



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER

ORDINARY COUNCIL MEETING

WEDNESDAY, 27 MAY 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 in the RSL Pavilion, rear of Memorial Hall, Molesworth Street, Tenterfield, on **Wednesday, 27 May 2020** commencing at **9.30am**.

Terry Dodds
Chief Executive

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."

3. APOLOGIES

4. DISCLOSURES & DECLARATIONS OF INTEREST

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9. MAYORAL MINUTE

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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) (c) (d(i)) (d(ii)) (d(iii)) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed (iii) reveal a trade secret.

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 MIN4/20) CONFIRMATION OF PREVIOUS MINUTES

REPORT BY: Noelene Hyde, Executive Assistant & Media

RECOMMENDATION

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

- **Ordinary Council Meeting – 22 April 2020**

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

ATTACHMENTS

- 1 Minutes of Ordinary Council Meeting - 22 April 2020 14 Pages

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 22 APRIL 2020

MINUTES OF THE **Ordinary Council** OF TENTERFIELD SHIRE held via Zoom Meeting, on Wednesday 22 April 2020 commencing at 9.37 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)
Manager Finance & Technology (Paul Della)

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 Zoom 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

Chairperson, Mayor Peter Petty welcomed all Councillors to this, the first Zoom meeting of Council as required under the current COVID-19 restrictions and amendment to the Local Government Act.

In particular, he welcomed Cr Brian Murray and extended the best wishes of all Councillors to him following his recent surgery.

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 Jukembal, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

Nil.

DISCLOSURE & DECLARATIONS OF INTEREST

Nil.

(ITEM MIN3/20) CONFIRMATION OF PREVIOUS MINUTES

41/20

Resolved that the Minutes of the Ordinary Council Meeting held 26 February 2020, as typed and circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Michael Petrie/Greg Sauer)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil.

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil.

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.

42/20

Resolved that 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.

(Peter Petty/Bob Rogan)

Motion Carried

Noted: Mayor will push for increased Financial Assistance Grants of 4%.

**RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN
CONFIDENTIAL SECTION**

43/20

Resolved that Item COM11/20 – Local Drought Stimulus Package, Confidential Conditional Funding, be considered in the Confidential Section of this Meeting and this item be brought forward in the Agenda for consideration at this time.

(Bob Rogan/Greg Sauer)

Motion Carried

Manager Economic Development & Community Engagement, Harry Bolton, entered the meeting, the time being 9.45 am.

CONFIDENTIAL BUSINESS - SUSPENSION OF STANDING ORDERS

44/20

Resolved that:

- a) the meeting be closed to the public and members of the press because of the need for confidentiality, privilege or security, as specified below and provided for under Section 10A(2) of the Local Government Act, 1993; and
- b) the Agenda and associated correspondence, unless specified are not to be released to the Public as they relate to a matter of either personal hardship, personal matters, trade secrets or matters which cannot be lawfully disclosed.

(Bob Rogan/Greg Sauer)

Motion Carried

The recording device was turned off and the meeting moved into Closed Committee, the time being 9.46 am.

**(ITEM COM11/20) LOCAL DROUGHT STIMULUS PACKAGE,
CONFIDENTIAL CONDITIONAL FUNDING**

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.

SUMMARY

The purpose of this report is to provide Council with a progress report of proposed grant funds under the following programs.

For the purpose of this report grant programs and funds include:

- National Bushfire Recovery Agency LGA Grant Package
- Bushfire Community Resilience & Economic Recovery Grant – Phase 1
- Regional Tourism Bushfire Recovery Grant (Stream 1 & 2)
- Drought Communities Program – Extension

This report also provides information to support funding negotiations with the NSW State Government to access the Local Drought Stimulus Package, with an

embargo placed on the communication of projects until the NSW Government has made a public announcement.

45/20

Resolved that Council:

- (1) Receive and note the Report, including the items not eligible for the Regional Tourism Bushfire Recovery Grant application; and
- (2) Endorse the proposed items be negotiated with the State Government under the Local Drought Stimulus Package, Confidential Conditional Funding.

(Bob Rogan/Greg Sauer)

Motion Carried

RESUMPTION OF STANDING ORDERS

46/20 **Resolved** that Standing Orders be resumed.

(Bronwyn Petrie/Greg Sauer)

Motion Carried

The meeting moved out of Closed Committee and the recording device turned on, the time being 9.54 am.

In accordance with Section 253 of Local Government Regulations (General) 2005, the Mayor read the resolution as resolved by Council while in Closed Committee.

Manager Economic Development & Community Engagement, Harry Bolton, left the meeting, the time being 9.55 am.

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM10/20) CANCELLATION OF ANZAC DAY EVENTS – SATURDAY, 25 APRIL 2020

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.

AMENDMENT

That an addition item (3) be added – That books be posted to the Schools and additional wreaths be laid on Anzac Day as follows:

- Drake – Councillor Bronwyn Petrie
- Torrington – Councillor Tom Peters
- Jennings – Mayor Peter Petty
- Liston – Councillor Gary Verri
- Legume – Mayor Peter Petty
- Urbenville – Mayor Peter Petty
- Mingoola – Councillor Tom Peters

(Greg Sauer/Gary Verri)

Amendment Carried

47/20

Resolved 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.
- (3) Posts the books to the Schools and lays additional wreaths on Anzac Day as follows:
 - Drake – Councillor Bronwyn Petrie
 - Torrington – Councillor Tom Peters
 - Jennings – Mayor Peter Petty
 - Liston – Councillor Gary Verri
 - Legume – Mayor Peter Petty
 - Urbenville – Mayor Peter Petty
 - Mingoola – Councillor Tom Peters

(Peter Petty/Gary Verri)

Motion Carried

OUR ECONOMY

(ITEM ECO5/20) BUY LOCAL ADVICE AND POLICY CHANGE

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.

48/20

Resolved 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.

(Michael Petrie/Bronwyn Petrie)

Motion Carried

Manager Planning & Development Services, Tamai Davidson, entered the meeting, the time being 10.20 am.

OUR ENVIRONMENT

(ITEM ENV6/20) DRAFT DEVELOPMENT SERVICING PLANS SEWER & WATER & S7.11 & S7.12 DEVELOPMENT CONTRIBUTIONS PLANS

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).

49/20

Resolved 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.

(Greg Sauer/Gary Verri)

Motion Carried Unanimously

(ITEM ENV7/20) DEVELOPMENT APPLICATION 2020.030 MEMORIAL HALL EXTENSIONS – 96 MOLESWORTH STREET, TENTERFIELD

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.

50/20

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

(Greg Sauer/Bronwyn Petrie)

Motion Carried Unanimously

(ITEM ENV8/20) LOCAL STRATEGIC PLANNING STATEMENT

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*.

51/20

Resolved 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.

(Gary Verri/John Macnish)

Motion Carried

Cr Gary Verri registered a vote against the motion.

Manager Planning & Development Services, Tamai Davidson, left the meeting, the time being 10.33 am.

(ITEM ENV9/20) PURCHASE OF NEW WALKER MOWER

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.

52/20

Resolved that Council 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.

(Tom Peters/Bob Rogan)

Motion Carried

OUR GOVERNANCE

(ITEM GOV15/20) ENDORSEMENT – MOTIONS FOR CONSIDERATION BY AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) BOARD

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.

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.

(Greg Sauer/Gary Verri)

AMENDMENT

That the following amendments be made:

- Item (b) – delete Corporation;
- Item (c) – delete NSW and add plural to Government

(Bronwyn Petrie/Gary Verri)

Amendment Carried

53/20

Resolved 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.

