the suppliers or the community. In our opinion, buy local policies that consider amongst other things, local benefits, are more likely to promote the medium to long term benefits of local suppliers and the community as a whole.
- (c) We would be pleased to discuss this with you further and to assist develop such an holistic policy if required.

Yours faithfully  
**Bartier Perry**



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Buy Local Policy

|                      |                                                                                                                    |
|----------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                                       |
| <b>Submitted by:</b> | Manager Planning & Development Services                                                                            |
| <b>Reference:</b>    | <b>ITEM ENV6/20</b>                                                                                                |
| <b>Subject:</b>      | <b>DRAFT DEVELOPMENT SERVICING PLANS SEWER &amp; WATER &amp; S7.11 &amp; S7.12 DEVELOPMENT CONTRIBUTIONS PLANS</b> |

|                                                               |                                                                                                                                   |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                   |
| <b>CSP Goal:</b>                                              | <b>Environment</b> - ENVO 9 - Our natural environment will be protected, enhanced and promoted for future generations.            |
| <b>CSP Strategy:</b>                                          | Land use planning provisions support and promote sustainable land use and management in the Shire.                                |
| <b>CSP Delivery Program</b>                                   | Provision of advice and guidance on legislative compliance for the construction of dwellings and commercial/industrial buildings. |

## SUMMARY

The purpose of this report is to present to Council;

- Draft Development Servicing Plan (DSP) - Water
- Draft Development Servicing Plan (DSP) - Sewer
- S7.11 Developer Contributions Plan
- S7.12 Developer Contributions Plan

and recommend that the documents be placed on public exhibition. The DSPs covers water and sewer supply developer charges in regard to the Tenterfield, Urbenville and Jennings development areas serviced by Council. The S7.11 and 7.12 Plans allow Council to impose a condition of development consent requiring contributions for certain development. The Plans can be found at Attachments 1 & 2 (Attachment Booklet 1) and Attachments 3 & 4 (Attachment Booklet 2).

| Facility type                       | Existing Charge | Proposed Charge | Proposed charge Rural Residential subdivisions only * |
|-------------------------------------|-----------------|-----------------|-------------------------------------------------------|
| Plan Preparation & Administration   | \$228           | \$248           | \$248                                                 |
| Roads                               | \$4,438         | \$4,438         | \$6,953                                               |
| Emergency Services                  | \$444           | \$444           | \$468                                                 |
| Community and Civic Facilities      | \$267           | \$267           | \$238                                                 |
| Open Space, Sporting and Recreation | \$111           | \$111           | \$82                                                  |
| Waste Management                    | \$832           | \$832           | \$849                                                 |
| Drainage                            | \$388           | \$355           | \$355                                                 |
| Water – Tenterfield                 | \$5,400         | \$10,746        | N/A                                                   |
| Water – Urbenville                  | \$5,500         | \$10,746        | N/A                                                   |
| Water – Jennings                    | \$450           | \$4,108         | N/A                                                   |
| Sewer – Tenterfield                 | \$6,600         | \$12,263        | N/A                                                   |
| Sewer - Urbenville                  | \$2,200         | \$0             | N/A                                                   |

*\*applies to subdivisions within the RU1 Primary Production Zone identified on the LEP Rural Residential Subdivision maps pursuant to Clause 4.2c of Tenterfield LEP 2013.*

The main change is the increase in roads contributions as a result of increased density and increased pressure on Council's road infrastructure in these areas.

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**OFFICER'S RECOMMENDATION:**

**That Council:**

- (1) Place the draft Development Servicing Plans for Water and Sewer on community consultation for a period of thirty (30) working days; and**
- (2) Place the draft S7.11 and S7.12 Developer Contribution Plans on public exhibition for a period of thirty (30) working days; and**
- (3) Note that final workshops with the community, relating to the plans will be held during this exhibition period to allow for any further feedback prior to adoption.**

**BACKGROUND**

In December 2018, Council sought expressions of interest for the undertaking of a review of Development Servicing Plans (DSP) under Section 64 of the *NSW Local Government Act 1993* and Development Contributions Plans under Section 7.11 and 7.12 (formerly Sections 94 and 94A) under the *NSW Environmental Planning & Assessment Act, 1979*.

Cardno were engaged to undertake the work and conduct the necessary investigations, meet legal requirements, undertake workshops and present to Council the draft documents and community consultation.

The Draft documents are presented to Council seeking a resolution to place them on public exhibition and conduct community and developer workshops to explain the content and intent of the plans.

Discussion has been had in relation to making comparisons across other local government areas in NSW. It should be noted that direct comparisons cannot be made as new guidelines for section 64 developer charges were adopted in 2016, which have a more prescriptive methodology than previous plans were created under.

**REPORT:**

Section 64 of the *Local Government Act, 1993* enables council to levy developer charges for water supply, sewerage and stormwater. The DSP details the charges to be levied on development which utilizes this infrastructure.

The DSP documents have been prepared in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister for Lands and Water, pursuant to Section 306(3) of the *Water Management Act, 2000*.

Developer charges serve three related functions:

1. They provide a source of funding for infrastructure required for new urban development
2. They provide signals regarding the cost of urban development and thus encourage less costly forms and areas of development
3. They are an integral part of the fair pricing of water related services

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The developer charge is expressed per equivalent tenement (ET), which is defined as the impact on the network from a single detached residential dwelling. They are calculated as the present value (PV) of the capital expenditures over time required to service the development area (the "capital charge") less the PV of the expected net income over time from providing services to the development area (the "reduction amount").

$$Developer\ Charge = Capital\ Charge - Reduction\ Amount$$

where:

- Capital Charge = cost of asset provision (both historical up to 30 years old\* and forecast spend)
- Reduction amount = net income received from annual bills (total income less OMA expenses).

In order to calculate the present value of the capital charge and reduction amount, a growth forecast for the ET's is required.

This is based on the population projection for the LGA and forms part of the nexus linking demand to the need for improvements to the water and sewer service networks.

\*Note: Under regulation capital items are excluded at 30 years of age even though these assets have a longer life. Eg. Water or sewer treatment plants.

Existing water and sewer developer charges (referred to as Section 64 charges) are as follows from Council's adopted Fees and Charges 2019/20;

**DEVELOPER CONTRIBUTIONS – SECTION 64**

|                                                |                |   |            |
|------------------------------------------------|----------------|---|------------|
| Sewerage per Equivalent Tenement – Tenterfield | per connection | N | \$6,800.00 |
| Water per Equivalent Tenement – Tenterfield    | per connection | N | \$5,400.00 |
| Sewerage per Equivalent Tenement – Urbenville  | per connection | N | \$2,200.00 |
| Water per Equivalent Tenement – Urbenville     | per connection | N | \$5,500.00 |
| Water per Equivalent Tenement – Jennings       | per connection | N | \$450.00   |

**Development Servicing Plan - Water**

The developer charges for the area covered by the Draft DSP for water supply are as follows;

Table 7-1 Summary of proposed water supply developer charges

| DSP Area      | Capital Charge (\$ per ET) | Reduction Amount (\$ per ET) | Calculated Maximum Developer Charge (\$ per ET) | Adopted Developer Charge (\$ per ET) |
|---------------|----------------------------|------------------------------|-------------------------------------------------|--------------------------------------|
| DSP Area A    |                            |                              |                                                 |                                      |
| ▪ Tenterfield | \$7,920                    | -\$2,826                     | \$10,746                                        | \$10,746                             |
| ▪ Urbenville  |                            |                              |                                                 |                                      |
| DSP Area B    |                            |                              |                                                 |                                      |
| ▪ Jennings    | \$1,282                    | -\$2,826                     | \$4,108                                         | \$4,108                              |

Source: Draft Development Servicing Plan - Water Supply

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### **Development Servicing Plan - Sewer**

The developer charges for the area covered by the Draft DSP for sewer are as follows;

Table 7-1 Summary of proposed sewerage developer charges

| DSP Area    | Capital Charge (\$ per ET) | Reduction Amount (\$ per ET) | Calculated Maximum Developer Charge (\$ per ET) | Adopted Developer Charge (\$ per ET) |
|-------------|----------------------------|------------------------------|-------------------------------------------------|--------------------------------------|
| Tenterfield | \$16,335                   | \$4,072                      | \$12,263                                        | \$12,263                             |
| Urbenville  | \$2,279                    | \$4,072                      | <\$0                                            | \$0                                  |

Source: Draft Development Servicing Plan - Sewerage Services

### **Section 7 Development Contribution Plans (S7.11 & S7.12)**

The purpose of the Plans is to enable the consent authority (Council) to impose a condition of development consent requiring contributions for certain development that generates an increased demand for public facilities.

All contributions received in accordance with the Plans will be used for the provision, extension and/or augmentation/refurbishment of public facilities. In some instances the contributions will be used to recoup the costs of public facilities provided in anticipation of future development and increased needs.

The Plans are based on the anticipated population growth for the period to 2036 and the development capacity facilitated by the Tenterfield Local Environmental Plan 2013 (TLEP 2013). The Plans will be reviewed regularly to ensure it remains relevant and fit for purpose.

The plans, once adopted will repeal all pre-existing Contributions Plans being:

- Tenterfield Shire Council Section 94 Contributions Plan; and
- Tenterfield Shire Council Section 94A Contributions Plan.

The combined strategic directions guiding delivery and maintenance of public facilities are:

- facilitate infill growth and diversity in housing stock in established towns and villages
- improve accessibility and connectivity to public facilities

The majority of population growth is anticipated within established towns and villages. Population growth will generate a demand for new, enhanced or augmented public facilities. A commitment to improved accessibility will also require public facilities that enhance the opportunities for people to use public facilities such as transport and movement options, operational management and capacity of facilities to match demand.

The Plans respond to demands for public facilities by enabling contributions to be levied and managed in the following categories:

- Plan preparation and administration

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- Roads
- Emergency services
- Community and Civic Facilities
- Open Space, Sporting and Recreation facilities
- Waste Management
- Drainage
- Community Enhancement

The Plans identify:

- Demands for public facilities anticipated by future development
- The specific public facility to be delivered to meet demands for which contributions can be levied.
- The reasonable contribution to be levied on development to meet the anticipated demand.

### Section 7.11 Development Contributions Plan for Subdivisions

Existing and proposed rates.

| Facility Type                       | Method       | Original Calculated Rate 2013 | Adopted Rate 2013 | Indexed Rate 2019/20 (current charges) | New Calculated Rate Mar20 (Based on populated growth 2020-2030) In the RU1 Zone identified on the LEP Rural Residential Subdivision Maps pursuant to Clause 4.2c | New Calculated Rate Mar20 (Based on populated growth 2020-2030 in the RU1 Zone) |
|-------------------------------------|--------------|-------------------------------|-------------------|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Plan Preparation and Administration | Per approval | \$205                         | \$205             | \$228                                  | \$248                                                                                                                                                            | \$248                                                                           |
| Roads                               | Per lot      | \$10,340                      | \$4,000           | \$4,438                                | \$6,953                                                                                                                                                          | \$4,438                                                                         |
| Emergency Services                  | Per lot      | \$824                         | \$400             | \$444                                  | \$468                                                                                                                                                            | \$444                                                                           |
| Community and Civic Facilities      | Per lot      | \$240                         | \$240             | \$267                                  | \$238                                                                                                                                                            | \$267                                                                           |
| Open Space, Sporting and Recreation | Per lot      | \$144                         | \$100             | \$111                                  | \$82                                                                                                                                                             | \$111                                                                           |
| Waste Management                    | Per lot      | \$1,496                       | \$750             | \$832                                  | \$849                                                                                                                                                            | \$832                                                                           |
| Drainage                            | Per lot      | \$564                         | \$560             |                                        | \$355                                                                                                                                                            |                                                                                 |

### Section 7.12 Development Contributions Plan

The S7.12 Development Contributions Plan applies to all applications for development consent and complying development certificates with the exception of applications captured in the S7.11 plan (subdivisions).

In determining a development application Council is required to issue a development consent or complying development certificate in respect of development. As a condition of the development consent, a certifying authority (the Council or an accredited certifier) may for the different types of development impose a condition under the plan requiring the applicant to pay to the Council a levy subject to the provisions of the plan.

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The levy or contribution shall be calculated from the following table;

| Project Value for New Development       | Levy Rate (%) |
|-----------------------------------------|---------------|
| Up to and including \$100,000           | Nil           |
| More than \$100,000 and up to \$200,000 | 0.5           |
| More than \$200,000                     | 1.0           |

## COUNCIL IMPLICATIONS:

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

Prior to finalisation of the draft DSPs a workshop was conducted by Cardno which sought to engage interested stakeholders, including developers, builders and real estate agents to discuss options for proposed contributions. At this workshop discussions around Council opportunities to discount or waive payment of contributions were highlighted.

Any amounts discounted or waived by Council would need to be met by Council from elsewhere in the fund budget based on the infrastructure proposed under the plans. Effectively the discount or waiver of contributions would be met by all rate payers, providing a discount to the applicant for the development.

There were divided views in the workshop in relation to the value of the discount or waiver across the rate base, whereby all ratepayers would effectively subsidise development.

The plans are required to be publicly exhibited as follows;

- o DSP - thirty five (35) working days
- o S7.11 & S7.12 - twenty eight (28) days

In addition Cardno will be undertaking community engagement workshops during April 2020.

### 2. Policy and Regulation

- Existing plans are required to be reviewed and updated. The draft plans achieve this outcome.
- At the completion of the consultation period the plans will be represented for adoption by Council, including final comments from the consultation.
- It is important to note these plans have been prepared under the 2016 Legislative framework, and as such may not represent a good comparison to plans adopted prior, by other Councils in NSW.

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

The funds collected and the provision of public facilities and services in accordance with the Plans will be directed to the implementation of the Works Schedule which forms part of the Plans. The Works Schedule lists specific projects that will provide public facilities and services to meet the needs generated by new development. Implementation of the Plans will ensure the existing community does not unreasonably bear the costs generated by new development.



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#### 4. Asset Management (AMS)

The management, including operation, maintenance and renewal of Council's assets is increasing in cost, even on a base line level due to increasing expenses and demands from the community. It is important to offset any further increases from additional assets created from new development being a burden to the existing community. New assets passed on to Council's responsibility should not only be in good as new condition, they should also be durable into the long term with negligible maintenance cost.

#### 5. Workforce (WMS)

No implications.

#### 6. Legal and Risk Management

The review of Development Servicing Plans under Section 64 of the *NSW Local Government Act 1993* and Development Contributions Plans under Section 7.11 and 7.12 (formerly Sections 94 and 94A) under the *NSW Environmental Planning and Assessment Act 1979*.

#### 7. Performance Measures

No implications.

#### 8. Project Management

No implications.

**Kylie Smith**  
Chief Corporate Officer

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                 |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Prepared by staff member:     | Tamai Davidson                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                 |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                 |
| Department:                   | Office of the Chief Corporate Officer                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                 |
| Attachments:                  | <ol style="list-style-type: none"> <li>1 Attachment 1 (Attachment Booklet 1) - Development Servicing Plan - Water Supply</li> <li>2 Attachment 2 (Attachment Booklet 1) - Development Servicing Plan - Sewerage Services</li> <li>3 Attachment 3 (Attachment Booklet 2) - Section 7.11 Development Contributions Plan (Subdivisions)</li> <li>4 Attachment 4 (Attachment Booklet 2) - Section 7.12 Development Contributions Plan (General Development)</li> </ol> | <p>32<br/>Pages</p> <p>30<br/>Pages</p> <p>35<br/>Pages</p> <p>31<br/>Pages</p> |

|                      |                                                                                                      |
|----------------------|------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                         |
| <b>Submitted by:</b> | Manager Planning & Development Services                                                              |
| <b>Reference:</b>    | <b>ITEM ENV7/20</b>                                                                                  |
| <b>Subject:</b>      | <b>DEVELOPMENT APPLICATION 2020.030 MEMORIAL HALL EXTENSIONS - 96 MOLESWORTH STREET, TENTERFIELD</b> |

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

|                             |                                                                                                                                   |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Environment</b> - ENVO 9 - Our natural environment will be protected, enhanced and promoted for future generations.            |
| <b>CSP Strategy:</b>        | Land use planning provisions support and promote sustainable land use and management in the Shire.                                |
| <b>CSP Delivery Program</b> | Provision of advice and guidance on legislative compliance for the construction of dwellings and commercial/industrial buildings. |

#### **SUMMARY**

The Development Application proposes the construction of an extension to the existing Memorial Hall building, comprising new male and female amenities and refurbishment of the existing building. The application is presented to Council for approval subject to conditions.

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

**That Council issue Development Consent 2020.030 for Extensions and Refurbishment of Tenterfield Memorial Hall subject to the draft consent contained in the attachments.**

#### **BACKGROUND**

Development Application 2020.030 for extensions and refurbishment of the Tenterfield Memorial Hall was lodged with Council on 31 March 2020. The extensions require development consent, however internal refurbishment is exempt but has been included in the application to provide an overall perspective of the full development.

#### **REPORT:**

Pursuant to the provisions of Section 4.15 of the *Environmental Planning & Assessment Act, 1979*, in determining a Development Application, Council must take into consideration such of the following matters as are of relevance to the development the subject of the Development Application. The Application has been assessed under Section 4.15 of the EP & A Act, 1979, including consideration of the following matters:

**(a) the provisions of:**

**(i) any environmental planning instrument**

#### ***Tenterfield Local Environmental Plan 2013 (LEP)***

The subject site is known as 96 Molesworth Street, Tenterfield and is subject to the provisions of Tenterfield LEP. The land lies within the RU5 Village zone, where the proposed development of *Entertainment facility – extensions and refurbishment* is permitted with consent in the zone.

The proposed development is consistent with the objectives of the RU5 Village zone in the provision of a facility which is associated with the functioning of the village of

Our Environment No. 7 Cont...

Tenterfield. The development is of a scale that is compatible with the existing and surrounding character of the area.

Plans of the proposed development are provided below;

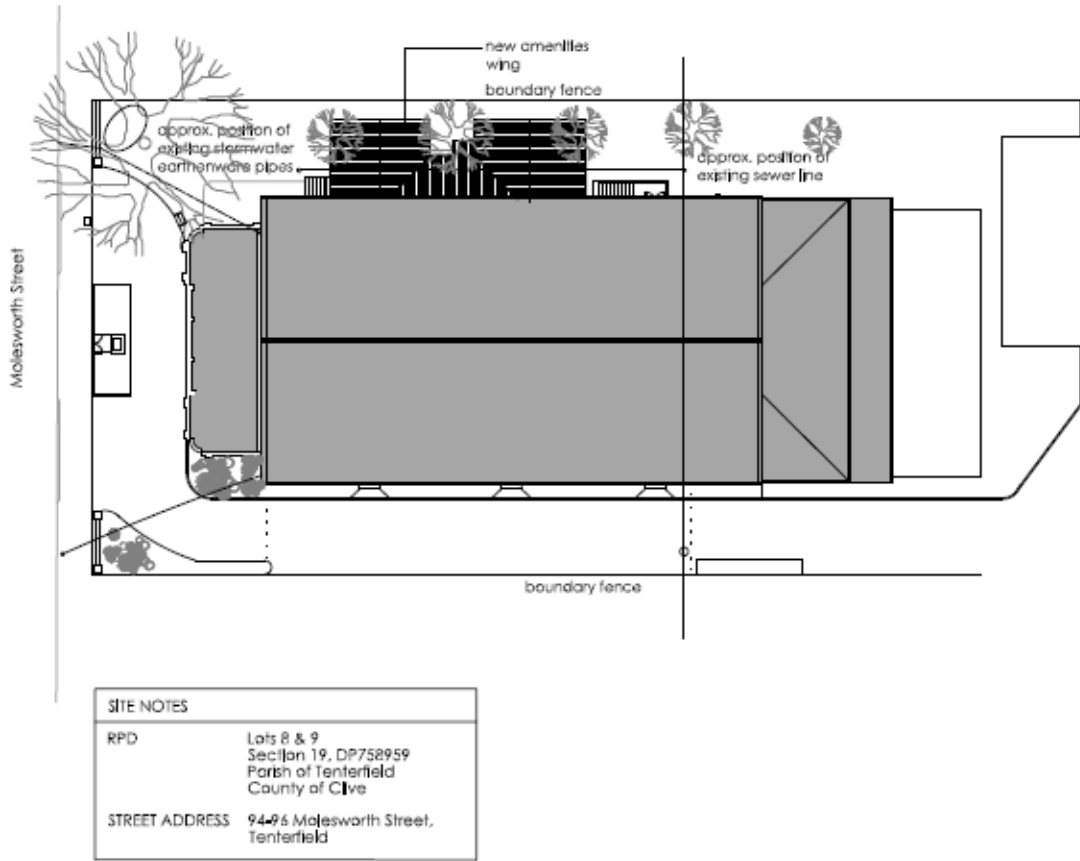


Figure 1 – Site plan – extensions proposed to the west of the existing building.