- (b) That ALGA support cultural burning on Crown Lands, National Parks and Forestry 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 State Governments 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.

(Greg Sauer/Gary Verri)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford, entered the meeting, the time being 10.47 am.

(ITEM GOV16/20) OPERATIONAL PLAN 2019/2020 – 6 MONTH DELIVERY PROGRAM REPORT TO 31 DECEMBER 2019

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.

54/20

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

(John Macnish/Bronwyn Petrie)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford, left the meeting, the time being 10.50 am.

(ITEM GOV17/20) JOINT ORGANISATION MEMBERSHIP FOR THE 2020/21 FINANCIAL YEAR

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.

55/20

Resolved 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.

(Gary Verri/Michael Petrie)

Motion Carried

Councillors Gary Verri, Bob Rogan and Tom Peters recorded a vote against the motion.

(ITEM GOV18/20) FINANCE & ACCOUNTS – PERIOD ENDED 29 FEBRUARY 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.

56/20

Resolved that Council receive and note the Finance and Accounts Report for the period ended 29 February 2020.

(Bob Rogan/Gary Verri)

Motion Carried

PROCEDURAL MOTION

57/20

Resolved that three (3) financial reports Item GOV19/20 – Finance & Accounts – Period Ended 31 March 2020, Item GOV20/20 – Capital Expenditure Report as at 29 February 2020, and Item GOV21/20 – Capital Expenditure Report as at 31 March 2020 be adopted together.

(Gary Verri/Tom Peters)

Motion Carried

(ITEM GOV19/20) FINANCE & ACCOUNTS – PERIOD ENDED 31 MARCH 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.

57/20

Resolved that Council receive and note the Finance and Accounts Report for the period ended 31 March 2020.

(Gary Verri/Tom Peters)

Motion Carried

(ITEM GOV20/20) CAPITAL EXPENDITURE REPORT AS AT 29 FEBRUARY 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.

57/20

Resolved that Council receive and note the Capital Expenditure Report for the period ended 29 February 2020.

(Gary Verri/Tom Peters)

Motion Carried

(ITEM GOV21/20) CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 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.

57/20

Resolved that Council receive and note the Capital Expenditure Report for the period ended 31 March 2020.

(Gary Verri/Tom Peters)

Motion Carried

REPORTS OF DELEGATES & COMMITTEES

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

SUMMARY

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

58/20

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

(Donald Forbes/Bob Rogan)

Motion Carried

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

SUMMARY

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

59/20

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

(Gary Verri/Bob Rogan)

Motion Carried

(ITEM RC11/20) REPORTS OF COMMITTEES & DELEGATES – COUNTRY MAYORS' ASSOCIATION OF NSW – 6 MARCH 2020

SUMMARY

A General Meeting of the Country Mayors' Association of NSW was held on Friday, 6 March 2020 at Parliament House, Sydney.

60/20

Resolved that the report of the Country Mayors' Association of NSW meeting of 6 March 2020 be received and noted.

(Peter Petty/John Macnish)

Motion Carried

(ITEM RC12/20) REPORTS OF COMMITTEES & DELEGATES – MURRAY DARLING ASSOCIATION STRATEGIC PLANNING WORKSHOP – 12 & 13 MARCH 2020

SUMMARY

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.

RECOMMENDATION

That the report of the Murray Darling Association Strategic Planning Workshop held 12 & 13 March 2020 be received and noted.

(Don Forbes/Greg Sauer)

AMENDMENT

New Item 2 – That from Council's three (3) delegates on the Murray Darling Association Inc, Council only endorse one (1) to be on the Committee.

(Greg Sauer/Tom Peters)

Amendment Carried

61/20

Resolved that:

- (1) The report of the Murray Darling Association Strategic Planning Workshop held 12 & 13 March 2020 be received and noted.
- (2) From Council's three (3) delegates on the Murray Darling Association Inc, Council only endorse one (1) to be on the Committee; and
- (3) Tenterfield Shire Council endorses the nomination of Cr Greg Sauer as a member of the Murray Darling Association Inc Executive.

(Greg Sauer/Tom Peters)

Motion Carried

(ITEM RC13/20) REPORTS OF COMMITTEES & DELEGATES – MURRAY DARLING ASSOCIATION – 20 FEBRUARY 2020

SUMMARY

A meeting of the Murray Darling Association was held on Thursday, 20 February 2020. Deputy Mayor Greg Sauer attended via teleconference.

62/20

Resolved that the report and recommendations from the Murray Darling Association meeting of 20 February 2020 be received and noted.

(Greg Sauer/Gary Verri)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES3/20) COUNCIL RESOLUTION REGISTER – APRIL 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.

63/20

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

(John Macnish/Gary Verri)

Motion Carried

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 11.45 am.

.....
Councillor Peter Petty
Mayor/Chairperson

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Property & Buildings (P/T)
Reference:	ITEM COM12/20
Subject:	COMMUNICATION TOWER LICENCE TO NETWORK INVESTMENTS PTY LTD (WIN)

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Community - COMM 4 - The community is welcoming, friendly, and inclusive where diverse backgrounds are respected and celebrated.
CSP Strategy:	Buildings are well designed, safe and accessible and the new is balanced with the old.
CSP Delivery Program	Ensure that Council buildings and facilities meet the needs of users.

SUMMARY

Network Investments Pty Ltd maintain television transmission equipment on Council's tower at Mt MacKenzie. The previous Licence Agreement expired in 2014 and therefore requires renewing.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Delegate Authority to the Chief Executive to enter a Facility Sharing Licence Agreement with Network Investments Pty Ltd in relation to Council's communication tower at Mt MacKenzie (Lot 5 DP 1007389).**
- (2) Authorise the Licence to be signed and executed under the Seal of Council by the Mayor and Chief Executive in accordance with Council Policy.**

BACKGROUND

In 2009 Council entered a Facility Sharing Licence Agreement with Northern Rivers Television Pty Ltd to install television transmission equipment on Council's tower at Mt MacKenzie.

Although the Facility Sharing Licence Agreement expired in 2014 it was altered in 2017 via a Novation Deed because Network Investments purchased the equipment from Northern Rivers Television Pty Ltd.

It was resolved on 28 June 2017 to execute a new Facility Sharing Licence Agreement, however this has not occurred to date.

REPORT:

Network Investments Pty Ltd broadcast three (3) main digital channels being WIN, Prime and NBN from the equipment at Mt MacKenzie.

A new Facility Sharing Licence Agreement has been drafted and Network Investments Pty Ltd have indicated their willingness to sign the Agreement.

Our Community No. 12 Cont...

The new Facility Sharing Licence Agreement allows for an initial period of five (5) years and a subsequent option to renew for a further five (5) years.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil

2. Policy and Regulation

- Local Government Act 1993

3. Financial (Annual Budget & LTFFP)

Legal fees will be payable for the drafting of the Facility Sharing Licence Agreement.

The annual license fee will commence at \$13,733.68 (plus GST) and increase in accordance with the Consumer Price Index.

4. Asset Management (AMS)

The structure is the asset of the Council who will continue to maintain as necessary. The hardware mounted on the tower is the property of Network Investments Pty Ltd which they have the responsibility of maintaining.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

The risk of not entering the Facility Sharing Licence Agreement is that Network Investments will continue to enjoy the benefit of Council's tower and equipment without an obligation to pay any fees. Fortunately Network Investments have to date paid all invoices issued for licence fees.

7. Performance Measures

Nil

8. Project Management

Nil

Kylie Smith
Chief Corporate Officer

Prepared by staff member:	Heidi K Ford
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
Department:	Office of the Chief Corporate Officer
Attachments:	There are no attachments for this report.

Department:	Office of the Chief Corporate Officer
Submitted by:	Project Officer
Reference:	ITEM COM13/20
Subject:	SITE SHARING LICENCE AGREEMENT WITH NSW TELCO AUTHORITY FOR HAYSTACK MOUNTAIN

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Community - COMM 4 - The community is welcoming, friendly, and inclusive where diverse backgrounds are respected and celebrated.
CSP Strategy:	Buildings are well designed, safe and accessible and the new is balanced with the old.
CSP Delivery Program	Ensure that Council buildings and facilities meet the needs of users.

SUMMARY

The New South Wales Government Telecommunications Authority (NSWGTA) are seeking a renewal of the site sharing licence for Council's communications equipment located at Haystack Mountain. The previous licence expired on 30 June, 2018.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Delegate authority to the Chief Executive to enter a Licence Agreement with the NSW Government Telecommunications Authority for Council's communications equipment located at Haystack Mountain Radio Communications Facility, Pocupar Road, Yabbra National Park, Yabbra NSW 2469.**
- (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.**

BACKGROUND

The NSW Government Telecommunications Authority (Licensor) are seeking a site sharing lease renewal for Council's (Licensee) 2-way radio equipment located at Haystack Mountain. The previous lease expired on 30 June, 2018 to the value of \$2,600 per annum (ex GST) with annual CPI increase.

The requirement for licensing ensures all parties on site are aware of the required site access procedures and notification processes and any party who do not have relevant licencing agreement in place with NSWTA may be denied keys/access to site due to potential risk to the Government Radio Network. As such, the NSWGTA are keen to finalise this licence renewal as soon as possible in order to allow for Council to continue operations of their communications equipment at this site.

REPORT:

The NSW Government Telecommunications Authority have approached Council seeking a renewed Site Sharing Licence Agreement in order for Council to continue to operate and maintain its 2-way radio telecommunications equipment at Haystack Mountain

Our Community No. 13 Cont...

Radio Communications Facility, Pocupar Road, Yabbra National Park, Yabbra NSW 2469. The previous agreement expired on 30 June, 2018.

The proposed Licence Agreement is for a period of five years initially (expiring 30 June, 2023) and two additional periods of five years, totaling 15 years. The licence fee is \$2,781.01 per annum (exclusive of GST), with CPI escalation.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil

2. Policy and Regulation

- Local Government Act 1993
- *Telecommunications Act 1997* (Cth)

3. Financial (Annual Budget & LTFP)

Upon the signing and finalisation of this Licence Agreement, Council will pay a licence fee of \$2,781.01 per annum (exclusive of GST), with CPI escalation annually on the anniversary of the Commencement Date.

4. Asset Management (AMS)

The site consists of a NSWGTA-owned communications tower and associated equipment shelters, as well as a NSW National Parks-owned communications tower. Council equipment is located on the NSWGTA-owned tower and in the associated shelter and is used for their local 2-way radio communications system, with a radio link back to Mt Mackenzie.

The NSWGTA is responsible for maintenance of the site, tower and equipment shelter. Council is only responsible for maintenance of its equipment on the tower and in the equipment shelter as listed in Annexure "B" of the attached Site Sharing Agreement.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

The licence agreement between Council and NSWGTA expired in 2018 and there is currently no renewed licence documentation in place for Council's 2-way radio equipment at the Haystack Mountain Communications site.

Without a site sharing licence, Council may be denied keys/access to the site due to potential risk to the Government Radio Network which this site is also used for. As such, a renewed site sharing licence is required in order to allow for council to continue operations of its 2-way radio network at this site.

The terms of the Licence Agreement have been negotiated between the Telecommunications Authority's solicitors and Council to ensure the terms are appropriate and fair for each party.

7. Performance Measures

Nil

Our Community No. 13 Cont...

8. Project Management

Nil

Kylie Smith
Chief Corporate Officer

Prepared by staff member:	Nathan Axelsson, Project Officer	
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer	
Department:	Office of the Chief Corporate Officer	
Attachments:	1 Attachment 1 (Attachment Booklet 1) - Site Sharing Licence Agreement - Haystack Mountain	27 Pages

Department:	Engineering Department
Submitted by:	Engineering Officer (Technical Support) P/T
Reference:	ITEM ECO6/20
Subject:	ROAD CLOSURE APPLICATION - ROAD OFF KILDARE ROAD

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Transport - TRSP 15 - We have an effective interconnected transport system that is safe, efficient and affordable for us as a community.
CSP Strategy:	The management of Council's assets will be long term and focused on meeting the needs of the community now, and into the future.
CSP Delivery Program	Management of the transport infrastructure assets in response to changing community need.

SUMMARY

The purpose of this report is for Council to consider a road closing application that has been received from a property owner requesting closure of a section of unformed Council road off Kildare Road.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Objects to the permanent road closure of the section of road adjacent to Lots 201 & 171 DP 751517 off Kildare Road due to causing of landlocking of multiple parcels of land to the east of the proposed road closure.**
- (2) Advises the applicant that Council cannot accede to the request of closing the section of road adjacent to Lots 201 & 171 DP 751517 due to causing land-locking of multiple parcels of land to the east. For the road closure to be considered on merit, a legal means of access (ie. right of carriageway or similar from the gazetted public road will need to be provided by the Applicant and agreed upon by the property owners of all the lots that will become landlocked as a result of the closure.) If such a legal means of access cannot be provided by the applicant, Council is unable to support an application for closure of a road where a lot(s) is to be landlocked.**

BACKGROUND

A request has been received from a property owner for Council to consider closing and subsequently selling a section of Council road reserve (945m in length) located adjacent to Lots 201 and 171 DP 751517 off Kildare Road.

REPORT:

Council received an application from a property owner to close and subsequently sell a section of road approximately 945m in length off Kildare Road, adjacent to Lots 201 and 171 DP 751517 as shown in Attachment 1 (highlighted yellow).

Initial investigations confirm this is a Council dedicated road that is unformed and unmaintained by Council.

Our Economy No. 6 Cont...

The proposed road closure will cause some lots to the east to become landlocked and thus prevent legal access at some time in the future.

The following table details the lots that are affected by the proposed road closure and are shown in Attachment 1 (red outline):

Property Description	Status
111//664273	Becomes landlocked
1//254210	Becomes landlocked
168//751517	Becomes landlocked
161//751517	Becomes landlocked
167//751517	Becomes landlocked
160//751517	Becomes landlocked
154//751517	Becomes landlocked
10//113284	Becomes landlocked
31//1169202	Becomes landlocked

In the past, purchasers of lots without legal access have complained to Council only to be advised of "caveat emptor" or "let the buyer beware". An alternative would be for the owner of lots without legal access to be provided with a Right of Carriageway.

Unless a legal means of access can be provided by the applicant and agreed to by the property owners to the east, Council should not approve a road closure if a lot(s) will become landlocked.

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

No community engagement has been undertaken to date.

2. Policy and Regulation

- Part 4 Division 3 of Roads Act 1993
- Clause 1 of the Roads Regulation 2018

3. Financial (Annual Budget & LTFP)

The applicant has paid the fee in accordance with Council's Fees & Charges 2019/20. Initial investigation confirms this portion of road is a dedicated Council road reserve.

Should the road closure be approved, all costs involved in the road closure process including surveying will be borne by the Applicant at no cost to Council. Council will be required to sell the road reserve to the applicant.