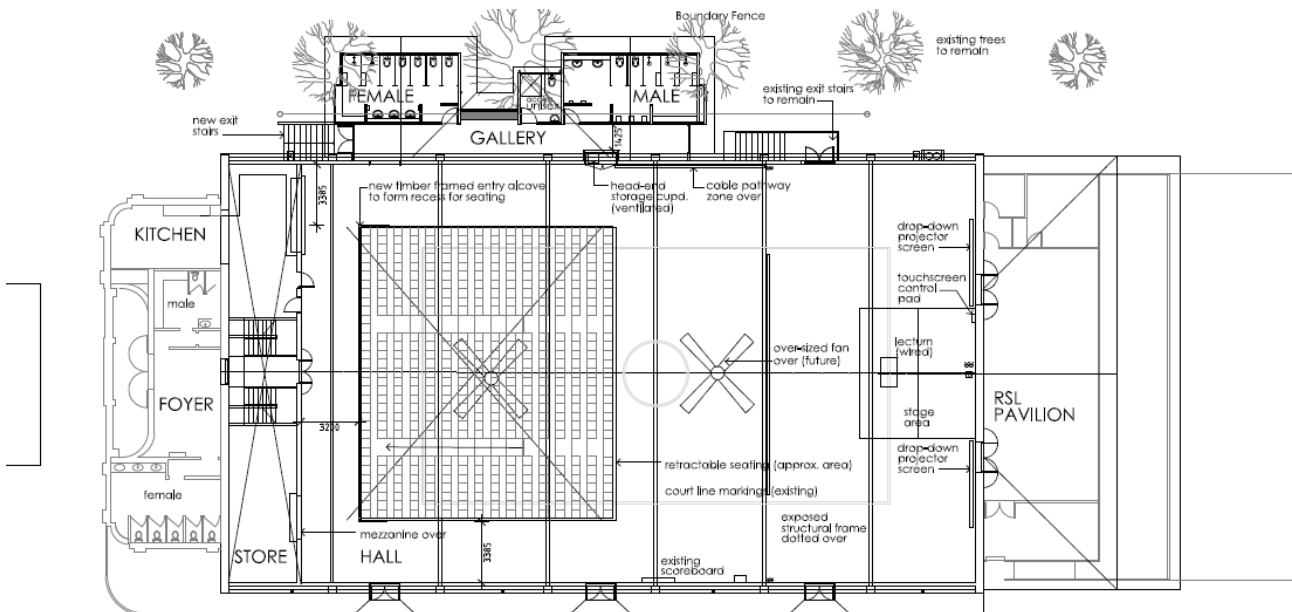
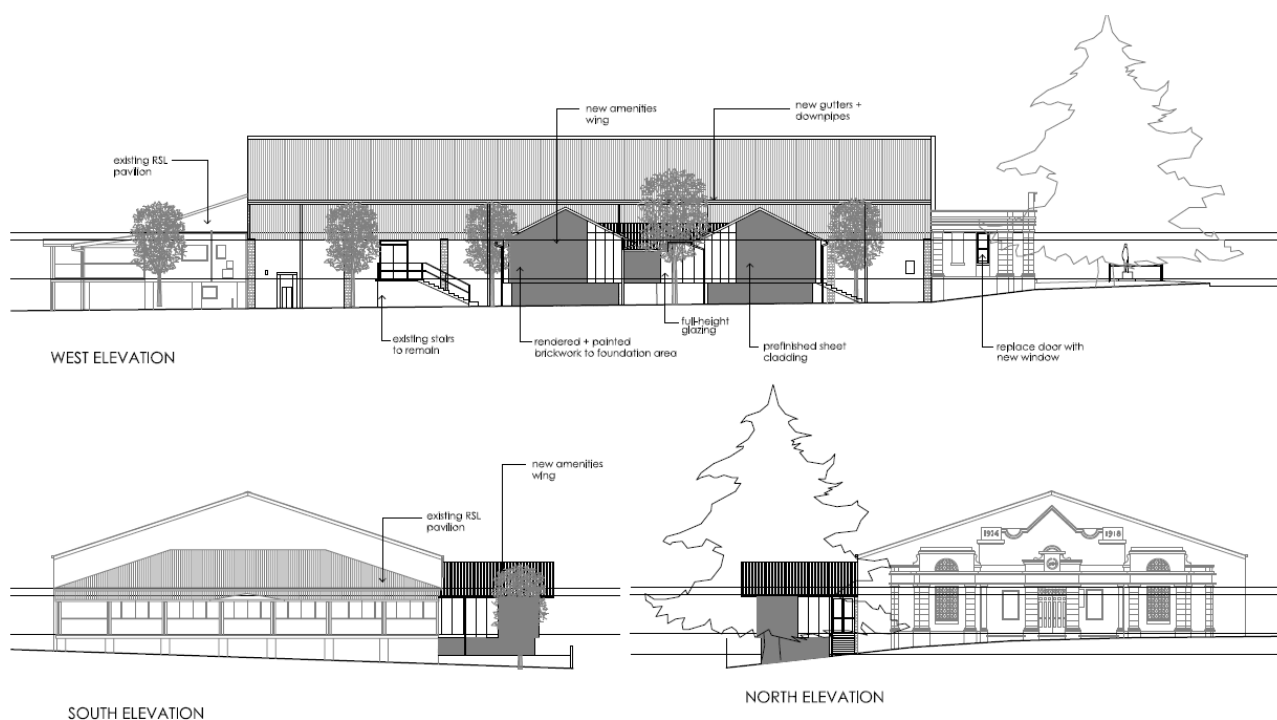


Figure 2 – Proposed Floor Plan

## Our Environment No. 7 Cont...



**Figure 3** – Proposed elevations.

The building is listed as an item of environmental heritage in Schedule 5 of the LEP and also lies within the mapped Heritage Conservation Area. The application has been reviewed by Council's heritage advisor and the design is considered very sympathetic with reference to the gabled roof profiles and scale.

The main issue in this proposal in terms of consideration under Clause 5.10 of the Tenterfield LEP 2013, is impact on the setting of the heritage item and adjoining Court House and streetscape as it does not affect original fabric.

The proposed cladding materials are acceptable for aesthetic finish and texture, with the final colour scheme to be provided prior to issue of the construction certificate.

**(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and**

Draft *Tenterfield LEP* for the inclusion of 'crematorium' as a prohibited use in the RU5 Village zone has been the subject of public consultation – the draft Plan has no implications for this proposal.

**(iii) any development control plan,**

*Tenterfield Development Control Plan 2014* (DCP) applies to the subject land and proposal, with the following sections of relevance;

Chapter 7 – Development and Heritage Conservation

The proposal has been assessed as being consistent with the aims and objectives contained in the DCP;

Our Environment No. 7 Cont...

***Aims and Objectives***

- *The objective of conserving the character of the Heritage Conservation Area is to sympathetically accommodate development (change), not to prevent it. The area must be allowed to redevelop and grow to accommodate the needs of the commercial and adjacent residential area, the Showground and Railway areas.*
- *These development guidelines aim to promote development that is well sited and designed to be sympathetic with the character of the area.*
- *To allow for sympathetic additions and alterations to listed building and sites, in line with the principles of the Burra Charter.*

***(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph).***

Consistent with the regulations.

***(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.***

**Context and Settings**

The site contains the existing Tenterfield Memorial Hall and attached RSL Pavilion at the rear. The proposed extensions are located to the west of the existing building and will be visible from Molesworth street frontage and from the rear in Light Horse Drive. The building sits adjacent to the heritage listed Tenterfield Court House and Tenterfield Police Station. The proposal is consistent with existing development within the heritage conservation area.

***(c) the suitability of the site for the development,***

The site is suitable for the proposed development and in ancillary to the existing development on the site.

***(d) any submissions made in accordance with this Act or the regulations.***

The application was not required to be notified.

***(e) the public interest.***

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement / Communication (per engagement strategy)**  
No implications.

**2. Policy and Regulation**

- Council Policy 'Limit of Delegated Authority in Dealing with Development Applications and Complying Development Certificates' is applicable as the proposal is considered under Part 1.3 Applications where Council may have a perceived conflict of interest.

Our Environment No. 7 Cont...

*Where Council owns land and is the applicant:*

- *Applications to be prepared independent of Department of Strategic Planning and Environmental Services;*
- *Where development does not exceed \$300,000 assessed by Strategic Planning and Environmental Services staff and approved by Director Strategic Planning and Environmental Services and reported to Council monthly meeting;*
- *Where development exceeds \$300,000 and is not greater than \$750,000 in value assessed by Strategic Planning and Environmental Services staff and report considered by full Council; and*
- *Where development exceeds \$750,000 assessment of application to be conducted by suitably qualified Town Planner independent of Council and report considered by full Council.*

The application has been prepared external of the department and has an estimated cost of \$500k and as such is being reported to Council for consideration.

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

No implications from a DA perspective.

**4. Asset Management (AMS)**

No implications from a DA perspective.

**5. Workforce (WMS)**

No implications.

**6. Legal and Risk Management**

No implications.

**7. Performance Measures**

No implications.

**8. Project Management**

No implications.

**Kylie Smith**

**Chief Corporate Officer**

Prepared by staff member:

Tamai Davidson

Approved/Reviewed by Manager:

Kylie Smith, Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

**1** Attachment 5 (Attachment Booklet 14  
3) - Development Application No. Pages  
2020.030

|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Manager Planning & Development Services      |
| <b>Reference:</b>    | <b>ITEM ENV8/20</b>                          |
| <b>Subject:</b>      | <b>LOCAL STRATEGIC PLANNING STATEMENT</b>    |

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

|                             |                                                                                                                                                  |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Environment</b> - ENVO 9 - 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 and practice celebrating the diversity of our natural environment. |
| <b>CSP Delivery Program</b> | Identify, plan and enhance local environments in partnership with the community and stakeholders.                                                |

#### **SUMMARY**

The purpose of this report is to present to Council the Draft Tenterfield Local Strategic Planning Statement (LSPS) for endorsement and proceed to community consultation in accordance with the *Environmental Planning & Assessment Act, 1979*.

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

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

- (1) Place the Tenterfield Draft Local Strategic Planning Statement on public exhibition for a period of twenty eight (28) days; and**
- (2) Adopt the Local Strategic Planning Statement at the conclusion of the exhibition period, if no submissions are received; or**
- (3) Consider any submissions received and amend the plan as necessary prior to adoption.**

#### **BACKGROUND**

The LSPS will be the key resource to understand how strategic and statutory plans will be implemented at the local level. A plan should reference how the LSPS interacts with the Regional Plan and Community Strategic Plan, and the implications for the adoption of the LSPS (i.e. how will it shape land use planning in the future).

In March 2018, amendments to the Environmental Planning and Assessment Act 1979 (EP & A Act) introduced new requirements for councils to prepare and make LSPS. Subsequently, every Council in NSW is required to prepare a LSPS which sets out the 20-year vision for land use in the local area, the special character and values that are to be preserved and how change will be managed into the future.

#### **REPORT:**

The LSPS addresses the planning and development issues of strategic importance to the Local Government Area and include such issues as ageing population, agriculture, future housing options, and also promote renewable energy opportunities.

Our Environment No. 8 Cont...

The LSPS sets out:

- The 20-year vision for land use in the local area;
- The special characteristics which contribute to local identity;
- Shared community values to be maintained and enhanced; and
- How growth and change will be managed into the future.

In practice, the Statement will shape how the Local Environmental Plan (LEP) and Development Control Plans (DCP) evolve over time. The LSPS can be reviewed and amended at any time by Council and must be reviewed

## **COUNCIL IMPLICATIONS:**

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

The draft LSPS is required to be placed on community consultation for a period of twenty eight (28) days. Recent amendments under the Covid-19 Legislation Amendment (Emergency Measures Bill) 2020 mean that physical copies of documents are no longer required to be made available at Council's offices. The document will be made available for review on Council's website for the exhibition period.

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

- The LSPS gives effect to the New England North West Regional Plan, implementing the directions and actions at a local level. It is also informed by other state-wide and regional policies.
- The LSPS works with Council's Community Strategic Plan (CSP), which has a similar but broader purpose on how Council will work to meet the community's needs.
- The LSPS's planning priorities, strategic directions and actions provide the rationale for decisions about how Council will use its land to achieve the community's broader goals. The LSPS aligns to the CSP's priorities, which will be reflected in the implementation table.

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

No implications.

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

No impact.

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

No impact.

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

No impact.

### **7. Performance Measures**

No issues.

### **8. Project Management**

No impact.



Our Environment No. 8 Cont...

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

|                               |                                                                                            |
|-------------------------------|--------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Tamai Davidson                                                                             |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                       |
| Department:                   | Office of the Chief Corporate Officer                                                      |
| Attachments:                  | <b>1</b> Attachment 6 (Attachment Booklet 3) - Local Strategic Planning Statement 30 Pages |

|                      |                                     |
|----------------------|-------------------------------------|
| <b>Department:</b>   | <b>Engineering Department</b>       |
| <b>Submitted by:</b> | Engineering Admin Assistant         |
| <b>Reference:</b>    | <b>ITEM ENV9/20</b>                 |
| <b>Subject:</b>      | <b>PURCHASE OF NEW WALKER MOWER</b> |

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

|                             |                                                                                                                           |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Community</b> - COMM 3 - Our range of services and facilities support accessibility for all in our community.          |
| <b>CSP Strategy:</b>        | Ensure that public places and spaces are clean and well maintained.                                                       |
| <b>CSP Delivery Program</b> | Deliver public spaces that are clean, well maintained and encourage usage by visitors and residents of Tenterfield Shire. |

#### **SUMMARY**

The purpose of the report is to request approval for purchase of a Walker Catcher Mower to replace Council's current Toro 42" zero turn mower (unit 341) which will increase productivity, provide greater capacity and diversity with optional attachments. This transition represents an increase in asset value.

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

**That Council resolves to purchase a Walker Diesel Catcher Mower and blower attachment at a cost of \$50,000 and notes a future adjustment in the Quarterly Budget Review.**

#### **BACKGROUND**

Currently Parks and Gardens utilise a Toro 42" side discharge zero turn mower with catcher for Cemetery operations and areas within the urban precinct requiring clippings to be collected. The reduced width of the mower is to allow access between monuments in the Cemetery, however the catcher attachment extends to the side of the deck and when fitted prevents access to many areas.

The catcher attachment requires significant mechanical action to transition the mower from one state to the other, and requires several hours labour. Currently most of the Cemetery areas with restricted access are maintained using push mowers due to this side mount catcher deficiency.

It is proposed to replace the current Toro unit with a Walker brand machine which boasts a rear discharge and catcher design. The transition to a Walker catcher mower will increase productivity, reduce push mowing, reduce WHS manual handling tasks and allow higher utilisation of staff for undertaking other activities.

#### **REPORT:**

Adoption of a Walker mower will offer greater flexibility and more extensive use than with the current Toro Mower. The primary advantage being the rear discharge design allowing the total width of the mower, including catcher, to be within the 42" footprint, thus significantly reducing hand mowing by up to 70%.

Currently the Tenterfield Cemetery, on average, takes 2 full days to push mow all the small sections. With a 42" rear discharge mowing deck, the Walker will decrease push

## Our Environment No. 9 Cont...

mowing extensively, with the lighter body reducing wheel marks and indents in the Cemetery lawn section.

The Walker mower will also completely remove push mowing of Bruxner Park, Jubilee Park playground, Millbrook centre garden area and the Information Centre. The design of the mower minimises the turning radius to the mower width rather than its length, affording operation in far tighter spaces than the Toro. It also can be changed to a rear discharge within minutes for areas that do not require lawn clippings to be picked up.

Another significant design feature is the blower forced clipping chute and high lift catcher that will reduce the time, and risks, staff currently experience with the Toro which requires emptying the grass clippings onto or on a sheet and then lifting it into the back of a vehicle. The high velocity blower forced catcher system allows the mower to cut and pick up wet grass over 20cm high and has an oscillating delivery system that layers the clippings in such a way as to maximise the catcher capacity. The high lift catcher reduces the double handling of grass clippings, which in turn reduces the manual handling risk of lifting grass clippings into a vehicle. Capacity of the catcher is far greater than the current Toro mower.

With the present Toro, Zero-turn mower the chute gets blocked when the grass is wet, and the catcher is not able to be filled, requiring the operator to stop, inspect and clear the obstruction regularly.

The Walker mower comes with a variety of optional attachments that can be added, one of these being a blower. The blower is much more powerful than the standard blower used by Parks and Gardens at the current time.

With autumn here and leaves to drop soon. To remove the leaves, currently Council wet hire a street sweeper and Parks and Gardens staff drag along a large suction pipe to collect the leaves. Though this method has improved tremendously from the old ways, using the blower will help reduce risk to staff dragging a large suction pipe for 6 hours twice a week. The blower can blow the leaves out of the grass and onto the street for the sweeper to collect. Overall, this will make the process faster and reduce the long hours staff use the suction hose, which cannot be entirely removed but decreased dramatically.



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The other benefits to the blower are when the staff edge and brush cut along paths or build-up of leaves, the blower can easily blow the paths clean more efficiently.

The Walker mower has other optional attachments, which may be advantageous to Council in the future, these other accessories include:

**Sweeper**- This would help Parks and Gardens staff with sweeping paths down after floods and sweeping the main street during autumn in addition to the street sweeper.

**Fertiliser Spreader**- Spreading of fertiliser on Shirley Park Oval and Federation Park. Can also be used pre and post-emergent to control weeds.

**Boom Spray**- To spray ovals and parks without drift.

**Loader bucket**- For Parks and Gardens staff when they are undertaking small landscape works or spreading mulch in gardens.



Our Environment No. 9 Cont...

The current Toro 42" Zero Turn mower is not meeting catcher mowing requirements. The purchase of the Walker mower will dramatically adjust the way parks undertake their tasks and afford many efficiency gains.