4. Asset Management (AMS)

Nil. The section of road applied to be closed is unformed and unmaintained by Council.

5. Workforce (WMS)

Nil.

Our Economy No. 6 Cont...

6. Legal and Risk Management

A search undertaken by Crown Lands Status Branch revealed that the road reserve is a dedicated Council Road. This section of road is unformed and unmaintained by Council.

The proposed road closure will cause some lots to the east to become land-locked and thus prevent legal access at some time in the future.

7. Performance Measures

Nil.

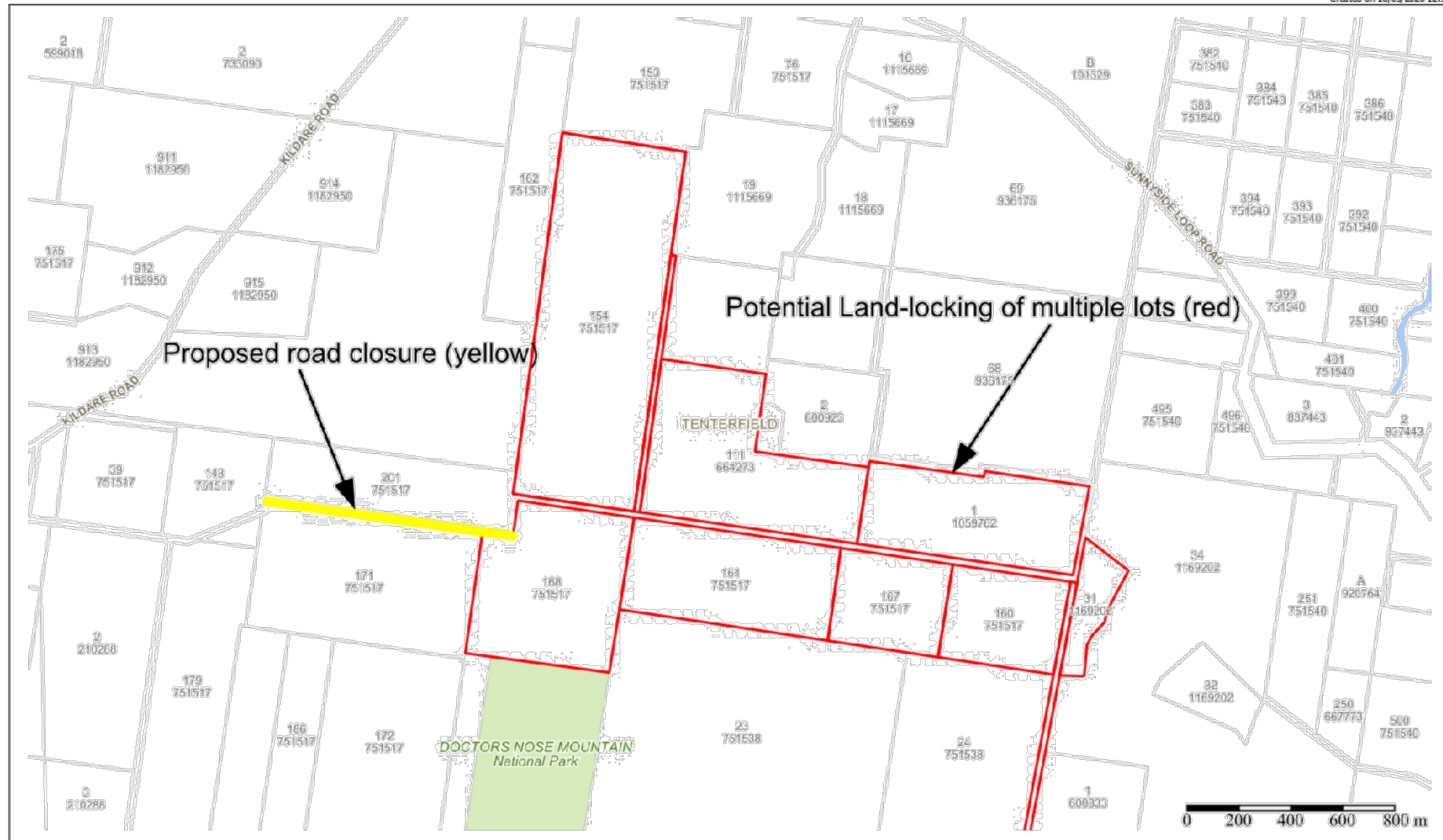
8. Project Management

Nil.

Fiona Keneally
Director Infrastructure

Prepared by staff member:	Jessica Gibbins	
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure	
Department:	Engineering Department	
Attachments:	1 Plan Detailing Proposed Road Closure	1 Page

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Projection:

Date: 18/05/2020

Drawn By: Jessica Gibbins

Map Scale: 1:20000 at A4

Department:	Engineering Department
Submitted by:	Engineering Officer (Technical Support) P/T
Reference:	ITEM ECO7/20
Subject:	TALMOI ROAD - ROAD MAINTENANCE EXTENSION REQUEST

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK	
CSP Goal:	Transport - TRSP 15 - We have an effective interconnected transport system that is safe, efficient and affordable for us as a community.
CSP Strategy:	We have a well-designed and functioning road network suitable for all users now and take into consideration future network consumption and demand.
CSP Delivery Program	Asset Planning, Policy and Management provide strategic direction and information to Council enabling the sustainable management of its asset portfolio as a whole.

SUMMARY

The purpose of this report is for Council to consider a request for extending Council's maintenance activities outside the adopted Road Network Management Plan to include an additional 2.5kms section of Talmoi Road.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Continues to undertake maintenance activities in accordance with the adopted Road Network Management Plan which includes the 6.64km section of Talmoi Road from Mount Lindesay Road. Any additional road maintenance may be considered as part of Council's review of the current Road Network Management Plan.**
- (2) Advises the applicant that Council cannot currently accede to the request of additional road maintenance due to limited resources, however the requested section of road may be considered as part of Council's review of the Road Network Management Plan.**

BACKGROUND

A request has been received from a property owner on Talmoi Road for Council to consider extending its current maintenance operations to include an additional approximately 6 kms of road reserve. This additional road reserve is made up of both Council Road reserve, Crown Road reserve and there is no connectivity from the Council road reserve to the Crown Road reserve. This report will only be concerning the Council road reserve which is approximately 2.5kms in length.

REPORT:

Council currently maintains a total length of 6.64km of Talmoi Road in accordance with its Road Network Management Plan (RNMP) adopted 24 April 2013.

Council has limited available resources and has prepared standards to manage its road network and to assist in providing a consistent standard and serviceability for a safe

Our Economy No. 7 Cont...

road network with Council's Policies and adopted priorities. Council is not obligated to maintain all Council road reserves.

Under Section 2.4 of the RNMP the following criteria must be met for a road to be added to Council's RNMP:

- the road must serve more than one property in different ownership; and
- the road must have the legal status as a "public road" as defined by the Roads Act 1993; and
- the road must meet the standards for the appropriate Road Class in Council's hierarchy; and

All costs associated with achieving the above requirements shall be borne by the applicants seeking the inclusion of the road in Council's Road Network Management Plan.

In accordance with RNMP, the maintained section of Talmoi Road has been classified as follows:

Road Class	Description	Carriageway type	Pavement width	Surface width & type	Design speed
D	Local Access	1 lane two way	5.0m	5.0m unsealed	50 km/hr

The requested section of road (track) has been described as 4WD only. Therefore in accordance with the RNMP the requested section would need to be brought up to a Class D (minimum) standard to be considered in the RNMP.