### **COUNCIL IMPLICATIONS:**

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

Nil

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

All guards, and safety features are included to facilitate compliance with current WHS standards. This machine is fit for purpose and in line with the Council's operational requirements.

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

Sufficient budget resides in the Plant reserve to service this purchase, however this purchase will require increasing the funding and bringing the replacement of Unit 341 forward by 2 years in Council's adopted Plant Replacement Program.

Purchase of the Walker mower and the blower attachment requires capital funding of approximately \$50,000. Replacement funding for unit 341 is programed at \$17,000.

An increase in mowing operational budget of approximately \$4,000 per annum will be required to fund this assets ongoing replacement.

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

This asset's additional cost will be adjusted in the Fleet Management Plan, and further, would be adjusted in Council's Plant Replacement Program to a life cycle of 8 years (from 5), to reduce the impacts to the mowing expenses budgets.

Funding for the ongoing replacement and operational costs are recovered through internal hire.

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

A projected reduction of push mowing activates is estimated from 40 hours to 14 hours per fortnight in peak season.

This will afford an increase in man-hours to service gardens, spraying, parks tree maintenance and more.

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

The projected high utilisation of this asset possesses little financial risk and the reduction in manual handling will serve to mitigate the risks associated with the handling of refuse clippings and leaf suction equipment.

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

This asset requires utilisation of not less than 375 hours per annum.

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

Nil.

Our Environment No. 9 Cont...

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member: Elizabeth Melling  
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> | Executive Assistant & Media                                                                            |
| <b>Reference:</b>    | <b>ITEM GOV15/20</b>                                                                                   |
| <b>Subject:</b>      | <b>ENDORSEMENT - MOTIONS FOR CONSIDERATION BY AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) BOARD</b> |

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

|                             |                                                                                                                                                                           |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.          |
| <b>CSP Strategy:</b>        | We partner with the community, business and Federal and State Government in the achievement of our goals.                                                                 |
| <b>CSP Delivery Program</b> | Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region. |

#### **SUMMARY**

The purpose of this report is for Council to endorse the motions submitted for consideration by the ALGA Board following cancellation of the 2020 National General Assembly.

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

**That Council endorse the following motions for consideration by the Australian Local Government Association (ALGA) Board following cancellation of the 2020 National General Assembly of Local Government.**

- (a) That ALGA support cultural burning on Crown Lands, National Parks and Forestry Corporation held lands in every State of Australia, and the training and employment of indigenous people to carry out this important task.**
- (b) That ALGA advocate for the State and Federal Governments to increase funding for pasture research to assist in drought proofing Australia.**
- (c) That ALGA support Regional Development Australia Committees (RDAs) in lobbying the NSW State Government and others to develop a funded business case for measures to increase migration from metropolitan and overseas locations to regional communities, where latent infrastructure capacities, employment opportunities, quality of life and reduced costs of living remain undervalued in target markets.**

#### **BACKGROUND**

Three (3) motions were suggested to be put forward for submission for debate to the 2020 National General Assembly of Local Government. Closing date for submission of motions was midday, Friday, 27 March 2020.

#### **REPORT:**

On Thursday, 19 March 2020, Council received notification from ALGA that the 2020 National General Assembly has been cancelled, however options to broaden the agenda

Our Governance No. 15 Cont...

of the 2020 Local Roads & Transport Congress due to be held in November in Hobart will be considered.

In addition, ALGA advised that Motions were still being accepted and closed for submission on Friday, 27 March 2020. With debate unable to take place, the ALGA Board will consider motions at the June Board meeting.

Motions as below were submitted to the ALGA Board prior to the deadline.

### **MOTION 1**

*That ALGA support cultural burning on Crown Lands, National Parks and Forestry Corporation held lands in every State of Australia, and the training and employment of indigenous people to carry out this important task.*

#### **Rationale**

As we look back at the horrific bushfire season in 2019-2020, it is painfully obvious that we need to manage our country better.

#### **Background**

We use the language of war when we speak about fire: We are "attacked" by fire; we have fire "fighters"; we use big trucks and "bomb" fire from the sky with aeroplanes.

But if you are cool burning, you should be able to stand next to the flame, it should be low enough to enable you to step over it. That's not being a firefighter, that's working with fire.

The reoccurring theme here is the necessity, and strong partnership between Aboriginal communities and agencies grounded in trust, to navigate the sensitivities of cultural burning.

We are talking about fire here, but it is really about social justice; getting Aboriginal people in employment; employment on country; researching and skilling up people to do prescribed and cultural burning in line with family aspirations; and to have a conversation "about country, on country" to help shift the thinking towards new ways of approaching fire management.

### **MOTION 2**

*That ALGA advocate for the State and Federal Governments to increase funding for pasture research to assist in drought proofing Australia.*

#### **Rationale**

Given the huge economic and social impacts of the current long running drought, and its effects on huge areas of Australia, funding for research into the use of Australian native species for use as pasture plants.

#### **Background**

Mr Mack Rees BAg, MAgSc, PhD worked with CSIRO's Division of Tropical Crops & Pastures from 1965 to 1990. During this time, as a pasture agronomist, he found that some Australian native plant species have great potential as pasture species. When he left CSIRO in 1990 it was his recommendation that full scale research be conducted in Australian native species for drought tolerate, productive plants. These plants have evolved for thousands of years in difficult climate conditions and Australia should be looking to benefit from this.



Our Governance No. 15 Cont...

The ephemeral species of the Australian desert showed incredible resilience against drought, heat and cold, great range of temperature, and the ability to establish quickly after rain – a key requirement of a desert plant. With climate change, these characteristics are becoming more important.

### **MOTION 3**

*That ALGA support Regional Development Australia Committees (RDAs) in lobbying the NSW State Government and others to develop a funded business case for measures to increase migration from metropolitan and overseas locations to regional communities, where latent infrastructure capacities, employment opportunities, quality of life and reduced costs of living remain undervalued in target markets.*

### **Rationale**

RDA Committees are strong advocates for their region and drivers of change and, as such, have a pivotal role in fostering regional economic development. RDAs in regional NSW are also authorised Regional Certifying Bodies (RCBs), appointed by the Minister for Immigration and Border Protection for the purposes of the Migration Act. As such, RDAs are instrumental in driving population growth in regional areas through skilled migration programs.

### **Background**

RDA Committees are uniquely placed to investigate opportunities and incentives to increase internal migration and decentralisation from metropolitan to regional NSW. A business case may include but is not limited to:

- How the NSW and Australian Governments can better support internal and overseas migration to regional areas;
- Which policies and incentives can be developed and used by governments and communities to drive demand for internal migration from city to country areas;
- Investigating an increasing of the quota available for skilled migration in regional areas to mitigate population pressures in capital cities and major urban centres;
- Quantifying the number of employment opportunities by sector in regional areas that drive demand for internal migration;
- Investigating the current stringent visa conditions on skilled migrants and employers that discourage uptake of regional skilled migration programs;
- Quantifying the latent housing and community infrastructure, as well as essential services available for population growth in regional areas, to cater for increased internal migration;
- Quantifying the economic benefits that increased population growth brings to regional communities;
- How regional communities can better attract and retain new arrivals from metropolitan centres and overseas;
- Quantifying the benefit to governments in driving population decentralisation;
- Investigating measures to change the perception of regions as 'second rate,' and reducing the ongoing trend of people moving to the state capital.
- How internal migration and decentralisation can mitigate stagnating populations that pose a threat to many rural and regional economies; and
- Other related matters.

### **COUNCIL IMPLICATIONS:**

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

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**2. Policy and Regulation**

Nil.

**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.

**Terry Dodds**  
**Chief Executive**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | Noelene Hyde                              |
| Approved/Reviewed by Manager: | Terry Dodds, Chief Executive              |
| Department:                   | Office of the Chief Executive             |
| Attachments:                  | There are no attachments for this report. |

|                      |                                                                                         |
|----------------------|-----------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                            |
| <b>Submitted by:</b> | Manager Customer Service, Governance & Records                                          |
| <b>Reference:</b>    | <b>ITEM GOV16/20</b>                                                                    |
| <b>Subject:</b>      | <b>OPERATIONAL PLAN 2019/2020 - 6 MONTH DELIVERY PROGRAM REPORT TO 31 DECEMBER 2019</b> |

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

|                             |                                                                                                                                                                           |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.          |
| <b>CSP Strategy:</b>        | Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region. |
| <b>CSP Delivery Program</b> | Provide sound and inclusive decisions using the Community Engagement Strategy to guide our interactions.                                                                  |

#### **SUMMARY**

The purpose of this report is to provide a 6 month summary to Council of delivery of actions in the Operational Plan 2019/2020 to 31 December 2019.

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

**That Council notes the delivery of actions in the Tenterfield Shire Council Delivery Program 2017-2021 and Operational Plan 2019/2020.**

#### **BACKGROUND**

Council adopted the Delivery Program and supporting Operational Plan 2019/2020 on 29 May 2019 (Resolution No. 101/19). The activities contained in the Operational Plan are structured to meet the objectives for the 2019/2020 financial year with the aim to fulfil the Directions contained in the Four (4) Year Delivery Program 2017-2021 and the Community Strategic Plan 2017-2027.

This report provides Council with a summary as at 31 December 2019 of progress against actions across Council's Service areas. This supports the requirement of the Chief Executive (General Manager) to ensure that progress reports are provided to the Council, with respect to the principal activities detailed in the Delivery Program, at least every 6 months.

#### **REPORT:**

Council and staff have achieved extensive progress of the actions and activities in the 2019/2020 Operational Plan, as previously reported to Council monthly, in the Monthly Operational Reports.

The summary as at 31 December 2019 can be viewed at Attachment 7 (Attachment Booklet 4). The Actions and Programs for 2019/20 provides commentary on activities undertaken to achieve these actions and support the achievement of the Delivery Program.

The 2019/2020 Operational Plan is the third annual Plan aimed at achieving Delivery Program outcomes to support the Community Strategic Plan 2017-2027 and aligned

Our Governance No. 16 Cont...

actions with outcomes under the Council's suite of Integrated Planning & Reporting documents.

### COUNCIL IMPLICATIONS:

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

Nil.

#### 2. Policy and Regulation

- NSW Local Government Act 1993 as amended;
- NSW Local Government (General) Regulation 2005;
- Integrated Planning and Reporting Manual for Local Government in NSW, March 2013.

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

Nil for this report; budget reports are provided in line with statutory guidelines to support the IP&R Framework, as well as each month in the Monthly Operational Report to Council.

#### 4. Asset Management (AMS)

Nil.

#### 5. Workforce (WMS)

Nil.

#### 6. Legal and Risk Management

Nil.

#### 7. Performance Measures

Nil.

#### 8. Project Management

Nil.

**Kylie Smith**  
Chief Corporate Officer

|                                                                                                                            |                                                                                                                                                                                   |                                                                                                                            |          |
|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------|
| Prepared by staff member:                                                                                                  | Erika Bursford, Manager Customer Service, Governance & Records                                                                                                                    |                                                                                                                            |          |
| Approved/Reviewed by Manager:                                                                                              | Kylie Smith, Chief Corporate Officer                                                                                                                                              |                                                                                                                            |          |
| Department:                                                                                                                | Office of the Chief Corporate Officer                                                                                                                                             |                                                                                                                            |          |
| Attachments:                                                                                                               | <table> <tr> <td>1 Attachment 7 (Attachment Booklet 4) - 6 Month Delivery Program Report - Financial Year 2019/2020 - July to December 2019</td> <td>38 Pages</td> </tr> </table> | 1 Attachment 7 (Attachment Booklet 4) - 6 Month Delivery Program Report - Financial Year 2019/2020 - July to December 2019 | 38 Pages |
| 1 Attachment 7 (Attachment Booklet 4) - 6 Month Delivery Program Report - Financial Year 2019/2020 - July to December 2019 | 38 Pages                                                                                                                                                                          |                                                                                                                            |          |

|                      |                                                                     |
|----------------------|---------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                        |
| <b>Submitted by:</b> | Manager Finance & Technology                                        |
| <b>Reference:</b>    | <b>ITEM GOV17/20</b>                                                |
| <b>Subject:</b>      | <b>JOINT ORGANISATION MEMBERSHIP FOR THE 2020/21 FINANCIAL YEAR</b> |

|                                                               |                                                                                                                                                                    |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                    |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>                                          | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <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 update Council on the New England Joint Organisation of Council's (NEJO) membership fees for 2020/21 and for Council to determine whether to pay them and continue to be a member of this Organisation moving forward.

### OFFICER'S RECOMMENDATION:

#### That Council:

- (1) **Considers its membership of the NEJO for 2020/21 given that NEJO have voted unanimously for Tenterfield Shire Council's membership fee to be \$13,180 for 2020/21;**
- (2) **Accepts the membership fee for 2020/21 as advised by the NEJO and that \$13,180 be incorporated into the 2020/21 Annual Budget; and**
- (3) **That membership of the NEJO be reviewed annually based on an analysis of the benefits membership brings versus any additional membership costs in the future.**

### BACKGROUND

A report was presented to the December Ordinary Council Meeting on this matter (copy attached) and the recommendation adopted.

#### **Resolution 279/19**

*That:*

- 1. The Mayor advise the NEJO that Council is prepared to pay \$5,130 as a membership fee to the NEJO for the 2020/21 Financial Year;*
- 2. The Mayor request that the NEJO approach the State Government to fully fund the operations of Joint Organisations;*

Our Governance No. 17 Cont...

- 3. That the Mayor advise NEJO that should the amount that Tenterfield Shire Council is prepared to pay in membership fees to NEJO for 2020/21 not be accepted, Council will further consider its membership of the NEJO for 2020/21 and beyond.*

**REPORT:**

As per Resolution 279/19, this topic was discussed at the last NEJO meeting held on 23 March 2020.

All member Council's at that meeting unanimously agreed on a fee structure based on a fixed amount and a per capita account.

For Tenterfield Shire Council, this fee amounts to \$13,180 being an \$8,500 fixed component with the remainder based on a per capita amount.

By way of comparison, Uralla will have the lowest fee of \$12,680 and Armidale \$28,320. Tenterfield Shire Council will have the second lowest fee in the NEJO if approved by Council.

While this is above the amount paid in 2019/20 of \$5,000, it is less than one of the scenarios originally mentioned which would have seen about \$17K paid.

As per the report to Ordinary Council Meeting in December 2019, a concern is that there will be an ever increasing cost to Council (and the ratepayer) in relation to what is effectively another level of bureaucracy.

It is recommended that following consideration of Council's membership of NEJO in 2020/21, that the fee as proposed be accepted and included in the 2020/21 budget but that membership of the NEJO be reviewed annually based on the benefits of membership versus the costs of being a member.

**COUNCIL IMPLICATIONS:**

- 1. Community Engagement / Communication (per engagement strategy)**  
As the NEJO membership fee forms part of the budget for 2020/21, there will be consultation and communication as part of the 2020/21 Operational Plan.
- 2. Policy and Regulation**  
Not applicable.
- 3. Financial (Annual Budget & LTFP)**  
Will increase the expenditure budget in 2020/21 by \$8,180 if accepted.
- 4. Asset Management (AMS)**  
Not applicable.
- 5. Workforce (WMS)**  
Not applicable.
- 6. Legal and Risk Management**  
Not applicable.
- 7. Performance Measures**  
Not applicable.

Our Governance No. 17 Cont...

**8. Project Management**

Not applicable.

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

|                               |                                                                                                        |         |
|-------------------------------|--------------------------------------------------------------------------------------------------------|---------|
| Prepared by staff member:     | Paul Della                                                                                             |         |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                   |         |
| Department:                   | Office of the Chief Corporate Officer                                                                  |         |
| Attachments:                  | <b>1</b> New Eglan Joint Organisation of Councils Report to the December 2019 Ordinary Council Meeting | 6 Pages |

**ORDINARY COUNCIL**

**18 DECEMBER 2019**

|                      |                                                                         |
|----------------------|-------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                            |
| <b>Submitted by:</b> | Manager Finance & Technology                                            |
| <b>Reference:</b>    | <b>ITEM GOV84/19</b>                                                    |
| <b>Subject:</b>      | <b>JOINT ORGANISATION MEMBERSHIP FOR THE 2020/21<br/>FINANCIAL YEAR</b> |

|                                                               |                                                                                                                                                                    |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                    |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>                                          | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <b>Delivery Plan Action:</b>                                  | Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels.                                                  |
| <b>Operational Plan Action:</b>                               | Participate in regionals organisations of Council and other joint bodies to advance the needs of the Tenterfield Shire and the surrounding regions.                |

#### **SUMMARY**

Consider membership fees for the New England Joint Organisation (NEJO) for 2020/21 and whether Council wishes to remain a member of the NEJO given the potential for a 340% increase in membership fees above the current fee level.

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

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

- 1. The Mayor advise NEJO that Council is prepared to pay \$5,130 as a membership fee to the NEJO for the 2020/21 Financial Year;**
- 2. The Mayor request that the NEJO approach the State Government to fully fund the operations of Joint Organisations; and**
- 3. That the Mayor advise NEJO that should the amount that Tenterfield Shire Council is prepared to pay in membership fees to NEJO for 2020/21 not be accepted, Council will further consider its membership of the NEJO for 2020/21 and beyond.**

#### **BACKGROUND**

In 2017, the NSW Parliament passed the Regional Joint Organisations Bill 2017. This legislation allows for Councils to voluntarily join Joint Organisations (JOs) to strengthen regional coordination and improve service delivery through collaboration, shared leadership and advocacy.

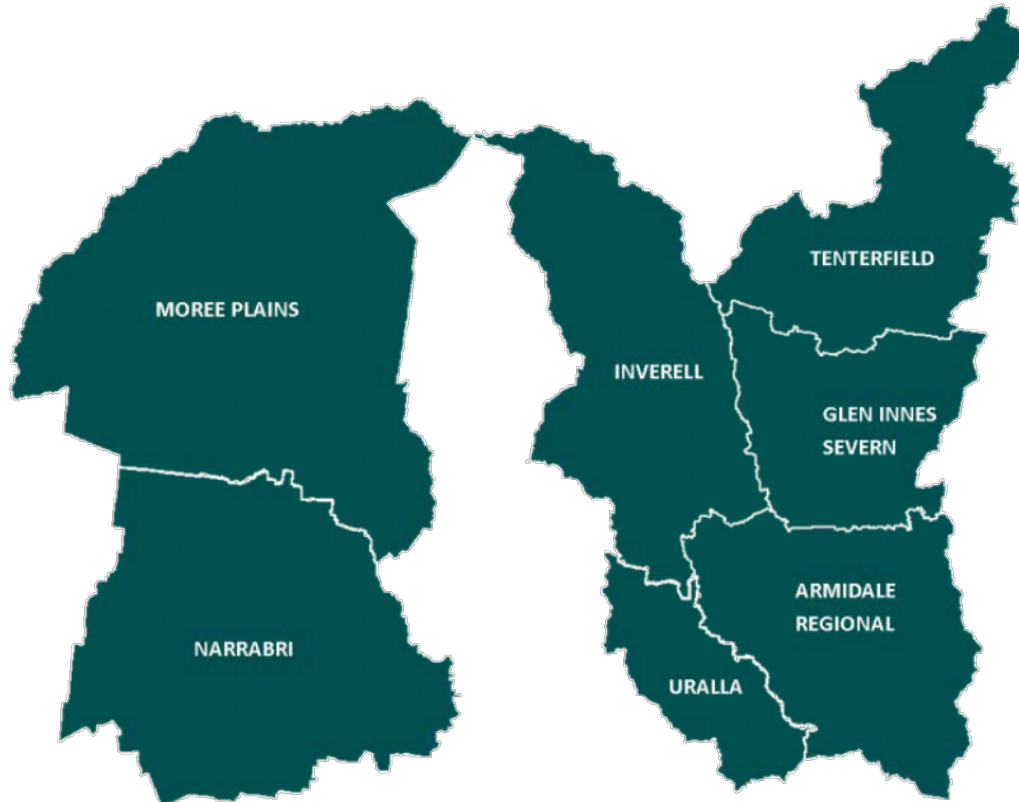
Council previously resolved (Resolution 271/17) to become a member of a Joint Organisation and Tenterfield Shire Council's nomination was submitted and accepted by the Minister for Local Government.