The track also deviates in places from the road reserve and Council would need to seek legal advice to ensure that the track would be deemed to be the road as defined in the Inclosed Lands Protection Act 1901 (Act) prior to any additional construction or maintenance being considered as this traverses private property.

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

Nil. No community engagement has been undertaken to date.

2. Policy and Regulation

- Roads Act 1993
- Councils Road Network Management Plan (RNMP)
- Inclosed Lands Protection Act 1901 (Act)

3. Financial (Annual Budget & LTFP)

The construction and maintenance of the requested extension of Talmoi Road of increases the unsealed asset network by approximately 2.5 kms. It is expected that this class of road would need to be constructed to a minimum of Class D standard in accordance with Council's RNMP and graded once every two (2) years.

Our Economy No. 7 Cont...

In accordance with the RNMP, all costs associated with achieving the above requirements of a Class D road shall be borne by the applicants seeking the inclusion of the road in Council's Road Network Management Plan.

4. Asset Management (AMS)

Transferring the maintenance to Council will increase the Asset Register 2.5kms. This additional section of road would be required to be added to the Road Network Register and therefore depreciated in conjunction with other transport assets. Routine maintenance will be required to keep assets operating. Talmoi Road is a low traffic volume road, however is likely to require repairs including grading every two (2) years.

5. Workforce (WMS)

Council's Grader Operators would be required to undertake additional grading duties if the road maintenance was extended by 2.5 kms.

6. Legal and Risk Management

A search undertaken by Crown Lands Status Branch revealed that the road reserve is a dedicated Council Road. Prior to Council considering the ongoing maintenance and liability of the road asset, the requested road extension would be required to be constructed to a Class D standard which includes 5 m wide pavement, drainage measures, guideposts etc.

The track also deviates in places from the council road reserve and Council would need to seek legal advice to ensure that the track would be deemed to be the road as defined in the Inclosed Lands Protection Act 1901 (Act) prior to any additional construction or maintenance being considered as this traverses private property.

7. Performance Measures

Nil.

8. Project Management

Prior to Council considering to extend its current road asset network, the road would be required to be constructed to the classified standard which is currently a Class D Road in accordance with Council's adopted RNMP.

Fiona Keneally
Director Infrastructure

Prepared by staff member:	Jessica Gibbins
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure
Department:	Engineering Department
Attachments:	There are no attachments for this report.

Department:	Engineering Department
Submitted by:	Engineering Officer (Technical Support) P/T
Reference:	ITEM ECO8/20
Subject:	WELLINGTON LOOKOUT ROAD - ROAD MAINTENANCE EXTENSION REQUEST

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK	
CSP Goal:	Transport - TRSP 15 - We have an effective interconnected transport system that is safe, efficient and affordable for us as a community.
CSP Strategy:	We have a well-designed and functioning road network suitable for all users now and take into consideration future network consumption and demand.
CSP Delivery Program	Asset Planning, Policy and Management provide strategic direction and information to Council enabling the sustainable management of its asset portfolio as a whole.

SUMMARY

The purpose of this report is for Council to consider a request for an extension of Council's maintenance activities outside the adopted Road Network Management Plan to include to include an additional 1 km section of Wellington Lookout Road.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Continues to undertake maintenance activities in accordance with the adopted Road Network Management Plan which includes the 2.321km section of Wellington Lookout Road from Black Swamp Road. Any additional road maintenance may be considered as part of Council's review of the current Road Network Management Plan.**
- (2) Advises the applicant that Council cannot currently accede to the request of additional road maintenance due to limited resources, however the requested section of road may be considered as part of Council's review of the Road Network Management Plan.**

BACKGROUND

A request has been received from a property owner on Wellington Lookout Road for Council to consider extending its current maintenance operations to include an additional 1 km of road reserve.

On 23 July 2014, a report (Item ENG 39/14, copy attached) was tabled for Council consideration to rectify a road realignment issue of Wellington Lookout Road as part of a Boundary Adjustment Development. The Developer agreed to survey and open up a new road reserve which was dedicated to Council, in exchange for the Crown road to be closed and transferred to any subsequent purchase of the newly created lots. This would provide legal and practical access to lots 1 & 2 DP 1142379.

The Recommendation (CM 267/14) was:

Our Economy No. 8 Cont...

- 1) *That the Deputy Director of Engineering Services Report Correction of Wellington Lookout road Reserve be received and noted and further that;*
- 2) *The existing crown roads through and adjacent lots 104, 95 and 90 on DP 751541 be transferred to Council and closed; and*
- 3) *The existing crown roads through and adjacent lots 104, 95 and 90 on DP 751541 be granted to the owners of these lots in exchange for the newly created road accessing Lot 1 and 2 on DP 1142379.*

The above process was completed by Council including the creation of a right of Carriageway (ROC) over the closed Crown road to satisfy the condition imposed by Department of Crown Lands at the time to ensure access to the creek was retained.

The plan of Subdivision of Lots 90, 91, 95, 115 & 157 of DP 751541 was registered 19.08.2014. The road was dedicated as a Public Road on this plan. However, this additional extension of Wellington Lookout Road is not maintained by Council.

REPORT:

Council currently maintains a total length of 2.321km of Wellington Lookout Road in accordance with its Road Network Management Plan (RNMP) adopted 24 April 2013.

Council has limited available resources and has prepared standards to manage its road network and to assist in providing a consistent standard and serviceability for a safe road network with Council's Policies and adopted priorities. Council is not obligated to maintain all Council road reserves.

Under Section 2.4 of the RNMP the following criteria must be met for a road to be added to Council's Road Network Management Plan:

- the road must serve more than one property in different ownership; and
- the road must have the legal status as a "public road" as defined by the Roads Act 1993; and
- the road must meet the standards for the appropriate Road Class in Council's hierarchy; and

All costs associated with achieving the above requirements shall be borne by the applicants seeking the inclusion of the road in Council's Road Network Management Plan.

In accordance with RNMP, the maintained section of Wellington Lookout Road has been classified as follows:

Road Class	Description	Carriageway type	Pavement width	Surface width & type	Design speed
D	Local Access	1 lane two way	5.0m	5.0m unsealed	50 km/hr

The requested section of road is not currently maintained by Council. Therefore in accordance with the RNMP the requested section would need to be brought up to a Class D (minimum) standard to be considered in the RNMP.

Our Economy No. 8 Cont...

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil. No community engagement has been undertaken to date.

2. Policy and Regulation

- Roads Act 1993
- Councils Road Network Management Plan (RNMP)

3. Financial (Annual Budget & LTFP)

The construction and maintenance of the requested extension of Wellington Lookout Road increases the unsealed asset network by approximately 1km. It is expected that this class of road would need to be constructed to a minimum of Class D standard in accordance with Council's RNMP and graded every two (2) years.

In accordance with the RNMP, all costs associated with achieving the above requirements of a Class D road shall be borne by the applicants seeking the inclusion of the road in Council's Road Network Management Plan.

4. Asset Management (AMS)

Transferring the maintenance to Council will increase the Asset Register 1km. This additional section of road would be required to be added to the Road Network Register and therefore depreciated in conjunction with other transport assets. Routine maintenance will be required to keep assets operating. Wellington Lookout Road is a low traffic volume road, however is likely to require repairs including grading every two (2) years.

5. Workforce (WMS)

Council's Grader Operators would be required to undertake additional grading duties if the road maintenance was extended by 1km.

6. Legal and Risk Management

The road reserve was dedicated as a Public Road as part of the Subdivision Plan on DP 1198719 which was registered 19.08.2014. Prior to Council considering the ongoing maintenance and liability of the road asset, the requested road extension would be required to be constructed to a Class D standard which includes 5 metre wide pavement, drainage measures, guideposts etc.

7. Performance Measures

Nil.

8. Project Management

Prior to Council considering to extend its current road asset network, the road would be required to be constructed to the classified standard which is currently a Class D Road in accordance with Council's adopted RNMP.

Fiona Keneally
Director Infrastructure

Our Economy No. 8 Cont...

Prepared by staff member: Jessica Gibbins

Approved/Reviewed by Manager: Fiona Keneally, Director Infrastructure

Department: Engineering Department

Attachments: **1** July 2014 Council Report - **2**
ENG39/14 - Correction of Pages
Wellington Lookout Road Reserve

ORDINARY COUNCIL MEETING

23 JULY 2014

(ITEM ENG39/14) CORRECTION OF WELLINGTON LOOKOUT ROAD RESERVE

REPORT BY: Ralf Stoeckeler, Deputy Director Engineering Services

SUMMARY

The last 1km of Wellington Lookout Road traverses private property and provides access to two other properties in different ownership. The owner of the property has undertaken to provide a new reserve along the road alignment as part of a recent development.

BACKGROUND

Wellington Lookout Road extends to service Lots 1 and 2 on DP1142379 (blue hatch in attached map), however the last 1km of the reserve is located through thick forest, on steep inclines, and in part in the Cataract River (orange line) and an alternate, informal route (green line) is in use. As it is not possible to use the road reserve for the last 1km of the road. The owners of Lots 1 and 2 access their properties through Lots 90, 95 and 115 DP 751451 for which there is no road reserve.

Currently lots 1 and 2 have no accessible legal access.

RELEVANCE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Priority 2 – Our Infrastructure

CURRENT POSITION

The owner of the lots 90, 95 and 115, through which the road illegally passes has recently undertaken a boundary realignment. As part of this development, the owner agreed to survey the new road at their cost and open a public road (green colour on maps) in exchange for the existing crown roads on the property (orange colour). Council's only costs are the road opening and closing costs, and the costs of transferring the roads to the owners of the lots which the closed road traverses. Road portion 1 will be transferred to the owner of Lot 104, portions 2 and 3 to the owner of Lot 95 and portion 4 will be transferred to the owner of Lot 90. Currently the same entity owns all of these lots, but this may not be the case by the time the road closure process is concluded, so the owner has specified which lot each portion of the road will be assigned to.

The survey has been completed and Council can now open the new road and close the existing roads. Once closed, the roads can be transferred to the property owners.

This matter is similar to the Rickard matter on Rivertree Road, except in that case Council was also required to pay for the survey. In this case the owner has paid for the survey resulting in a lower cost to Council.

GOVERNANCE/POLICY IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Council's roads should be located in reserves.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

Nil

SOCIAL SUSTAINABILITY IMPLICATIONS

All properties require legal access. This rectifies an existing problem.

ORDINARY COUNCIL MEETING

23 JULY 2014

Director of Engineering Services Report No. 39 Cont...

FINANCIAL IMPLICATIONS

Council will be responsible for road opening and closing costs which may be up to \$2,000. Other similar cases have costs up to \$10,000 as Council has also had to undertake the road survey. This is not the case with this matter.

POSSIBLE OPTIONS/ALTERNATIVE SOLUTIONS

No alternative provides legal access to Lots 1 and 2 DP1142379. It is not physically possible to construct a legal access on the existing crown reserves. Council has a small budget for these cases that will cover this cost.

CONCLUSION

Council has previously allowed the subdivision of Lots 1 and 2 DP 1142379 (Boundary realignment 2008) without any useable legal access. The owners of lots 1 and 2 currently traverse Lots 90, 95 and 115 DP751451 to access their land.

The owner of Lots 90, 95, 104 and 115 DP751451 has undertaken to create a road along the alignment of the existing illegal access to the neighbouring lots in exchange for the unformed crown roads currently traversing the lots. The owner will pay the survey costs.

To rectify this access problem, Council has only to take ownership of the crown roads, close them and transfer them to the owners of lots 104, 95 and 90 DP751451 in accordance with the DA, including road closure and transfer costs.

RECOMMENDATION

- (1) That the Deputy Director of Engineering Services Report *Correction of Wellington Lookout Road Reserve* be received and noted and further that;
- (2) The existing crown roads through and adjacent lots 104, 95 and 90 on DP 751541 be transferred to Council and closed; and
- (3) The existing crown roads through and adjacent lots 104, 95 and 90 on DP 751541 be granted to the owners of these lots in exchange for the newly created road accessing Lot 1 and 2 on DP1142379.

ATTACHMENTS

- 1** Attachment 15 (Book 3) - Map of Existing & Proposed Road Reserves 1 Page

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Planning & Development Services
Reference:	ITEM ENV10/20
Subject:	DEVELOPMENT APPLICATION 2020.018 - 2 LOT SUBDIVISION - BOUNDARY ADJUSTMENT, TIMBARRA ROAD, TENTERFIELD - APPEAL OF CONDITION

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

SUMMARY

Development Application 2020.018 2 Lot Subdivision – Boundary Adjustment was approved by Council on 22 April 2020, subject to conditions. The applicant is requesting Council review condition six (6) of the consent which requires the applicant, as part of their final plan of survey, to survey the existing road formation of Timbarra Road. The existing location of the road lies outside the formal road reserve. The condition was placed on the consent as it is a requirement of Council's Road Network Management Plan 2013 (RNMP).

OFFICER'S RECOMMENDATION:

That Council:

- (1) Impose the requirements of the Road Network Management Plan; and**
- (2) Advise the Applicant that Condition No 6 of Development Consent 2020.018 remains.**

BACKGROUND

Council adopted the Road Network Management Plan on 24 April 2013 under Council Resolution 129/13, within Section 2 of the Plan stating;

Our Environment No. 10 Cont...

2. Public Road Management

Under the Roads Act 1993, Council only has a maintenance responsibility for public roads that have been dedicated to Council. In practice Council manages and maintains roads where this is not necessarily the case. This occurs because the legal status is not clearly defined for some roads, others are not on public road reserves, or sit on public road reserve for only part of their length and many are in crown reserves that have not been dedicated to Council.

Public roads have been created in the past, in numerous ways, under many different pieces of legislation. It is not always clear whether a road is or is not a public road, and at times it may be necessary to carry out extensive searches to determine the status of a road.

This plan assumes that all roads currently on the road register (Appendix A-C) are public roads. However, there are a number of roads which may be 'doubtful' public roads. These include:

- Roads owned by other authorities eg. Crown and State Forests; and
- Roads or sections of roads where the physical road is not contained within the legal road reserve.

Council is working progressively towards the dedication of all roads maintained by Council. However, where existing roads have minor deviations outside the Public Road Reserve, no action will be taken to correct the situation unless reconstruction of that section is undertaken or development applications are submitted for adjacent land. In the latter case, the developer will be responsible for the correct gazettal of the road.

In support of the appeal, the applicant's surveyor has stated that reliance had been given to a prior policy of Council, adopted on 8 April 2009 (Resolution No 762/09), extract below. The policy is no longer contained in Council's Policy Register, and was superseded/revoked by the adopted Road Network Management Plan.