Besides Tenterfield Shire Council, the member councils involved in the New England Joint Organisation include Armidale Regional Council, Glen Innes Severn, Inverell Shire Council, Moree Plains Shire Council and Narrabri Shire Council and collectively with the NSW Government, they form the New England Joint Organisation (NEJO).



Our Governance No. 84 Cont...

**Map of current NEJO member councils:**



Tenterfield Shire Council has always had a close association with its neighbours in the New England North West Region encompassing, Armidale Regional Council, Glen Innes Severn Council, Gwydir Shire Council, Inverell Shire Council, Moree Plains Shire Council and Uralla Shire Council.

The relationship had previously been fostered by Tenterfield Shire Council attendance and participation with the New England Regional Group of Councils. As such, the formation of a Joint Organisation was seen to be the most beneficial combination to archive the objectives of a Joint Organisation and was considered to be an appropriate size and have the capacity to partner with the NSW Government, the Commonwealth Government and other organisations.

**REPORT:**

At the NEJO Board Meeting dated 25 November 2019, discussion took place as to the cost of membership going forward and the relevant section of the business paper from that meeting is attached (**Attachment 1**).

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**ORDINARY COUNCIL**

**18 DECEMBER 2019**

Our Governance No. 84 Cont...

In essence, it was highlighted that due to the need to cover approximately \$115,000 in costs for 2019/20, membership fees would need to be raised from the current \$5,000 (i.e. \$35,000 in income) to either:

- A) A flat membership fee per Council of \$17,000 for 2020/21 (i.e. 7 x \$17K = \$119K income (to allow for some inflation on 2019/20 costs); or
- B) A population based fee structure which for Tenterfield would result in a membership fee of approximately \$13,000 per annum

Indications at the meeting were that Armidale, Glen Innes and Inverell preferred Option A and Tenterfield preferred Option B. Armidale expressed concerns around Option B because if some Councils pay a higher fee than others, the higher paying Councils may feel like they are entitled to more than one vote and Armidale's preference is for each board member to pay one fee for one vote. The Chair noted that it is important for the NEJO to be financially secure.

It was resolved (**Attachment 2**) at the Board meeting (34/19) that:

- i) Individual Board members discuss a new proposed fee structure at their December Council meetings.
- ii) That this matter be deferred until the next NEJO Board meeting. (23 March 2020 at 10am in Tenterfield.)

Clearly, whatever Tenterfield Shire Council wants with regard to a new fee structure is largely irrelevant if the majority of Board members from other Councils want something different i.e. a flat membership fee, which by all indications they may well want.

Financially, a population based membership fee is more acceptable to Tenterfield Shire Council than a flat membership fee and a number of membership organisations provide for fee structures that cater for capacity to pay while maintaining one vote per member which a population based membership would do.

On the issue of one vote per member, this is enshrined in the legislation (Local Government Act) and the view expressed by Armidale Council that if one council pays a higher membership fee they may feel entitled to more than one vote is irrelevant.

It doesn't matter what a council feels entitled to should it have to pay a higher membership fee than another council, as the legislation states:

Local Government Act:

**Board of joint organisation**

**400T Board of joint organisation**

(1) The board of a joint organisation is to consist of--

**ORDINARY COUNCIL**

**18 DECEMBER 2019**

Our Governance No. 84 Cont...

- (a) the mayors of each of the member councils, who are each entitled to **1 vote** at a meeting of the board, and
- (b) any additional voting representatives of the member councils appointed under this section, who are each entitled to 1 vote at a meeting of the board, and
- (c) other non-voting representatives, who may attend but are not entitled to vote at a meeting of the board.

With regard to clause (b) this refers to subclause 5 of this section, which states that:

(5) The board may, by resolution, determine to expand the voting representatives on the board to include 1 additional representative nominated by each member council. **(Emphasis added)**

More concerning is the large increase in membership fees (340%) and the fact that essentially another level of bureaucracy is being created at additional costs (to the ratepayer) which are likely only to be ever increasing.

Council has taken a hardline stance on State Government organisations trying to increase fees considerably e.g. election costs, libraries and the emergency services levy and if, for example, Council were to follow the stance taken with the Emergency Services Levy, Council could determine to pay the \$5K membership fee as per the current fee, plus the rate peg of 2.6% for 2020/21 as a membership fee i.e. \$5,130.

Unlike the Emergency Service Levy, Council has a choice as to whether to be involved in the NEJO.

Therefore it is recommended that Council resolves that it will remain a member of the NEJO if the membership fee is capped at \$5,000 plus the rate peg for 2020/21 and if not, that it reconsiders its position as a member of the NEJO.

Now in making such a decision as to whether to remain in it going forward, the benefits of being in the NEJO need to be considered; but if the previous NEGOC could operate effectively without these costs, the question needs to be asked whether the move to JO's has been a move for the better.

Should Council decide not to remain involved in the NEJO if it is deemed too expensive, the Local Government Act states:

**LOCAL GOVERNMENT ACT 1993 - SECT 400ZC**

Amendment and dissolution of joint organisations  
400ZC Amendment and dissolution of joint organisations

**ORDINARY COUNCIL**

**18 DECEMBER 2019**

Our Governance No. 84 Cont...

- (1) The Governor may, by proclamation, amend or revoke a proclamation in force under this Part for the purpose of amending the constitution of, or of dissolving, a joint organisation.
- (2) A proclamation for the purpose of amending the constitution of a joint organisation--
  - (a) may change the name of the joint organisation, or
  - (b) may vary the joint organisation area by adding **or removing council** areas and may specify the name of each council whose area is included in or removed from the joint organisation area. **(emphasis added)**

So just as the Governor made a proclamation to create the NEJO, so too is a proclamation required from the Governor for a Council to be removed from it.

A final point to make is around risk. In the original Council report discussing joining the Joint Organisation, it was stated that Councils that are members of Joint Organisations will be able to take advantage of investment opportunities that are delivered through the Joint Organisation and that a failure to join a JO may have negative consequences for Council re future funding opportunities.

Clearly such comments are meant to intimidate councils into going down a certain path and are not helpful to fostering good relationships with the second level of Government.

**COUNCIL IMPLICATIONS:**

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

Nil.

**2. Policy and Regulation**

- Part 7 of Chapter 12 of the Local Government Act 1993

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

It was always anticipated that Council would need to make an ongoing contribution once the Joint Organisation was formed and that this contribution would be determined once the scope of activities and services are agreed upon. However Tenterfield Shire Councils capacity to pay is restrained by our small population compared with other Councils in the NEJO.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Initially each Joint Organisation had seed funding to pay for an Executive Officer. The resultant impact on each member Council is now about to be felt and includes the cost of providing an Executive Officer. While the cost of services provided by the Joint Organisation is shared between member Councils, once again it is an additional cost put onto Council with no additional funding source.

**6. Legal and Risk Management**

**ORDINARY COUNCIL**

**18 DECEMBER 2019**

Our Governance No. 84 Cont...

In the original Council report discussing joining the Joint Organisation, it was stated that Councils that are members of Joint Organisations will be able to take advantage of investment opportunities that are delivered through the Joint Organisation and that a failure to join a JO may have negative consequences for Council re future funding opportunities.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Terry Dodds  
Chief Executive**

|                               |                                                              |                   |
|-------------------------------|--------------------------------------------------------------|-------------------|
| Prepared by staff member:     | Paul Della; Noelene Hyde                                     |                   |
| Approved/Reviewed by Manager: | Terry Dodds, Chief Executive                                 |                   |
| Department:                   | Office of the Chief Corporate Officer                        |                   |
| Attachments:                  | <b>1</b> NEJO Business Paper on Membership Fees for 2020-21  | <b>3</b><br>Pages |
|                               | <b>2</b> NEJO Resolution re Membership Fee Structure 2020-21 | <b>1</b> Page     |

|                      |                                                               |
|----------------------|---------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                  |
| <b>Submitted by:</b> | Manager Finance & Technology                                  |
| <b>Reference:</b>    | <b>ITEM GOV18/20</b>                                          |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 29 FEBRUARY 2020</b> |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <b>CSP Delivery Program</b> | Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels.                                                  |

#### **SUMMARY**

The purpose of this report is for the Responsible Accounting Officer to provide, in accordance with Clause 212 of the Local Government (General) Regulation 2005 a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

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

**That Council receive and note the Finance and Accounts Report for the period ended 29 February 2020.**

#### **BACKGROUND**

In accordance with Clause 212 of the Local Government (General) Regulation 2005 the Responsible Accounting Officer must provide a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

#### **REPORT:**

A reconciliation of cash books of all funds has been carried out with the appropriate bank statements. A certified schedule of all Council's investments showing the various amounts invested is shown as an attachment to this report.

#### (a) Reconciliation of Accounts

A reconciliation of the cash books of all funds have been carried out with the appropriate bank statements as at 29 February 2020.

Cash Book Balances on this date were as follows: -

|                        |                |        |
|------------------------|----------------|--------|
| General (Consolidated) | \$2,356,551.31 | Credit |
| General Trust          | \$ 313,266.50  | Credit |

Our Governance No. 18 Cont...

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 29 February 2020 showing the various invested amounts and applicable interest rates.

**Concealed Water Leakage Concession Policy Update**

For the month of February 2020 no concessions were granted under Council's Concealed Water Leakage Concession Policy.

**COUNCIL IMPLICATIONS:**

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

Nil.

**2. Policy and Regulation**

- Investment Policy (Policy Statement 1.091)
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Ministerial Investment Order
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government Circulars

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

Nil.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Kylie Smith  
Chief Corporate Officer**

Prepared by staff member: Paul Della; Jessica Wild  
 Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer  
 Department: Office of the Chief Corporate Officer  
 Attachments: 1 Investment Report as at 29 February 2020

1  
Page

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 29 FEBRUARY 2020

| Financial Institution             | Issuer Rating | Investment Term | Maturity Date | Interest Rate | Amount               | Percentage Exposure |
|-----------------------------------|---------------|-----------------|---------------|---------------|----------------------|---------------------|
| NAB                               | AA-           | 60 Days         | 27/Apr/20     | 1.60%         | 5,000,000.00         | 37.41%              |
| <b>TOTAL NAB INVESTMENTS</b>      |               |                 |               |               | <b>5,000,000.00</b>  | <b>37.41%</b>       |
| Commonwealth Bank                 | AA-           | At Call         |               | 0.75%         | 1,366,250.13         | 10.22%              |
| Commonwealth Bank                 | AA-           | 1 Month         | 30/Mar/20     | 1.18%         | 3,000,000.00         | 22.44%              |
| <b>TOTAL CBA INVESTMENTS</b>      |               |                 |               |               | <b>4,366,250.13</b>  | <b>32.67%</b>       |
| Bankwest                          | AA-           | 70 Days         | 31/Mar/20     | 1.27%         | 4,000,000.00         | 29.93%              |
| <b>TOTAL BANKWEST INVESTMENTS</b> |               |                 |               |               | <b>4,000,000.00</b>  | <b>29.93%</b>       |
| <b>INVESTMENTS TOTAL</b>          |               |                 |               |               | <b>13,366,250.13</b> | <b>100.00%</b>      |

Summary

I hereby certify that the investments as shown herein, have been invested in accordance with Section 625 of the Local Government Act 1993, and associated Regulations, and in accordance with Council policy and procedures.

\_\_\_\_\_  
 Responsible Accounting Officer

By:

\_\_\_\_\_  
 P. Della

\* Except as highlighted in the associated Council Report.



|                      |                                                            |
|----------------------|------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>               |
| <b>Submitted by:</b> | Manager Finance & Technology                               |
| <b>Reference:</b>    | <b>ITEM GOV19/20</b>                                       |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 MARCH 2020</b> |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <b>CSP Delivery Program</b> | Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels.                                                  |

#### **SUMMARY**

The purpose of this report is for the Responsible Accounting Officer to provide, in accordance with Clause 212 of the Local Government (General) Regulation 2005 a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

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

**That Council receive and note the Finance and Accounts Report for the period ended 31 March 2020.**

#### **BACKGROUND**

In accordance with Clause 212 of the Local Government (General) Regulation 2005 the Responsible Accounting Officer must provide a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must be made up to the last day of the month immediately preceding the meeting.

#### **REPORT:**

A reconciliation of cash books of all funds has been carried out with the appropriate bank statements. A certified schedule of all Council's investments showing the various amounts invested is shown as an attachment to this report.

#### (a) Reconciliation of Accounts

A reconciliation of the cash books of all funds have been carried out with the appropriate bank statements as at 31 March 2020.

Cash Book Balances on this date were as follows: -

|                        |                |        |
|------------------------|----------------|--------|
| General (Consolidated) | \$5,994,902.07 | Credit |
| General Trust          | \$ 313,266.50  | Credit |

Our Governance No. 19 Cont...

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 31 March 2020 showing the various invested amounts and applicable interest rates.

It should be noted that Council's \$4m Investment with BankWest was recouped at the end of March, hence the higher General account balance figure above. This has temporarily placed Council outside of the percentages for investments with any one financial institution as per Council's investment policy but this will be rectified in April 2020.

**Concealed Water Leakage Concession Policy Update**

For the month of March 2020 no concessions were granted under Council's Concealed Water Leakage Concession Policy.

**COUNCIL IMPLICATIONS:**

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

Nil.

**2. Policy and Regulation**

- Investment Policy (Policy Statement 1.091)
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Ministerial Investment Order
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government Circulars

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

Nil.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

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

## Our Governance No. 19 Cont...

Prepared by staff member: Paul Della; Jessica Wild  
Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer  
Department: Office of the Chief Corporate Officer  
Attachments: **1** Investment Report as at 31 March 2020 **1** Page

**TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 31 MARCH 2020**

| Financial Institution        | Issuer Rating | Investment Term | Maturity Date | Interest Rate | Amount              | Percentage Exposure |
|------------------------------|---------------|-----------------|---------------|---------------|---------------------|---------------------|
| NAB                          | AA-           | 60 Days         | 27/Apr/20     | 1.60%         | 5,000,000.00        | 53.38%              |
| <b>TOTAL NAB INVESTMENTS</b> |               |                 |               |               | <b>5,000,000.00</b> | <b>53.38%</b>       |
| Commonwealth Bank            | AA-           | At Call         |               | 0.75%         | 1,366,250.13        | 14.59%              |
| Commonwealth Bank            | AA-           | 1 Month         | 30/Apr/20     | 0.77%         | 3,000,000.00        | 32.03%              |
| <b>TOTAL CBA INVESTMENTS</b> |               |                 |               |               | <b>4,366,250.13</b> | <b>46.62%</b>       |
| <b>INVESTMENTS TOTAL</b>     |               |                 |               |               | <b>9,366,250.13</b> | <b>100.00%</b>      |

**Summary**

I hereby certify that the investments as shown herein, have been invested in accordance with Section 625 of the Local Government Act 1993, and associated Regulations, and in accordance with Council policy and procedures. \*

\_\_\_\_\_  
 Responsible Accounting Officer

By:

\_\_\_\_\_  
 P. Della

\* Except as highlighted in the associated Council Report.

|                      |                                                          |
|----------------------|----------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>             |
| <b>Submitted by:</b> | Manager Finance & Technology                             |
| <b>Reference:</b>    | <b>ITEM GOV20/20</b>                                     |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 29 FEBRUARY 2020</b> |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <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 progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

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

**That Council receive and note the Capital Expenditure Report for the period ended 29 February 2020.**

#### **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:**

Some of Council's capital works projects have been delayed as a result of the need to focus resources on unplanned works as a result of emergency activities in relation to natural disasters and water supply issues.

All being well, expenditure on Council's planned capital works should now begin to ramp up.

#### **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)**

Nil.

Our Governance No. 20 Cont...

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

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

|                               |                                                                                                                 |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Paul Della; Jessica Wild                                                                                        |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                            |
| Department:                   | Office of the Chief Corporate Officer                                                                           |
| Attachments:                  | <b>1</b> Attachment 8 (Attachment Booklet 5) - Capital Expenditure Report as at 29 February 2020 <b>6</b> Pages |

|                      |                                                       |
|----------------------|-------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>          |
| <b>Submitted by:</b> | Manager Finance & Technology                          |
| <b>Reference:</b>    | <b>ITEM GOV21/20</b>                                  |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 2020</b> |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <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 progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

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

**That Council receive and note the Capital Expenditure Report for the period ended 31 March 2020.**

#### **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:**

Some of Council's capital works projects have been delayed as a result of the need to focus resources on unplanned works as a result of emergency activities in relation to natural disasters and water supply issues.

All being well, expenditure on Council's planned capital works should now begin to ramp up.

#### **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)**

Nil.

Our Governance No. 21 Cont...

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

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

|                               |                                                                                                              |
|-------------------------------|--------------------------------------------------------------------------------------------------------------|
| Prepared by staff member:     | Paul Della; Jessica Wild                                                                                     |
| Approved/Reviewed by Manager: | Kylie Smith, Chief Corporate Officer                                                                         |
| Department:                   | Office of the Chief Corporate Officer                                                                        |
| Attachments:                  | <b>1</b> Attachment 9 (Attachment Booklet 5) - Capital Expenditure Report as at 31 March 2020 <b>6</b> Pages |



**(ITEM RC9/20) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE MEETING - 4 MARCH 2020**

---

**REPORT BY:**

A meeting of the Audit & Risk Committee was held via teleconference on Wednesday, 4 March 2020. Minutes of the Meeting are attached.

**RECOMMENDATION**

**That the report of the Audit & Risk Committee Meeting of 4 March 2020 be received and noted.**

**ATTACHMENTS**

1 Minutes - Audit & Risk Committee - 4 March 2020 5 Pages



**MINUTES OF  
AUDIT & RISK COMMITTEE MEETING  
WEDNESDAY, 4 MARCH 2020**

MINUTES OF THE **Audit & Risk Committee Meeting** OF TENTERFIELD SHIRE held via teleconference at the Tenterfield Shire Council Administration Building on Wednesday, 4 March 2020 commencing at 1.07 pm.