TENTERFIELD SHIRE COUNCIL

POLICY STATEMENT

HEADING:

Road Requirements for Subdivisions

MEETING ADOPTED

8 April 2009

AND RESOLUTION NO.:

762/09

1. INTRODUCTION

This policy will replace all previous Council policies, plans and codes in relation to road construction requirements in subdivisions. Where a subdivision creating additional lots (where additional dwelling entitlement(s) are created) is proposed adjacent to a road / street maintained by Council, Council must consider the following issues as part of the Development Consent process and as required by the Environmental Planning and Assessment Act 1979:

- Traffic generation issues – type, quantity, effect on current road users, road and intersection capacity, bus and school bus routes.
- Existing road / street conditions – horizontal and vertical alignment, pavement width and condition, road surface type, sight distance, stormwater drainage, pavement degradation, dust nuisance.
- Access – location, number and type, sight distance.
- Stormwater drainage – effect on existing structures.

Development consents issued by Council have regularly included conditions that:

- Mitigate the effects of the proposed subdivision on the existing road / street adjacent to the site;
- Mitigate the effects of the proposed subdivision on the road / street between the subdivision and the rest of the road network;
- Mitigate the effects of any increase in traffic volume or change in traffic type on the existing road / Street adjacent to the site;
- Ensure that the safety of users of the road /street is not affected;
- Ensure that the effect of any increased stormwater drainage is managed.

This Policy addresses these issues and provides a framework for the decision making processes listed above. The policy formalises recent reviews completed by Council for subdivisions both in rural and urban areas involving existing and new roads.

Where the applicant proposes alternative arrangements which do not fully meet the requirements of this policy, Council may consider these.

2. ROAD BOUNDARIES

Where an existing road deviates outside the Public Road Reserve, no action will be taken by Council to correct the situation unless reconstruction of that section of road is undertaken or the adjoining landholder(s) request such action. The process of locating a road within a road reserve involves the detailed survey of the road boundaries and the purchase and/or transfer of land. This can be very costly and the progress of this work will be limited by available funds. If demand for locating a road within a road reserve exceeds the available funds, priority will need to be established and a program of works determined.

TENTERFIELD SHIRE COUNCIL

Where a subdivision proposal is adjacent to or includes a Council maintained road that is not wholly located within a road reserve, Council will include a development consent condition requiring the road to be surveyed and a dedicated public road reserve, 20 metres wide, established around the existing road so that it is wholly located within the new road reserve at full cost to the applicant. This condition will apply to the road reserve within or adjacent to surveyed lots only and not to the residue.

Where an encroachment of a Council maintained road on a lot is noted at the time of development of that lot, Council will include a development consent condition that a contribution of 50% is required from the applicant towards the cost of survey, registration of plans and dedication of the road reserve that locates the existing road wholly within the road reserve.

3. ROAD REQUIREMENTS FOR SUBDIVISIONS**3.1 Rural Areas**

Where a subdivision creating additional lots is proposed adjacent to an existing rural road maintained by Council, the following minimum consent conditions will be applied:

- Road adjacent to the full length of the subdivision will be upgraded to the requirements of Appendix A including drainage improvements, at full cost to the applicant.
- Detailed road design plans, including enhancement of drainage structures, must be provided by the applicant and approved by Council prior to commencing works.

Where a subdivision creating additional lots is proposed adjacent to an existing A, B, C or D class rural roads, the following additional consent conditions will be applied:

- Subdivisions creating greater than seven (7) new allotments the road adjacent to the full length of the proposed subdivision will be bitumen sealed to the requirements of Appendix A;
- Subdivisions creating up to seven (7) allotments will be subject to merit assessment with the upgrading of facilities as considered necessary and appropriate to the developments location.
- Existing and proposed accesses will be bitumen sealed when the road is sealed and gravel accesses may be used when the road is gravel.

Where a subdivision creating additional lots is proposed adjacent to an existing E and F class rural road, an assessment will be made of the effect of the number of lots to be created has on the traffic using the road. This may result in the class of the road being upgraded to a higher classification, ie E to D and F to E with the relevant consent conditions detailed above applying.

3.2 Urban Areas

Where a subdivision creating greater than three (3) additional lots is proposed adjacent to an existing urban street maintained by Council, the following minimum consent conditions will be applied:

- The street adjacent to the full length of the subdivision will be upgraded to the requirements of Appendix B including bitumen sealing and drainage improvements, at full cost to the applicant.
- Kerb and guttering for the full frontage of the subdivision and any associated underground stormwater drainage system will be provided at full cost to the applicant.
- Detailed street design plans, including kerb and gutter and underground stormwater drainage systems, must be provided by the applicant and approved by Council prior to commencing works.

Our Environment No. 10 Cont...

The applicant's surveyor has provided the following in support of their appeal.

On behalf of our abovementioned clients we wish to appeal against Condition No 6 of development approval 2020.018 regarding the surveying of Timbarra Road.

The application is for a boundary adjustment of 6ha between neighbours not adjacent to Timbarra Road and the survey would not extend to the northern boundaries of the current Lot 66.

A policy statement was adopted by Council on 8 April 2009 (Resolution No 762/09) regarding this type of occurrence where a condition regarding the surveying and dedication of a road reserve would 'apply to the road reserve within or adjacent to surveyed lots only and not to the residue.'

In this case the only land to be surveyed is the 6ha boundary adjustment with the remainders of proposed Lots 211 and 212 classified as the residue.

To survey Timbarra Road would mean surveying all the boundaries of proposed Lot 211 at an estimated extra cost to our clients of about \$5,000.

If Council insists on Condition No 6 of the development approval remaining, our clients preferred first option is for Timbarra Road to be relocated to its correct position along the northern boundary.

Their preferred second option is for Timbarra Road to be surveyed out of the property at Council's expense and the road closed along the northern boundary and granted to them in compensation.

REPORT:

Condition six (6) of the development consent reflects the requirements of Council's Road Network Management Plan and states;