**ATTENDANCE**

Councillor Don Forbes  
Mr Geoff King – Independent External Member & Chair  
Mr Peter Sheville – Independent External Member  
Geoff Allen - Forsyths

**ALSO IN ATTENDANCE**

Executive Assistant & Media (Noelene Hyde)  
Manager Customer Service, Governance & Records (Erika Bursford)  
Chief Corporate Officer (Kylie Smith)  
Manager Finance & Technology (Paul Della)  
Financial Consultant (Igor Ivannikov)  
WHS Risk Management Officer (Wes Hoffman)

*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.*

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This is page 1 of the Minutes of the Audit & Risk Committee held on Wednesday, 4 March 2020

**MINUTES OF AUDIT & RISK COMMITTEE**

**4 MARCH 2020**

**DISCLOSURE OF INTERESTS**

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

| <b>Name</b>       | <b>Interest</b>                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr Geoff King     | <ul style="list-style-type: none"><li>• Independent Member of the City of Gold Coast Audit Committee</li><li>• Independent Member of the Central Highlands Regional Council Audit Committee</li><li>• Independent Chair of the Mt Isa City Council Audit &amp; Risk Management Committee</li><li>• Member of the Business Information Systems Advisory Committee for the University of Queensland School of Business</li></ul> |
| Mr Peter Sheville | <ul style="list-style-type: none"><li>• Partner, BDO Thailand</li><li>• Chair, Mackay Regional Council Audit Committee</li></ul>                                                                                                                                                                                                                                                                                               |

**APOLOGIES**

**Resolved** that the apologies for Mayor Peter Petty, and Chief Executive Terry Dodds be received and accepted.

(Don Forbes/Geoff King)

**CONFIRMATION OF MINUTES**

**Resolved** that the minutes of the Audit & Risk Committee meeting held on Wednesday, 4 December 2019, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Peter Sheville/Geoff King)

**BUSINESS ARISING FROM THE MINUTES**

**ACTION ITEM – AUDIT & RISK COMMITTEE CHECKLIST & ANNUAL PLAN**

**Resolved** that Committee Checklist and Performance Review Self Assessment be reviewed at next Audit & Risk Committee Meeting.

(Peter Sheville/Don Forbes)

**TABLED ITEMS**

**ANNUAL ENGAGEMENT PLAN – SCOPE OF AUDITS**

Geoff Allen tabled the Annual Engagement Plan for the audit of the Tenterfield Shire Council's financial statements for the year ending 30 June 2020.

---

This is page 2 of the Minutes of the Audit & Risk Committee held on Wednesday, 4 March 2020

**MINUTES OF AUDIT & RISK COMMITTEE**

**4 MARCH 2020**

Key issues which may impact this year's audit and how the audit team will respond are:

- New Accounting Standards
- Assessing the Fair Value of Council's Infrastructure, Property, Plant and Equipment
- Quality and Timelines of Financial Reporting
- Information Technology General Controls
- Rehabilitation Provisions
- Natural Disaster

**(ITEM CEO11/20) MANAGEMENT LETTER FOR FINAL PHASE OF AUDIT 2018/19**

**SUMMARY**

The purpose of this report is to provide the Committee with the Management Letter for the Final Phase of the 2018/19 Audit.

Issues raised:

- Accounting for Infrastructure Renewals
- Employee Entitlements Calculations
- Trust Account

**ACTION:**

**Manager Finance & Technology, Paul Della** to discuss these matters with the Auditors to ensure resolution.

*Chief Corporate Officer, Kylie Smith and WHS Risk Management Officer, Wes Hoffman entered the meeting, the time being 1.23 pm.*

Financial Consultant, Igor Ivannikov referred to the Accounting Policy which was to issue 31 March 2020. Policy has been developed to deal with problems of accounting with renewals of road pavements and inconsistencies within Councils across NSW. Awaiting Policy to provide comments.

**Resolved** that the Audit & Risk Management Committee:

- (1) Accept the Annual Engagement Plan (Scope of Audits)note the report; and
- (2) Note the Report – Management Letter for Final Phase of Audit 2018/19.

(Don Forbes/Geoff King)

*Financial Consultant, Igor Ivannikov left the meeting, the time being 1.28 pm.*

**(ITEM CEO12/20) QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2019**

**SUMMARY**

The purpose of this report is to provide the Committee with a copy of the Quarterly Budget Review Statement as at 31 December 2019 for information.

**MINUTES OF AUDIT & RISK COMMITTEE**

**4 MARCH 2020**

Manager Finance & Technology, Paul Della noted that of major concern is the reduction in the Water Fund due to drought and water restrictions which has caused deficit of \$228,000.

**Resolved** that the Audit & Risk Committee receive and note the report.

(Peter Sheville/Don Forbes)

**(ITEM CEO6/20) AUDIT & RISK COMMITTEE ANNUAL PLAN**

**SUMMARY**

The purpose of this report is to present the Audit & Risk Committee Annual Plan to each meeting of the Audit & Risk Committee.

Manager Customer Service, Governance & Records, Erika Bursford advised the need to amend dates for Audit & Risk Committee for remainder of 2020. Meeting dates now as follows:

- Wednesday, 17 June 2020 (stays the same)
- Wednesday, 9 September 2020 (stays the same)
- Wednesday, 9 December 2020 (amended from 2 December 2020)

**Resolved** that the Audit & Risk Committee:

- (1) Receive and note the Audit & Risk Committee Annual Plan items for March 2020; and
- (2) Notes the change of Committee meeting date for December 2020.

(Don Forbes/Peter Sheville)

**(ITEM CEO7/20) ENTERPRISE RISK MANAGEMENT**

**SUMMARY**

The purpose of this report is to advise the Audit & Risk Committee of the current status of Council's Enterprise Risk Management.

WHS Risk Management Officer, Wes Hoffman advised the Enterprise Risk Management software is now 99% populated with the top ten (10) risks identified by Council being provided to the Audit & Risk Committee at each meeting.

**Resolved** that the Audit & Risk Committee receive and note the current status of Council's Enterprise Risk Management.

(Don Forbes/Geoff King)

**(ITEM CEO8/20) WORKPLACE HEALTH & SAFETY**

**SUMMARY**

The purpose of this report is to advise the Audit & Risk Committee of a summary of Council's Work Health & Safety matters.

This is page 4 of the Minutes of the Audit & Risk Committee held on Wednesday, 4 March 2020

**MINUTES OF AUDIT & RISK COMMITTEE**

**4 MARCH 2020**

**Resolved** that the Audit & Risk Committee receive and note the current status of Council Work Health & Safety Summary.

(Don Forbes/Geoff King)

**(ITEM CEO9/20) FRAUD, MISCONDUCT AND COMPLIANCE BREACHES -  
5 DECEMBER 2019 TO 4 MARCH 2020**

**SUMMARY**

The purpose of this report is to provide details of any Fraud, Misconduct and Compliance breaches identified or allegations made, during the period 5 December 2019 to 4 March 2020.

**Resolved** that the Audit & Risk Committee receive and note the report on Fraud, Misconduct and Compliance.

(Don Forbes/Peter Sheville)

**(ITEM CEO10/20) INTERNAL AUDIT PLAN UPDATE - MARCH 2020**

**SUMMARY**

The purpose of this report is to present the Internal Audit Plan to each meeting of the Audit & Risk Committee, to advise of progress with Internal Audit activities and to report on implementation of Internal Audit recommendations.

Chair Geoff King stressed that it is important for management to close these issues out. Two (2) items have been workshopped however more detail is required on these items to complete.

Chief Corporate Officer, Kylie Smith advised that drought and fire recovery, higher community expectations regarding grant funding etc may impact on meeting the deadlines.

**Resolved** that the Audit and Risk Committee receive and note the Internal Audit Plan Update for March 2020.

Don Forbes/Peter Sheville)

**BUSINESS WITHOUT NOTICE**

Nil.

There being no further business the Chairperson declared the meeting closed at 1.54 pm.

.....  
Geoff King  
Chairperson

**(ITEM RC10/20) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE  
LOCAL TRAFFIC COMMITTEE - 5 MARCH 2020**

---

**REPORT BY:** Peter Petty

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 5 March 2020. Minutes of the Meeting are attached.

**RECOMMENDATION**

**That the report and recommendations from the Tenterfield Shire Local Traffic Committee meeting of 5 March 2020 be received and noted.**

**ATTACHMENTS**

1 Minutes of Meeting 6 Pages

**MINUTES OF THE TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING  
THURSDAY 5 MARCH 2020**



**MINUTES OF  
TENTERFIELD SHIRE LOCAL TRAFFIC  
COMMITTEE MEETING  
THURSDAY, 5 MARCH 2020**

MINUTES OF THE **Tenterfield Shire Local Traffic Committee Meeting** OF TENTERFIELD SHIRE held at the RSL Pavillion on Thursday, 5 March 2020 commencing at 10.10 am.

**ATTENDANCE**

Councillor Gary Verri (TSC)  
Dan Willis (NSW Police)  
Stefan Wielebinski (TfNSW)  
Greg Aitken (TfNSW)  
Glen Lamb (Representative for The Hon. Janelle Saffin)

**ALSO IN ATTENDANCE**

David Counsell (TSC)  
James Paynter (TSC)  
Mark Cooper (TSC)  
Craig Milton (TSC)  
Lib Melling (TSC)

**DISCLOSURE OF INTERESTS**

Nil.

**APOLOGIES:**

Councillor Tom Peters (TSC)  
Jess Gibbins (TSC Engineering Officer)  
Paul Caldwell (NSW Police)  
Fiona Keneally (TSC)  
The Hon. Janelle Saffin, MP  
Councillor Peter Petty (Mayor - TSC)

This is page 1 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 5 March 2020



**MINUTES OF THE TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING  
THURSDAY 5 MARCH 2020**

**CONFIRMATION OF MINUTES**

Recommendation that the Minutes of the Tenterfield Shire Local Traffic Committee held 14 November 2019, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

**BUSINESS ARISING FROM PREVIOUS MINUTES**

**1. DISABLED PARKING. ROUSE STREET TENTERFIELD**

Council's Disability, Inclusion & Access Advisory Committee undertook a walk in March 2019 to raise any issues with access in Rouse Street. David Counsell advised the Committee that in conjunction with the review of the Pedestrian Access Management Plan, Council has been reviewing the whole CBD parking. The PAMP review is currently in draft form. Council staff have also been investigating the specifications for disabled parking and the disabled space in High Street for options to relocate it closer to Rouse Street.

**ACTION:**

*That Council staff prepare a concept drawing for the disabled parking in High Street to be relocated closer to Rouse Street.*

**2. LINEMARKING NEW ENGLAND HIGHWAY/BRUXNER WAY INTERSECTION**

TfNSW will continue to monitor the intersection for safety, no reported accidents have occurred since the upgrade of signage.

*No further action.*

**3. ROUSE STREET – NORTHERN END**

TfNSW have considered traffic data and inspected the location, and suggested that there is no warrant to alter the existing speed zone to the "T" intersection. It was noted that the intersection signage at Rouse Street and Old Ballendean Road was not a standard hazard marker.

**ACTION:**

*Council to upgrade the intersection hazard marker sight board to replace the curve alignment markers in use at the intersection.*

**4. PADDYS FLAT ROAD/BRUXNER HIGHWAY INTERSECTION**

TfNSW advised that signage installation has been arranged. TfNSW asked if TSC staff could advise if intersection hazard sight board signage has been installed. TfNSW would then follow up with further action if not already complete.

**ACTION:**

*Council to inspect Paddys Flat Road intersection and advise TfNSW of sign status.  
TfNSW to follow up to arrange signage upgrade if not already complete.*

---

This is page 2 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 5 March 2020

**MINUTES OF THE TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING  
THURSDAY 5 MARCH 2020**

**5. SANDY FLAT ROAD/NEW ENGLAND HIGHWAY INTERSECTION**

Committee has been advised that sight board signage was being installed at this intersection.

**ACTION:**

*TfNSW to follow up to complete signage upgrade.*

**6. SPEED LIMIT/ZONE IN AMOSFIELD**

TfNSW reported that after inspecting the area, coupled with the low volume of traffic, that this area did not meet the guidelines for reducing the speed zone. TSC advised that Council was planning to design widening of Herding Yard Creek bridge to two lanes pending Grant funding. Glen Lamb suggested that the small trees and bull-rushes could be cleared back from the road to allow better vision.

**ACTION:**

*Council to inspect vegetation near Herding Yard Creek at assess any need for maintenance.*

**7. LIGHTING REQUEST IN ROUSE STREET (NEW ENGLAND HIGHWAY)**

TfNSW have secured funding for the Lighting Assessment and Design at pedestrian crossings and TSC has engaged a Consultant to arrange assessment and design.

*Ongoing.*

**8. ROUSE STREET, ZIG ZAG LINEMARKING REQUEST**

TfNSW have installed zig zag pavement marking on the approach to a pedestrian crossing. TfNSW are satisfied that the zig zag line markings are appropriate for the respective hazard approaching the crossing.

*No further action.*

**9. "NO PARKING" PAINT REQUEST – ROUSE STREET, TENTERFIELD (SEXTON & GREEN)**

Council has written to the business to provide Council with statistics of how many vehicles are parking in front of the three roller doors. TSC is awaiting on response from the business in relation to the number of vehicles parking in front of the doors.

*Ongoing.*

**10. LOADING ZONE REQUEST, ROUSE STREET/MANNERS STREETS, TENTERFIELD**

Loading zones have previously been reviewed with CBD parking and agreed that the need for additional loading zones in the CBD main street are warranted over the priority for car parking spaces.

*Ongoing.*

---

This is page 3 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 5 March 2020

**MINUTES OF THE TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING  
THURSDAY 5 MARCH 2020**

---

**11. CLASSIFICATION OF BRUXNER WAY, TENTERFIELD**

The NSW Government has formed a panel to review reclassification of some Regional Roads and Bruxner Way is on the list to be considered. David Counsell advised that the process for the panel review has commenced and will report towards the middle of 2021.

*No further action.*

**GENERAL BUSINESS**

**1. PROPOSED VILLAGE ENTRY SIGNS**

As part of the Stronger Country Community funding that Council has received, each of our villages (excluding Tenterfield) have received funding for village entrance signs. Council has erected funding body signs at each of the Villages acknowledging the funding. Suggested sign concepts have been distributed for comment and Council is currently trialling "on-line" community consultation via its website. A number of considerations including safety, reflectivity, location and the community response will all be considered by Council's Town Planner.

*Ongoing.*

**2. ROUSE STREET (NEW ENGLAND HIGHWAY) TREE INSTALLATION**

David Counsell gave a background to this issue, explaining that Council had proposed to install a tree in a garden bed on both sides of Rouse Street near the intersection of Molesworth Street as part of its street beautification scheme. Due to the number of utilities in the area, the Parks team had proposed relocating the installation further away from the intersection in a parking space as discussed at a previous Committee meeting. Consultation with nearby businesses identified a number of concerns with the loss of parking spaces. The Parks Supervisor tabled an alternative concept drawing for discussion. Concerns were raised with regards to sight distance, however the proposal is for trees and low shrubs and will be in line with similar planting in front of the Commonwealth Bank.

The Committee moved to the intersection for a site inspection and discussed the issues associated with the proposal. It was noted that a current R.O.L. is held from TfNSW for the works.

**ACTION:**

*The Committee raised no objection to moving the planting garden bed to the original location near the corner of Molesworth Street and that if the tree cannot be planted due to utilities, low planting only will occur.*

---

This is page 4 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 5 March 2020

**MINUTES OF THE TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING  
THURSDAY 5 MARCH 2020**

**3. KILLARNEY P-10 STATE HIGH SCHOOL BORDER RANGES TRAIL RIDE**

Council has previously circulated the application from Killarney State School P & C regarding the Border Ranges Trail Ride to be held on 28, 29 March 2020. The Committee noted that insurance documents had been received.

**RECOMMENDATION**

*That Council raised no objection to the holding of the Killarney P-10 State School P & C Border Ranges Trail Ride subject to Police approval, and traffic management plans being in place to control the event.*

**4. PARKING COMPLAINT – ROUSE STREET, TENTERFIELD**

Discussion was held with regards to a complaint that Council has received from a shop owner that a van loading stock into a shop is parked for long periods of time with boot up which makes it difficult to park at the rear of the parked van. This unloading action also blocks pedestrian access on the footpath. The action doesn't seem to have been an issue lately.

*No further action.*

**5. SHOW & SHINE EVENT**

Council has received an application from Tenterfield Transport Museum regarding the Show & Shine Event to be held on Sunday 22 March 2020. This application is similar to previous years and Council has been liaising with the event organisers to ensure the "Special Events Transport Management Plan -Template" application checklist is completed including public liability, proposed route, notification to emergency services.

**RECOMMENDATION**

*That Council offers no objections to the temporary closure of Francis Street associated with the Show & Shine Event subject to Police approval and traffic management plans being in place to control the event.*

***Carried Unanimously***

**6. EVENT REQUEST – ANZAC DAY MARCH, URBENVILLE – 25 APRIL 2020**

Council has received an application from Urbenville RSL Sub-Branch regarding Anzac Day activities on 25 April 2020. This application is similar to previous years. Council has been liaising with the event organisers to ensure the "Special Events Transport Management Plan -Template" application checklist is completed including public liability, proposed route, notification to emergency services. The applicant has also been advised to contact Kyogle Council for assistance with the necessary Traffic Control Plan needed for this event.

**RECOMMENDATION**

*That Council offers no objections to the temporary closure of roads such as Beaury Street, Tooloom Street and part of Clarence Way in Urbenville associated with the ANZAC Day ceremony 25 April 2020 subject to Police approval and traffic management plans being in place to control the event.*

***Carried Unanimously***

---

This is page 5 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 5 March 2020

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**MINUTES OF THE TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING  
THURSDAY 5 MARCH 2020**

---

**7. EVENT REQUEST – ANZAC DAY MARCH, TENTERFIELD– 25 APRIL 2020**

Letter received from Tenterfield RSL Sub-Branch regarding Anzac Day activities on 25 April 2020 (will be forwarded by email separately). This application is similar to previous years. Council is currently liaising with the event organiser to ensure the "Special Events Transport Management Plan -Template" application checklist is completed including public liability, proposed route, notification to emergency services. A Road Occupancy Licence is required for Rouse Street prior to the event occurring.

**RECOMMENDATION**

*That Council offers no objections to the temporary closure of roads such as Manners Street, Rouse Street and Molesworth Street in the Tenterfield CBD associated with the ANZAC Day ceremony 25 April 2020 subject to Police, TfNSW approval and traffic management plans being in place to control the event.*

***Carried Unanimously***

**8. DISABLED PARKING AT DOCTORS SURGERY MOLESWORTH STREET**

The Committee has previously considered a matter of disabled car parking at the Tenterfield Medical Centre, corner Rouse & Molesworth Streets. A site inspection of the footpath area in both Molesworth and Rouse Streets identified a number of issues due to the unusually high kerb and the suitability for a ramp across the footpath that would meet standards and not compromise use of the footpath by other pedestrians.

**ACTION:**

*That Council staff prepare a concept drawing for disabled parking near the corner Rouse & Molesworth Streets.*

**NEXT MEETING**

Next meeting to be held on Thursday 7 May 2020 at 10am.

There being no further business the Chairperson declared the meeting closed at 11:30am.

.....  
Councillor Gary Verri  
Counsellor/Chairperson

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**(ITEM RC11/20) REPORTS OF COMMITTEES & DELEGATES - COUNTRY MAYORS' ASSOCIATION OF NSW - 6 MARCH 2020**

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**REPORT BY:**

A General Meeting of the Country Mayors' Association of NSW was held on Friday, 6 March 2020 at Parliament House, Sydney.

The following speakers addressed the Meeting.

***Hon Melinda Pavey MP – Minister for Water, Property & Housing***

- Spoke on the Murray Darling river system, recent rainfall and flow to further down stream. Embargo imposed to allow the water go as far as possible.
- State Government will not take over control of urban water. As an example, there are 92 Water Authorities in NSW, 19 in Victoria.

***Ms Teresa Corbin – Chief Executive Officer, Australian Communications Consumer Action Network***

- There have been 6 different bushfire inquiries over time.
- Spoke of concerns with mobile towers, 4G and 5G. 5G is much fairer.
- There is work happening with a lot to do with Inland Rail improving the service along the route.
- Mobile blackspot towers. Round 5 – successful applicants will be announced soon and funding for Round 6 to be announced.

***Mr Rob Rogers AFSM, Deputy Commissioner, NSW Rural Fire Service***

- August 2019 – 21 Local Government Areas commence bush fire danger period with first Section 44 declared.
- Section 44's – September, October, November, December 2019. January and February 2020.
- February 2020 – rain brings end to bushfires.
- Over 45,000 invoices received from suppliers of which 38,000 have been paid.
- \$350 million over budget from 2019-2020 fires.
- Spoke of big increase in people wanting to join the Rural Fire Service and access training.
- Presentation by the Deputy Commissioner attached to this report.

**Note:** *Made sure the Deputy Commissioner was aware of the February 2019 fires and the fact that grant funding is not available due to August 2019 cut off date with a question from the floor.*

***Ms Jennifer Gardiner – Chairperson – Local Government Grants Commission***

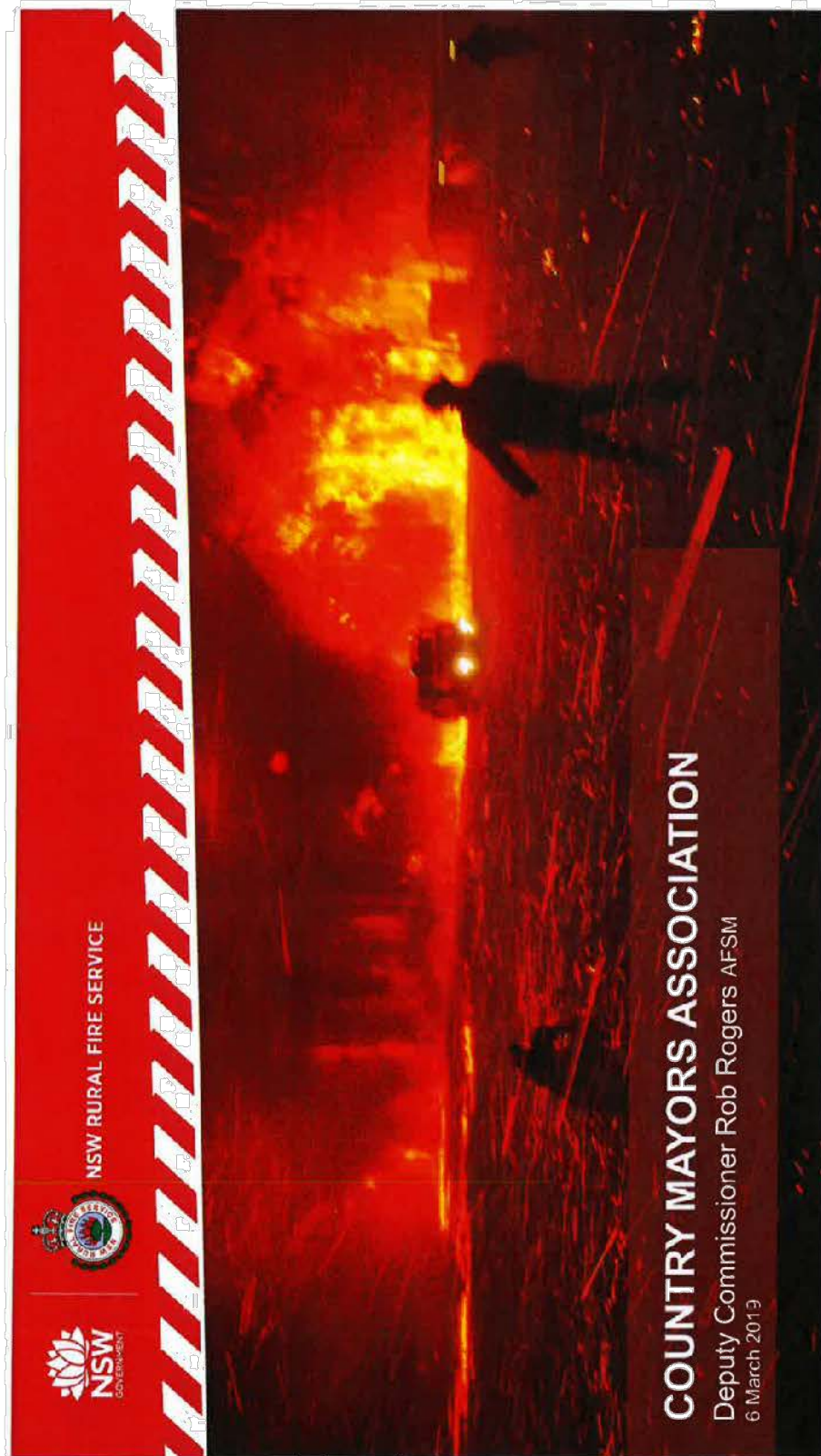
- Spoke of the many grant funding streams which are available.

**RECOMMENDATION**

**That the report of the Country Mayors' Association of NSW meeting of 6 March 2020 be received and noted.**

**ATTACHMENTS**

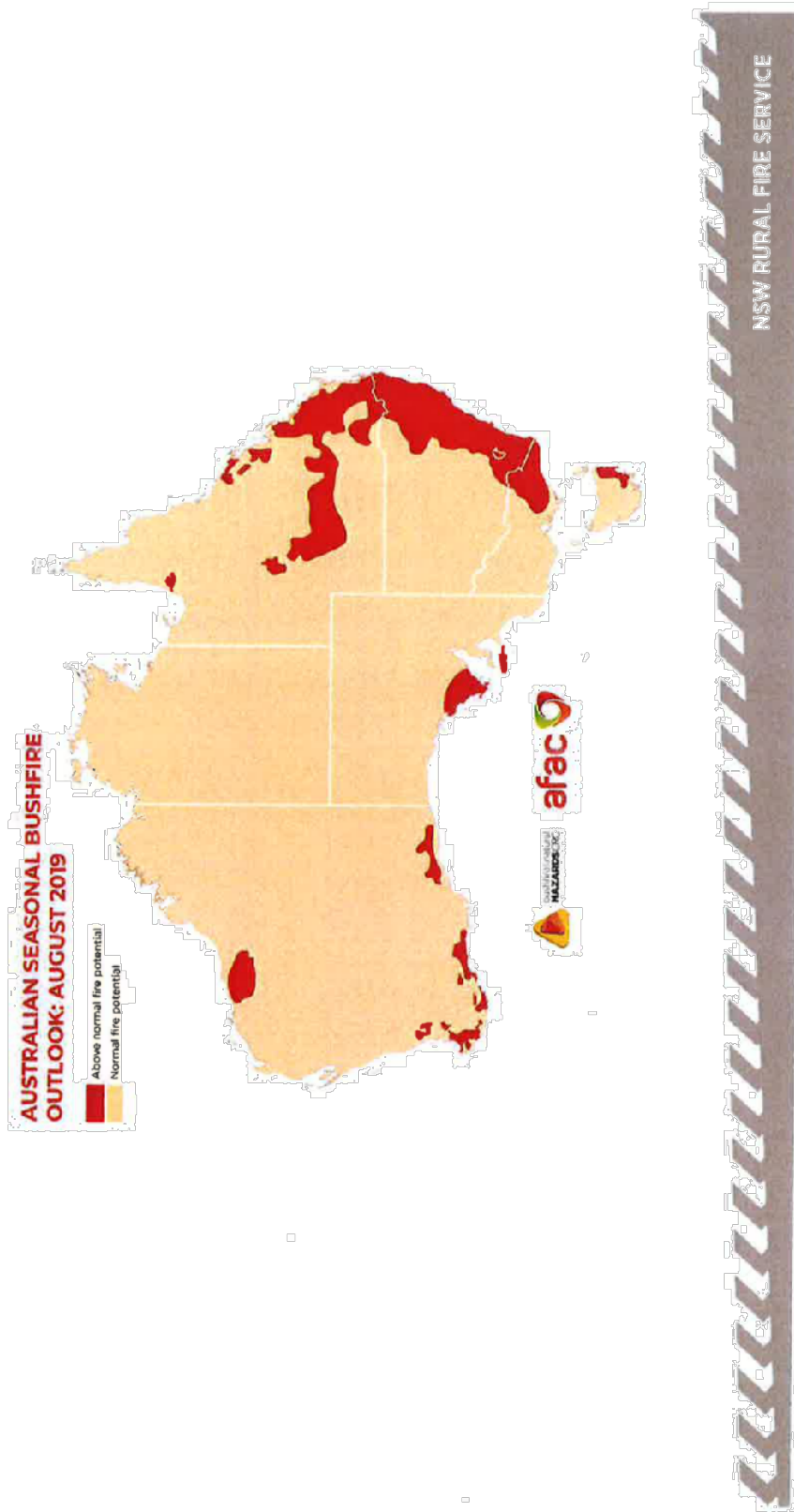
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|---|-----------------------------------------------------------------------|----------|
| 1 | Presentation to Country Mayors' Association - Deputy Commissioner RFS | 21 Pages |
|---|-----------------------------------------------------------------------|----------|

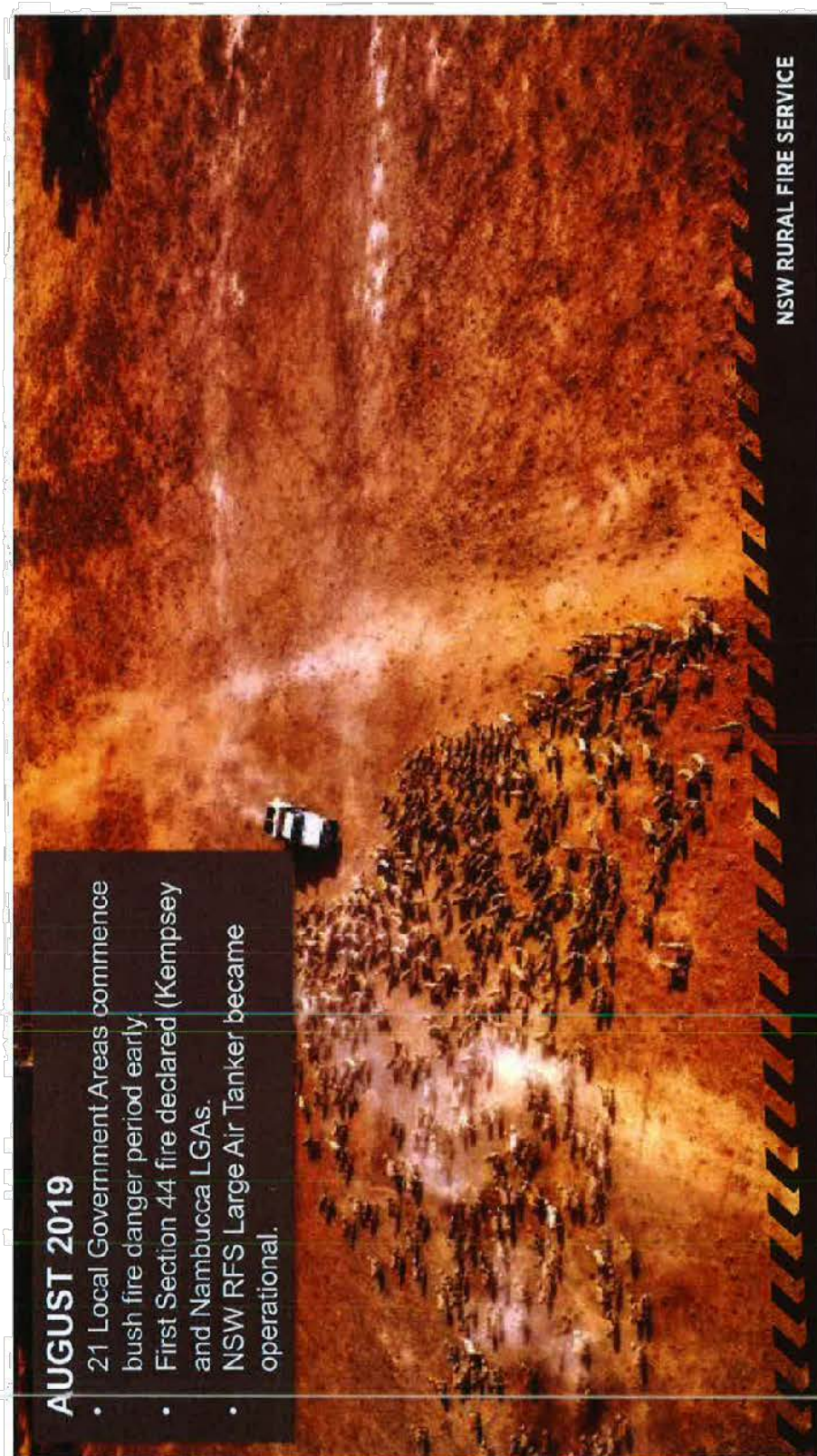


**2019/20 FIRE SEASON**

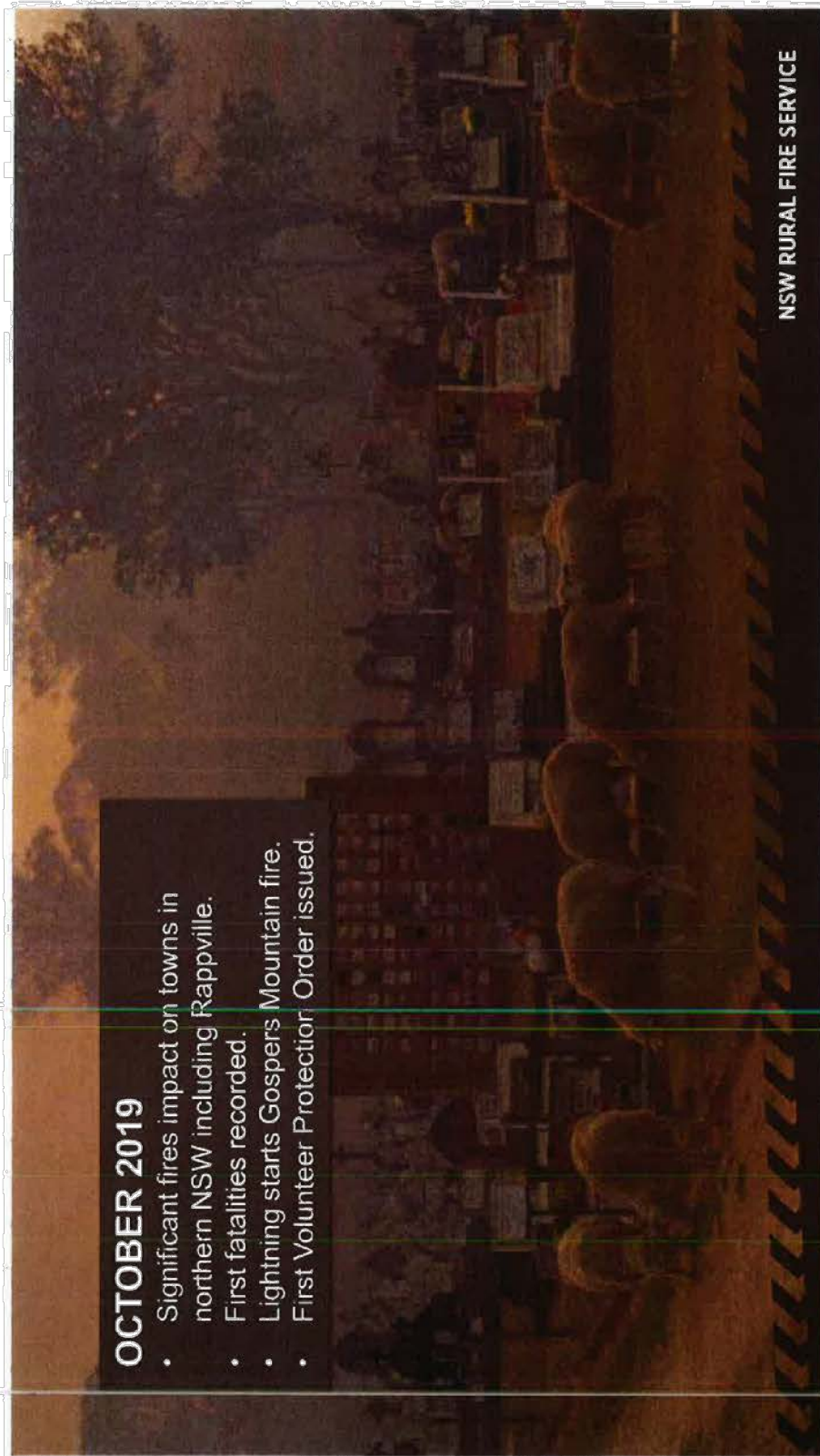
NSW RURAL FIRE SERVICE



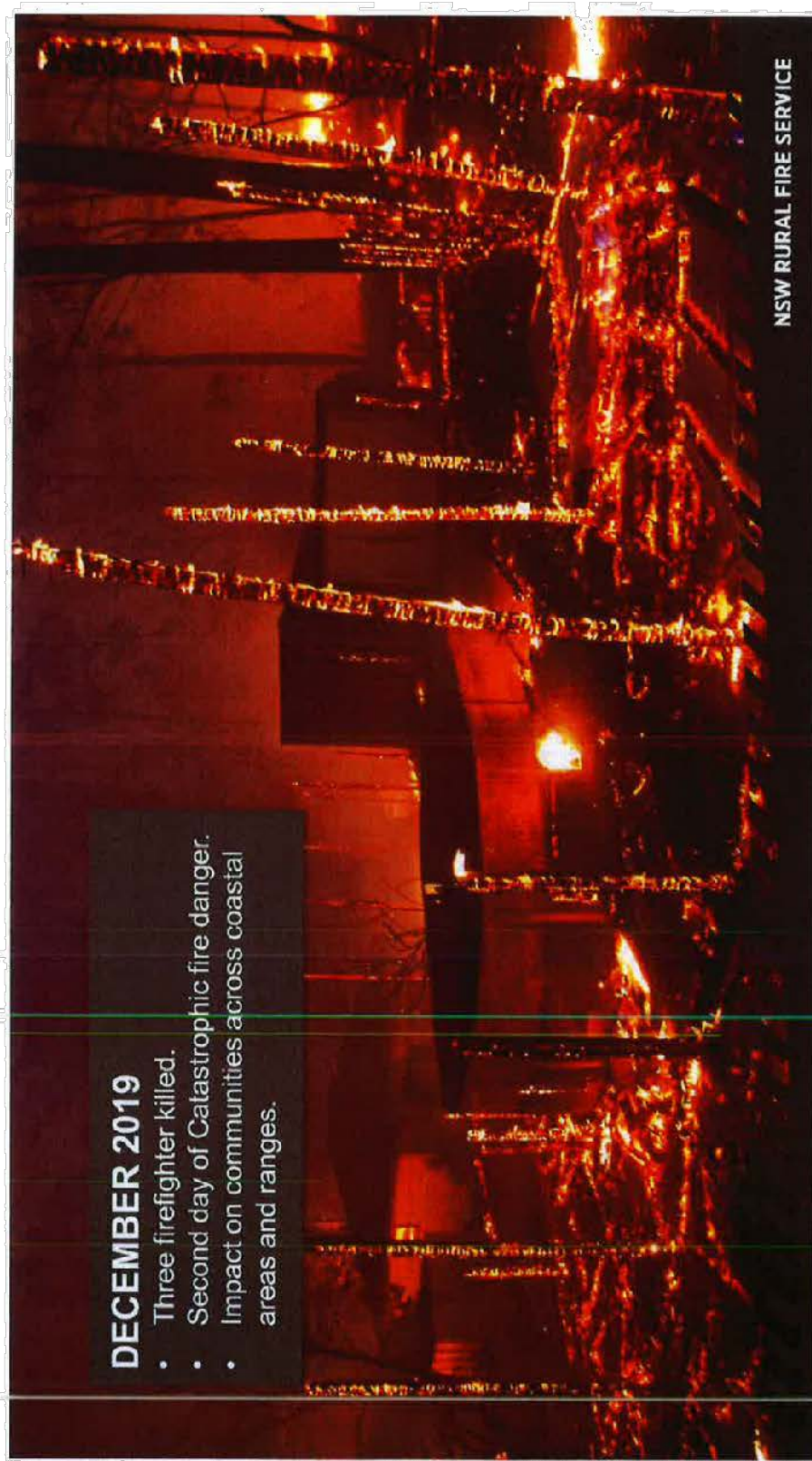








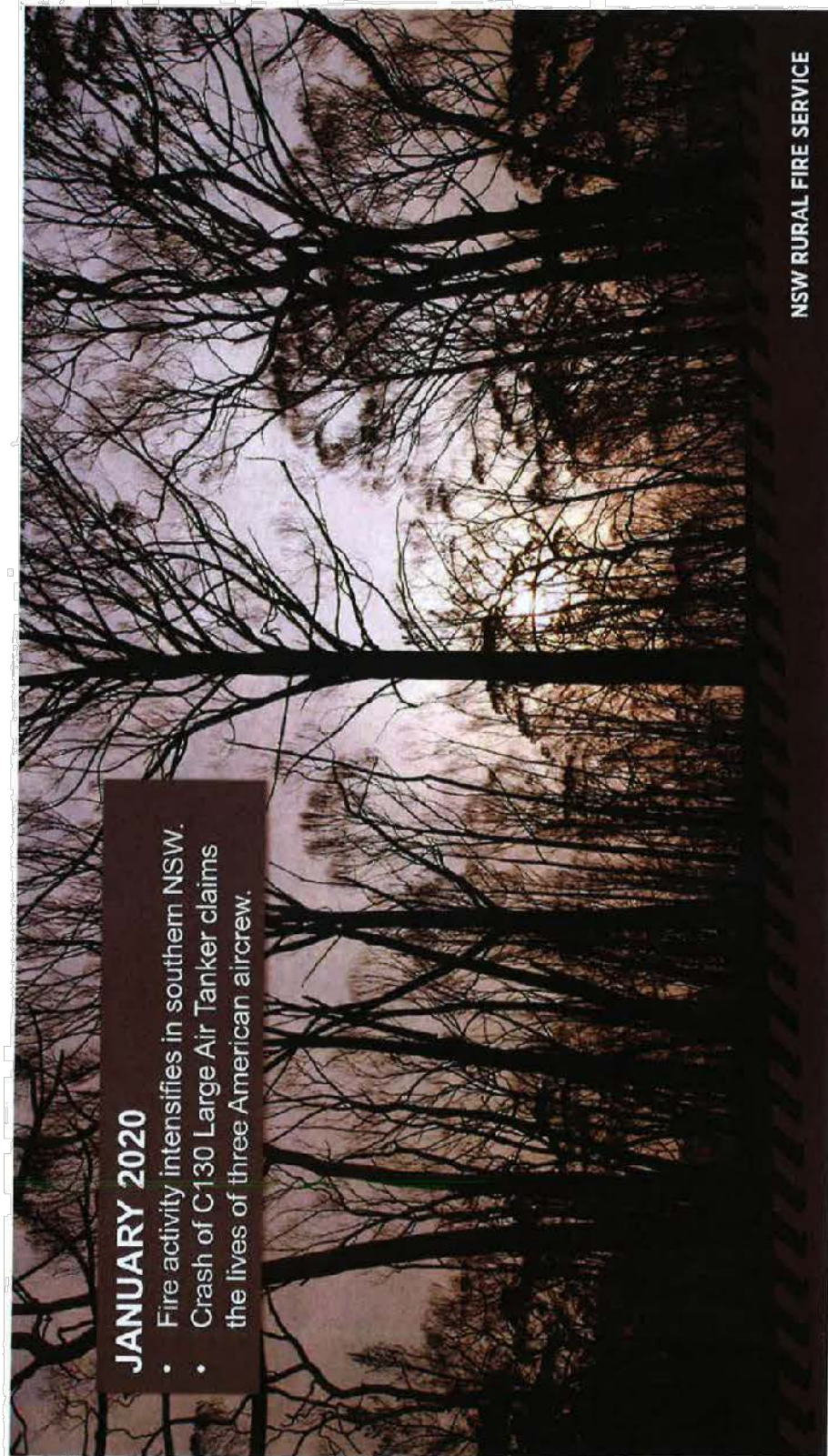




**DECEMBER 2019**

- Three firefighter killed.
- Second day of Catastrophic fire danger.
- Impact on communities across coastal areas and ranges.

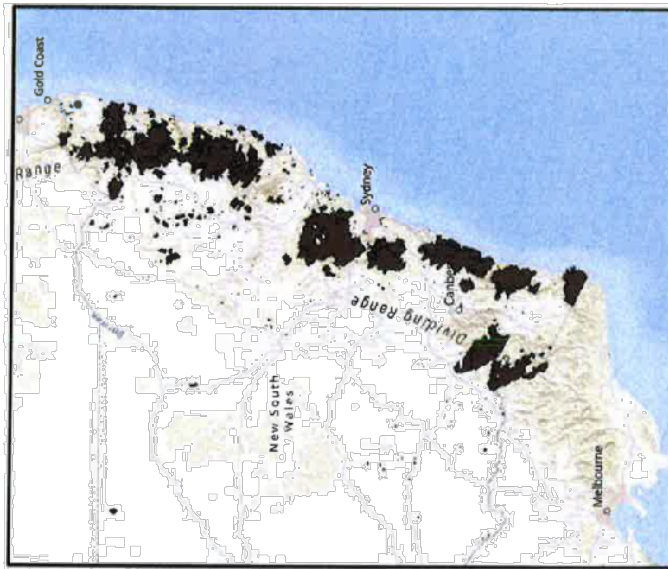
NSW RURAL FIRE SERVICE







**2019/20 Bush Fire Season Summary**



- > More than 200 days of continuous major operations
- > Over 11,500 bush and grass fires
- > 5.5 million hectares burnt – approximately 7% of NSW
- > Three State of Emergency declarations
- > More than 40 Section 44 declarations
- > 430 Emergency Alert campaigns
- > 60 days of total fire ban
- > 11 days of statewide total fire ban
- > More than 2,400 homes destroyed
- > Nearly 15,000 homes saved in the direct area of fire impact
- > 25 fatalities



# CHALLENGES



NSW RURAL FIRE SERVICE

### Payment of Invoices

- To support major fire operations, the NSW RFS purchases goods and services from across NSW and elsewhere.
- The length and severity of major fire operations has led to an unprecedented number of invoices from suppliers across NSW.
- The NSW RFS accounts payable and emergency logistics teams have been supplemented with additional resources to process these invoices.
- Over 45,700 invoices received from suppliers, of which 38,000 have been paid.
- The NSW RFS continues to work with suppliers to facilitate payment as quickly as possible.



**Communicating Risk**



| NSW RFS Public Website                              |                |
|-----------------------------------------------------|----------------|
| <b>Sessions</b><br>1 July 2019 to 24 February 2020  | 65.32 million  |
| <b>Users</b><br>1 July 2019 to 24 February 2020     | 42.98 million  |
| <b>Pageviews</b><br>1 July 2019 to 24 February 2020 | 109.65 million |
| <b>Peak Day</b>                                     |                |
| <b>Peak Day Sessions</b><br>12 November 2019        | 4.11 million   |
| <b>Peak Day Users</b><br>12 November 2019           | 2.33 million   |
| <b>Peak Day Pageviews</b><br>12 November 2019       | 7.91 million   |

**Fires Near Me NSW**

Fires Near Me NSW Smartphone Application

New downloads: 2.74 million

1 July 2019 to 23 February 2020

Fires Near Me was the most searched term on Google in 2019

NSW RURAL FIRE SERVICE

NSW RURAL FIRE SERVICE

NSW GOVERNMENT

NSW RURAL FIRE SERVICE

PLAN AND PREPARE

FIRE INFORMATION

Map will refresh in: 5 minutes 52 seconds

Map of New South Wales showing fire alerts (blue squares) and major fire updates (red banner).

MAJOR FIRE UPDATES

## Social Media

|                                                     |              |
|-----------------------------------------------------|--------------|
| <b>Twitter</b>                                      |              |
| Tweets<br>Published 1 July 2019 to 20 February 2020 | 2,326        |
| Engagement<br>1 July 2019 to 20 February 2020       | 609,951      |
| <b>Facebook</b>                                     |              |
| Posts<br>Published 1 July 2019 to 20 February 2020  | 2,418        |
| Engagements<br>1 July 2019 to 20 February 2020      | 6.45 million |



The screenshot shows the NSW Rural Fire Service website interface. At the top left are the NSW Government and RFS logos. The main navigation bar includes 'FIRE INFORMATION', 'PLAN AND PREPARE', and 'VIEW'. Below this is a map of New South Wales with several blue-shaded fire zones. A red banner at the bottom right reads 'MAJOR FIRE UPDATES'. The map interface includes a search bar, a refresh button, and a 'View map legend' link.

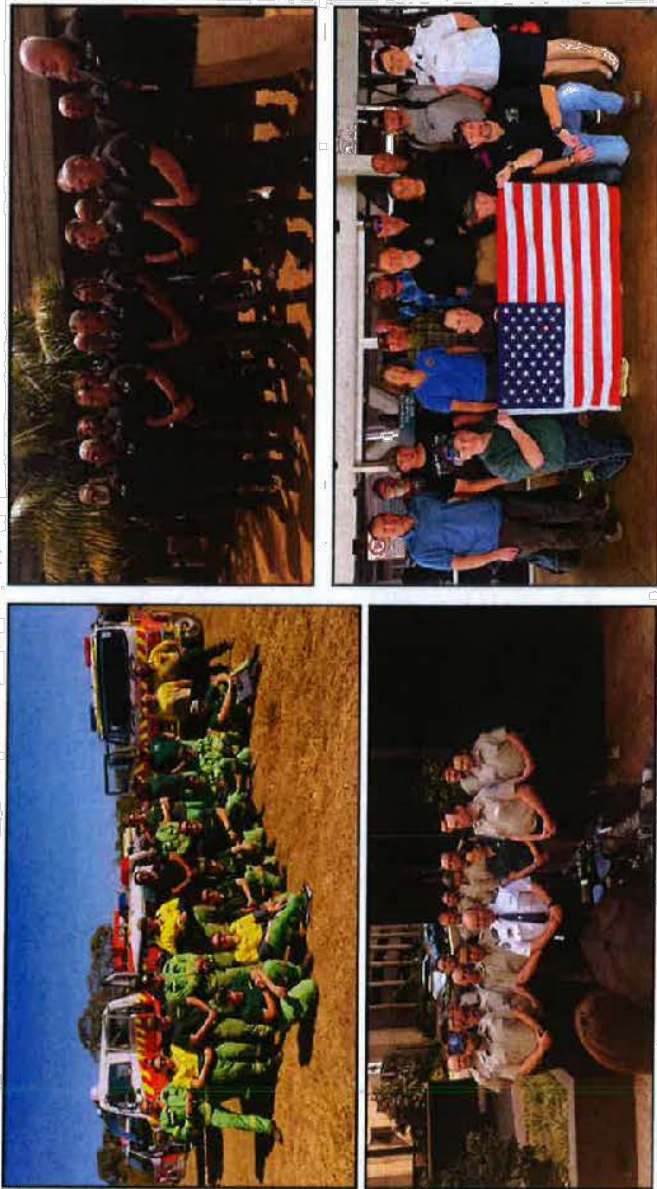
**Interagency Effort**



NSW RURAL FIRE SERVICE

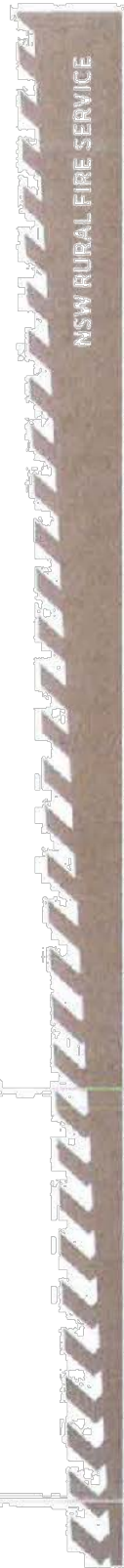
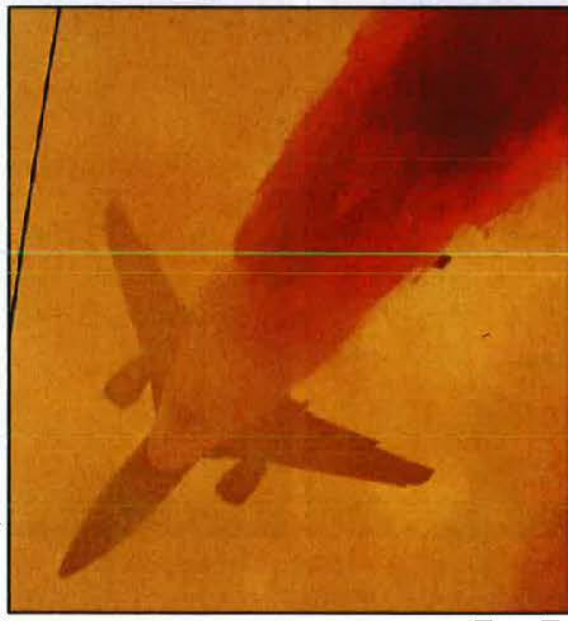


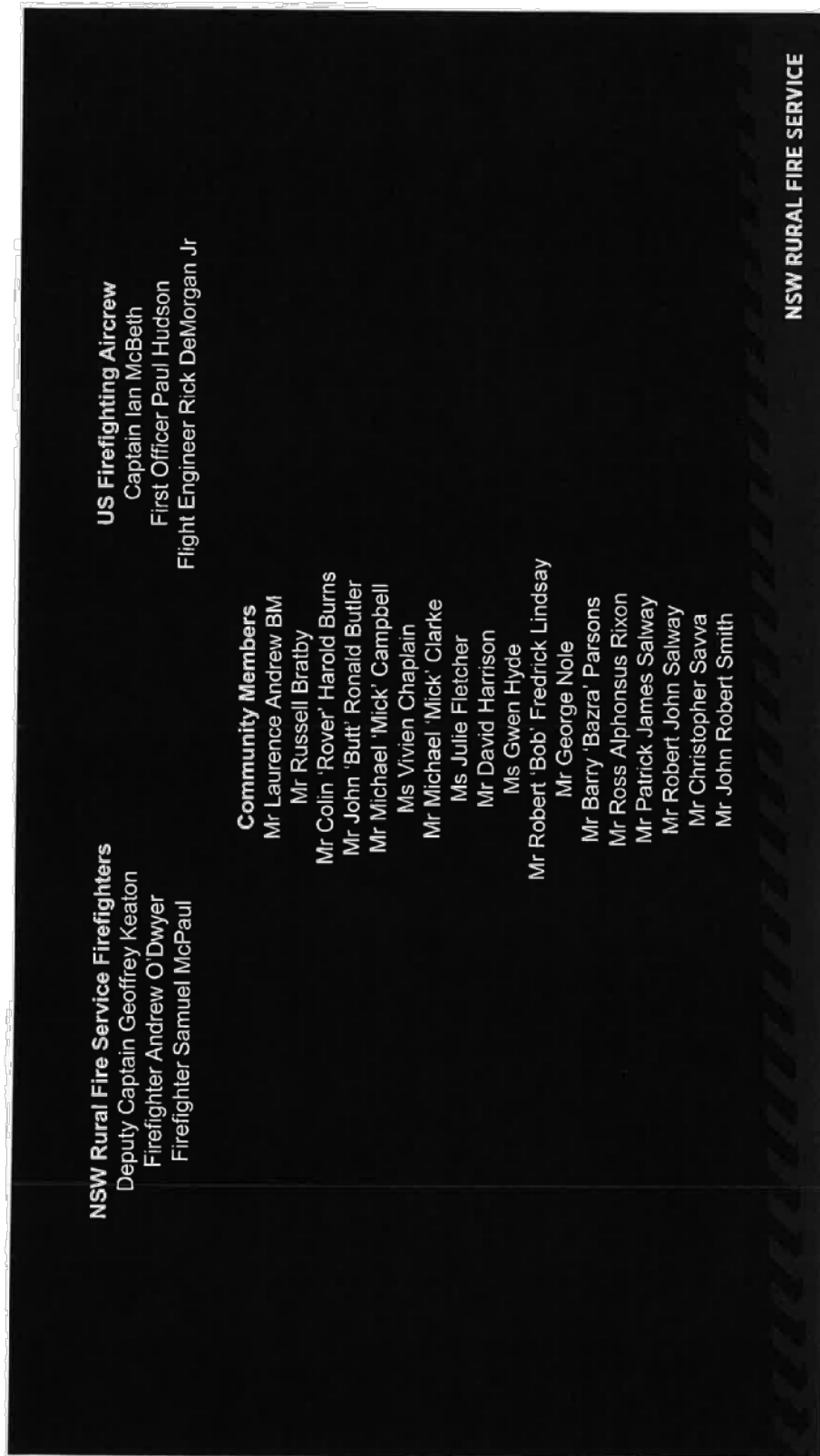
**Interstate and International Assistance**



NSW RURAL FIRE SERVICE

Aviation Support





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**(ITEM RC12/20) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION STRATEGIC PLANNING WORKSHOP - 12 & 13 MARCH 2020**

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**REPORT BY:**

The Murray Darling Association held a Strategic Planning Workshop at Moama on Thursday, 12 and Friday, 13 March 2020.

The Workshop was attended by Councillor Don Forbes with an apology submitted by Deputy Mayor Greg Sauer.

The Delegate's Report is attached.

**RECOMMENDATION**

**That the report of the Murray Darling Association Strategic Planning Workshop held 12 & 13 March 2020 be received and noted.**

**ATTACHMENTS**

- |   |                                                                            |            |
|---|----------------------------------------------------------------------------|------------|
| 1 | Murray Darling Association Strategic Planning Workshop - Delegate's Report | 3<br>Pages |
|---|----------------------------------------------------------------------------|------------|



**FOR MEMBER COUNCIL DISTRIBUTION**  
**MURRAY DARLING ASSOCIATION**

**COMMUNICATION REPORT**

|                                  |                                                                                                                                                                                                 |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TOPIC:</b>                    | <b>MDA STRATEGIC PLANNING WORKSHOP – MARCH 2020</b>                                                                                                                                             |
| <b>DATE:</b>                     | 16 MARCH 2020                                                                                                                                                                                   |
| <b>INTERNAL DISTRIBUTION:</b>    | <input checked="" type="checkbox"/> MDA Board<br><input checked="" type="checkbox"/> MDA Staff                                                                                                  |
| <b>EXTERNAL DISTRIBUTION:</b>    | <input checked="" type="checkbox"/> For Member Councils and public                                                                                                                              |
| <b>ENCLOSURES / ATTACHMENTS:</b> | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes:                                                                                                                            |
| <b>REPORT OBJECTIVES:</b>        | <input checked="" type="checkbox"/> For Information / Awareness<br><input checked="" type="checkbox"/> To enable participants to present at council or incorporate in their own council reports |

**Purpose**

To report on the event and outcomes of the **2020 MDA Strategic Planning Workshop** held in Moama on 12-13 March 2020.

**Executive Summary**

The MDA held a **Strategic Planning Workshop** (SPW) in Moama NSW over the period **12-13 March 2020**.

The event was well attended and incorporated the perspectives, experience and input from key stakeholders and critical representatives from all States and regions right throughout the Murray-Darling Basin.

The SPW reviewed the **Vision 2024 Strategic Plan**; current and emerging **projects, programs and initiatives**; along with presentations from **strategic partnerships** achieved with key stakeholders such as CSIRO and the MDBA.

The top three priorities for the MDA for the plan period are identified as:

- Development and production of **Membership Tools and Services**.
- Implementation of **Strategic Projects, Initiatives and Programs** within the wider MDB Footprint.
- Establishment of the **Murray-Darling Basin Local Government Centre of Excellence**.

The MDA executive will now incorporate the strategic input received and complete the final draft of the MDA Strategic Plan 2020-2024: **Vision 2024** for consultation and approval.

**Background**

The MDA's Strategic Plan 2016-19 has now concluded with the achievement of a broad suite of strategic outcomes. The operations and objectives of the MDA have evolved significantly, requiring a step-change in

**FOR MEMBER COUNCIL DISTRIBUTION**

the organisation's future plan. Vision 2024 will position the organisation strongly to respond to the emerging needs of the Murray-Darling Basin.

The prospects for the MDA membership and the 12 MDA regions continue to gain support from strategic partners and stakeholders; with many projects emerging which will see the MDA's vision of a healthy, vibrant and thriving Murray-Darling Basin more achievable.

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**2020 Strategic Planning Workshop**

The two-day event saw a gathering of mayors, councillors and senior executives of councils from Albury to Adelaide, Menindee to the Murray Mouth, as far afield as Balonne, Federation, Barunga West and more – reinforcing the perspectives, power and impact which the MDA collectively exercises within the Basin and more broadly within Australia.

Councils discussed a range of issues, including the importance of place-based change and adaptation for local government, the role of science in dealing with big Basin issues, and how the MDA can work with local government to identify and achieve the future they want – not for the future they want back.

The SPW gave opportunity for the MDA Board and Strategic Representatives to:

- Affirm the **Vision, Mission and Values** of the Organisation.
  - Review the exciting and promising **projects and initiatives** which the MDA is implementing throughout the Murray-Darling Basin and the broader membership's footprint.
  - Experience first-hand the **collaboration and partnerships** which have been achieved by the MDA with strategic partners such as the CSIRO and the MDBA.
  - Reinforce the **priorities for the MDA Executives** under the Vision 2024 Plan over the next five years:
    - Membership Services – streamlined, effective and prized products and resources;
    - Projects, Initiatives and Programs with Basin-Wide impact;
    - Establishment of the **Murray-Darling Basin Local Government Centre for Excellence**.
- 

**Capacity Building**

**Projects**

The SPW was presented with a list of the current and emerging project, initiatives and programs which included:

- Basin Communities Leadership Program (BCLP 1.0) – 15 Locations, 225 Emerging Leaders;
- BCLP 2.0 – Continuing on from BCLP 1.0 with additional pathways being explored;
- Regional Economic Diversification Program – Supporting local Councils with regional MDA officers;
- Regional Mental Health Program – Supporting membership Councils with additional support.

Each of these projects have received a large amount of planning to see these transition from a concept to a viable program / product; with several having already been submitted for funding under the Murray Darling Economic Development federal funding programs.

**Staff**

Over the last couple of years, the executive team has grown to a comprehensive team of 7 staff. Workshop participants saw presentations from staff on the newly implemented Customer Relationship Management software, project initiatives, and the emerging corporate plan.

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**Membership**

The workshop developed a clear set of priorities regarding the development and production of membership tools and services.

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**Distribution**

Participants at the workshop are encouraged to use the information contained in this report to build awareness and update their councils. If further information is required, please don't hesitate to contact the Murray Darling Association team on (03) 5480 3805 or [comms@mda.asn.au](mailto:comms@mda.asn.au)

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**REPORT RELEASED BY: E. Bradbury CEO MDA**

**(ITEM RC13/20) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION - 20 FEBRUARY 2020**

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**REPORT BY:** Greg Sauer

A meeting of the Murray Darling Association was held on Thursday, 20 February 2020. Minutes of the Meeting are attached.

**RECOMMENDATION**

**That the report and recommendations from the Murray Darling Association meeting of 20 February 2020 be received and noted.**

**ATTACHMENTS**

1 Minutes of Meeting 8 Pages





## Murray Darling Association Inc.

admin@mda.asn.au  
www.mda.asn.au  
T (03) 5480 3805  
ABN: 64 636 490 493

463 High Street  
P.O. Box 1268

**Region 11 Meeting**  
**12.00pm, Thursday 20 February 2020**  
**Warialda Shire Council**

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### MINUTES – February 2020

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#### 1. ATTENDANCE

##### 1.1 Present

|                          |                                                |
|--------------------------|------------------------------------------------|
| Cr John Campbell – Chair | Gunnedah Shire Council                         |
| Annabelle Guest*         | REO, MDBA (Via Zoom)                           |
| Andrew Johns             | Gunnedah Shire Council                         |
| Cr David Coulton         | Gwydir Shire Council                           |
| Cr John Coulton          | Gwydir Shire Council                           |
| Emma Bradbury            | CEO MDA (Via Zoom)                             |
| #Cr Greg Sauer           | Tenterfield Shire Council (Via teleconference) |

\* Non-member – attendance by invitation  
# Attendance by teleconference/Zoom

##### 1.2 Apologies

|                  |                      |
|------------------|----------------------|
| Cr Frances Young | Gwydir Shire Council |
| Cr Max Eastcott  | Gwydir Shire Council |

**Action: That the apologies be accepted                      Move J Campbell/Greg Sauer    Carried**

---

#### 2. WELCOME – Meeting commenced at 12:00pm

- 2.1 Acknowledgment of Country – Cr John Coulton, Mayor Gwydir Shire Council
- 2.2 Cr John Coulton welcomed delegates and thanked them for their attendance.

#### 3. DECLARATIONS OF INTEREST

Nil received

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#### 4. MINUTES

**Motion:**            The minutes of the meeting held at Gunnedah on 7 November 2019 as circulated were accepted as a true and correct record of that meeting.

**Action:**            Move J Coulton/J Campbell    Carried

---

**5. REPORTS**

**5.1 Chief Executive Officer**

**Grants and Policy Officer**

In line with MDA's Strategic Plan, MDA have now employed a dedicated Grants and Policy Officer. Gemma Wilson commenced with the MDA in December 2019.

After success in obtaining funding through the MDBEDP (Round 1) for the Basin Communities Leadership Program in 2019, the following grant applications have been submitted for Round 2:

- **Basin Communities Leadership Program 2.0**  
Delivery of a high-level leadership program delivered across 15 of the 31 eligible and identified MDBED (Round 2) communities.
- **Regional Economic Diversification Program**  
Establishment of a network of 6 place-based Regional Development Officers who will draw on local knowledge and experience to develop Regional Economic Diversification Plans across the identified MDBED (Round 2) communities.
- **Next Generation Mental Health First Aid Program**  
Delivery of a Mental Health First Aid Course to Basin youth, via a nationally accredited provider, across 10 specified MDBEDP (Round 2) communities.

The MDA is pleased to have received written support for the above projects from the following organisations, councils and individuals:

|                                |                                   |
|--------------------------------|-----------------------------------|
| CSIRO                          | Moree Plains Shire Council (NSW)  |
| NRM Regions Queensland         | Narromine Shire Council           |
| Balonne Shire Council (QLD)    | Rural City of Murray Bridge (SA)  |
| Berri Barmera Council          | Wentworth Shire Council (NSW)     |
| Brewarrina Shire Council (NSW) | Senator Senator Perin Davey (NSW) |
| Coorong Council (SA)           | Tony Pasi MP (SA)                 |
| Mid Murray Council (SA)        |                                   |

**MDA Letter to Minister Pavey regarding first flush**

In response to concerns raised by councils in the far west NSW the MDA has written to Minister Pavey to encourage her continuing protection of first flush flows by maintaining the embargo on pumping for sufficient time to ensure the effective recharge of the Barwon Darling system, and to urge for completion of the WRPs to inter alia provide certainty and regulation of provisions for floodplain harvesting.

**MDA Letter to Ministerial Council**

MDA has written to the Ministerial Council and to BOC to encourage their immediate attention to ensuring sound strategic leadership of the Murray-Darling Basin Authority by filling the vacancies on the board, particularly the Chair at their earliest opportunity.

**National President and CEO to travel to Canberra**

National President David Thurley and CEO Emma Bradbury will be in Canberra next week for a range of meetings. Report to follow.

**NOTE: For full information, please see Attachment**

**6. PRESENTATIONS**

**6.1 Annabelle Guest - MDBA**

- Rainfall in January and February has eased drought conditions over parts of the Northern Basin, none of the irrigation storages in NSW Border Rivers, Gwydir and Namoi have reached 10% capacity yet. Angst from irrigators over floodplain harvesting compliance and reaction from those downstream that the embargo was lifted for a short period. All want to achieve best value from flows.
- WRP's – none of the NSW water resource plans have been submitted to the MDBA for accreditation as yet, more consultation may be needed on some issues. Due 31 Dec 19. Flood Plain Harvesting and Metering Projects have also been extended and NSW government has a lot of work to do to get these projects to fit in the timelines. Appointment of The Hon Keith Pitt to water portfolio sees a change in the federal water minister.
- Basin Community Committee (BCC) has appointed a new chair Phil Duncan who is from Moree. He is the first Aboriginal BCC chair. Northern Basin tour will occur in July and may be a chance to meet BCC members
- Independent Socio Economic Panel (ISEP) draft report in socio-economic conditions across the basin to be in the next week followed by a period of public exhibition. An opportunity to provide feedback will then be provided and the final report submitted by the end of April to Minister Pitt.
- MDA Rural leadership program – I have sent information about this project onto the communities in my region (Collarenebri)
- The Local Government NSW Water Management Conference is on in Narrabri from 15-17 July <https://www.lgnsw.org.au/events-training/lgnsw-water-management-conference>
- The Country Mayor's Association is hosting a water management workshop Q and A on the 6<sup>th</sup> March in Sydney after the meeting with the MDBA, NSW water and CEWO (Commonwealth Environmental Water Office).
- More Information from Katrina Humphries, Mayor of Moree Plains SC.

**7. GENERAL BUSINESS**

**7.1 Murray Darling Association Name Change**

- Will be further discussed at the SPW in Moama

**7.2 Workshop – "Climate Change Position Statement and Action Plan"**

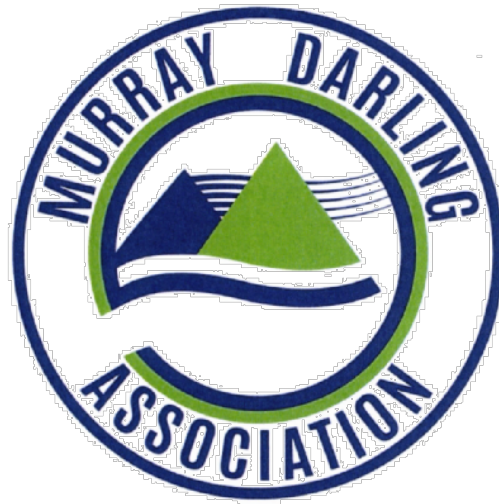
- Due to the limited number of attendees we could not do much. Gunnedah Shire and Gwydir Shire had input and Tenterfield Shire will be sending feed back on the three items through to John so a region "draft" can be done. Will be sent out in due course.

**8. NEXT MEETING**

Aligned with BROCC Meeting in May.

**9. CLOSE**

The meeting closed at 1:05pm



## Chief Executive Officer's Report

February 2020

Emma Bradbury  
ceo@mda.asn.au

**1. Appointments**

| Date       | Event/meeting                                                 | Location   |
|------------|---------------------------------------------------------------|------------|
| 20/01/2020 | Board Meeting 394                                             |            |
| 20/01/2020 | Meeting with Chris Bilkey – Mayor Murray Rivers Council       | Echuca     |
| 21/01/2020 | Malcolm Thompson – Discussions MDBA Chair                     | Telephone  |
| 23/01/2020 | Town Hall Session with the Inspector General                  | Deniliquin |
| 24/01/2020 | Regional Diversification discussions – Brewarrina             | Via Zoom   |
| 28/01/2020 | Strategic Advisory Committee Meeting                          | Via Zoom   |
| 29/01/2020 | National Indigenous Australian Agency                         | Echuca     |
| 29/01/2020 | Region 4 Ordinary Meeting                                     | Via Zoom   |
| 30/01/2020 | Regional Diversification discussions – Wentworth              | Via Zoom   |
| 30/01/2020 | Regional Diversification discussions – Shepparton             | Via Zoom   |
| 04/02/2020 | Celine Steinfield - Wentworth Group – MDBA Roundtable         | Via Zoom   |
| 05/02/2020 | BCLP Discussions: Paul Childs, Jarrod Eaton and Iain Ellis    | Via Zoom   |
| 06/02/2020 | Mike Stewardson – One Basin CRC discussions                   | Telephone  |
| 07/02/2020 | Angus Mackie – Minister Pavey’s Office                        | Via Zoom   |
| 10/02/2020 | Adam O’Bied Advisor to Water Minister Anthony Lynham QLD      | Telephone  |
| 10/02/2020 | MDB roundtable discussions                                    | Via Zoom   |
| 11/02/2020 | Regional diversification discussions – Moree Regional Council | Via Zoom   |
| 13/02/2020 | 76 <sup>th</sup> National Conference Committee Meeting        | Via Zoom   |
| 14/02/2020 | Region 6 – AGM and Ordinary Meeting                           | Via Zoom   |

**2. Basin Communities Leadership Project – BCLP**

**Project Stages / Current status:**

- Stage 1) Program Design and Development *[Underway – Progressing]*
- Stage 1a) Participant / Candidate Recruitment *[Underway – Progressing]*
- Stage 2) Leadership Program Delivery *[Awaiting completion of stage 1 / 1a]*
- Stage 3) Community Project Delivery Support *[Awaiting completion of stage 2]*
- Stage 4) Consolidation / Refurbishment / OILLS *[Awaiting completion of stage 3]*

**Progress Comments:**

- A mature advertising and recruitment campaign has commenced with applications being made.
- Coordination of the venue bookings and support arrangements are underway.
- Some Councils have responded with their support – following up with those who have not yet responded.
- Training / Business Support Officer recruitment due FEB / MAR.

**Risks / Opportunities:**

- Risks – successfully aligning all the guest presenters and support networks to synchronise / support dates across the 15 x locations.
- Risks – external support arrangements and requested materials / services meeting project timelines.

**3. Discussions with Angus Mackie – Minister Pavey’s Office**

- Invitation extended to Minister Pavey to attend the next Region 10 Meeting in late February.
- The MDA invited the Minister to support the funding application for the Regional Economic Diversification program
- The MDA notified the Department that the Board considered Minister Pavey’s request that we facilitate or host community level meetings with key councils and community leaders across South Australia. Board recommended that the Minister establish a joint approach with Minister Spiers, and that the MDA would be pleased to identify key personnel and community leaders.
- The MDA also enquired as to what the NSW Department is asking of Queensland in relation to the “First Flush Flows”.

**4. Discussions with Adam O’Bied – Advisor – Minister Anthony Lynham Water Minister for QLD**

- Adam O’Bied will be emailing a zoom calendar invite to discuss preparations of the written response to the letter sent to the Minister in relation to National Water Infrastructure – feasibility investment
- The MDA also discussed NSW section 324 orders and whether QLD have the same.

**5. Memberships**

The MDA have reached out to the [Covra Council](#) to investigate the Council’s position in their consideration of joining the MDA as members.

A presentation to Council was conducted by Cr Phyllis Miller (R10) Chair and CEO.

Paul Devery has advised that a report to the Council will be completed by the end of the month

**6. 2020 76<sup>th</sup> National Conference – Shepparton – Victoria**

Venues have been secured for the [Conference](#) and [Gala Dinner Event](#).

Logistics for the Study Tour to Barmah are currently underway with the committee meeting monthly to further discuss such topics as Theme, Presenters, sponsors and exhibitors.

**7. ONE Basin Cooperative Research Centre (CRC) Roadshow**

The ONE Basin CRC is a focused collaboration bid to develop policy, technical and financial solutions that support Basin communities, business and governments to understand and reduce their exposure to climate, water and environmental threats. The Australian Government’s Cooperative Research Centre (CRC) program supports industry-led collaborations between industry, researchers and the community.

**8. Wentworth Group of Concerned Scientists**

The MDB Roundtable presents an opportunity for communities, businesses and scientists to come together to address the serious water problems. Options for addressing many of the immediate and long-term water security and river health challenges, with fundamental actions could be readily implemented with widespread benefits.

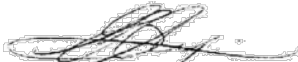
**9. First Nation Peoples**

The MDA reached out to the newly formed National Indigenous Australian Agency based in Shepparton to establish and re-connect with the local Indigenous groups in the region. NIAA, previously known as the Department of Prime Minister & Cabinet, Indigenous Affairs group, welcomed the MDA executive and have subsequently provided contact details for the Yorta Yorta Nations, as well as names to assist with the logistical preparations for the 2020 76<sup>th</sup> National Conference.

NIAA, have indicated their support of the BCLP program and will disseminate details and correspondences throughout their networks.

**10. Employee Entitlements**

The future cost to the MDA of employee entitlements is increasing steadily. A separate bank account has been initiated to hold all accrued entitlements. The account "Employee Entitlements" will be managed in accordance with standard practices.



**Emma Bradbury**

**Chief Executive Officer**



|                      |                                                 |
|----------------------|-------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>            |
| <b>Submitted by:</b> | Executive Assistant & Media                     |
| <b>Reference:</b>    | <b>ITEM RES3/20</b>                             |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - APRIL 2020</b> |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council fosters a strong organisational culture which strives for best practice in all operations with a supportive corporate governance framework.                |
| <b>CSP Delivery Program</b> | Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available to decision makers.        |

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#### **SUMMARY**

The purpose of this report is to provide a standing monthly report to the Ordinary Meeting of Council that outlines all resolutions of Council previously adopted and yet to be finalised.

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

**That Council notes the status of the Council Resolution Register to April 2020.**

**Terry Dodds**  
**Chief Executive**

|                               |                                                                                  |                 |
|-------------------------------|----------------------------------------------------------------------------------|-----------------|
| Prepared by staff member:     | Noelene Hyde, Executive Assistant & Media                                        |                 |
| Approved/Reviewed by Manager: | Terry Dodds, Chief Executive                                                     |                 |
| Department:                   | Office of the Chief Executive                                                    |                 |
| Attachments:                  | <b>1</b> Attachment 10 (Attachment Booklet 6) - Resolution Register - April 2020 | <b>34</b> Pages |