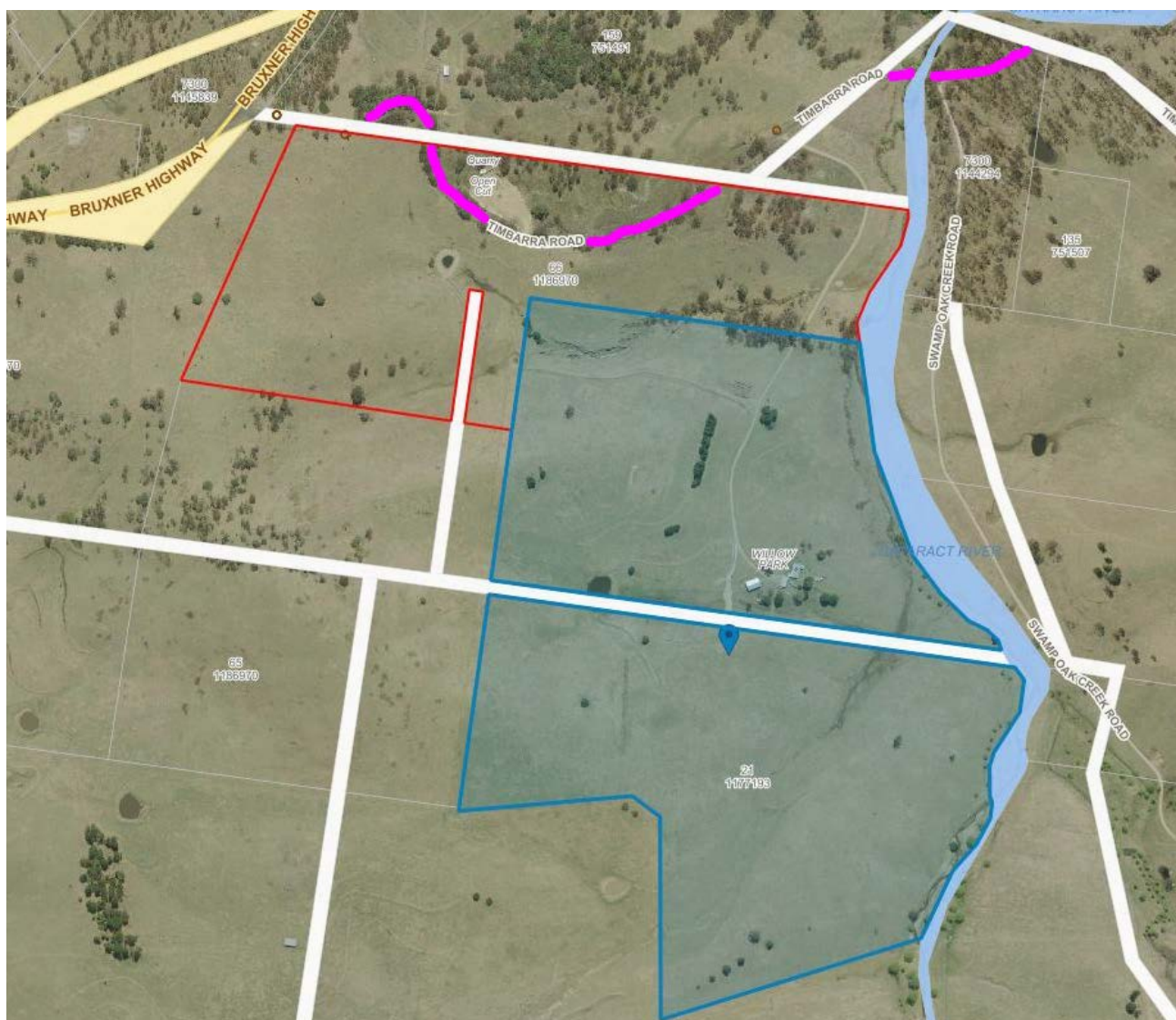
6. The Timbarra Road formation deviates outside the Public Road Reserve and the applicant shall be responsible to arrange for the survey the road formation outside the Public Road Reserve and to allow for the survey plan to correct the situation for gazettal of the road formation as public road within a formal road reserve.

Reason: To comply with Council's Road Network Management Plan.

Our Environment No. 10 Cont...

Existing Lot Layout

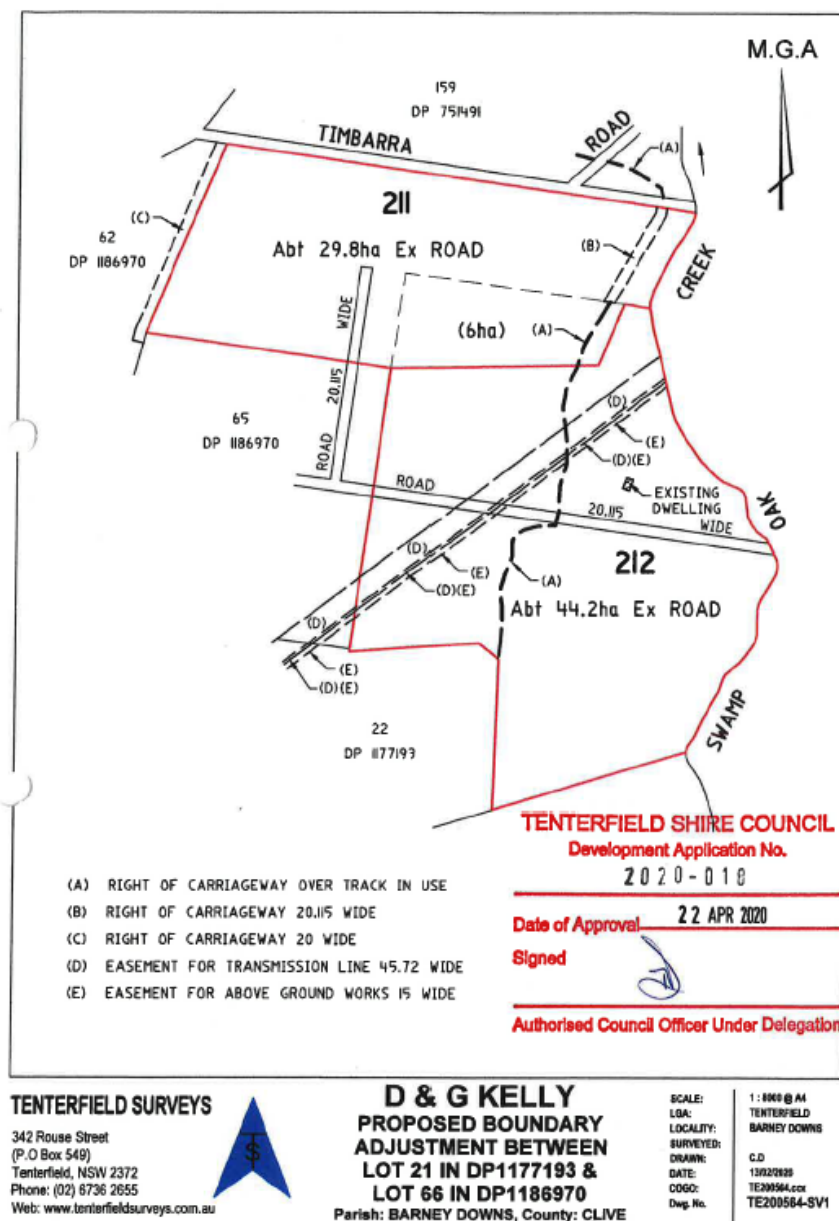
Existing Lot 66 DP 1186970 (bounded by red in the map below) contains the existing road formation of Timbarra Road (marked in fuschia). The legal road reserve is identified by the thick white line running east-west along the northern boundary of Lot 66. The curved section of Timbarra Road lies within the boundary of existing Lot 66 and is also evident that it lies outside the road reserve on adjoining land. Adjoining Lot 21 DP 1177193 is identified in blue and forms the second lot in the boundary adjustment.



Our Environment No. 10 Cont...

Proposed Lot Layout

Below is a copy of the approved subdivision plan;



COUNCIL IMPLICATIONS:

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

2. Policy and Regulation

- Section 2 of Council's adopted Road Network Management Plan requires the developer to be responsible to the correct gazettal of the road.
- Should Council be of a mind to remove the condition, the applicant will be required to lodge a formal Modification of Consent application to have the condition removed, to ensure that the development consent accurately reflects Council's resolution.

Our Environment No. 10 Cont...

3. Financial (Annual Budget & LTFP)

No implications if the condition remains.

4. Asset Management (AMS)

No implications.

5. Workforce (WMS)

No implications.

6. Legal and Risk Management

No implications.

7. Performance Measures

No implications.

8. Project Management

No implications.

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:	There are no attachments for this report.

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Planning & Development Services
Reference:	ITEM ENV11/20
Subject:	STRONGER COUNTRY COMMUNITY FUND - VILLAGE SIGNS

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Environment - ENVO 9 - Our natural environment will be protected, enhanced and promoted for future generations.
CSP Strategy:	Town and Village planning supports and enhances local place making principles and practice celebrating the diversity of our natural environment.
CSP Delivery Program	Identify, plan and enhance local environments in partnership with the community and stakeholders.

SUMMARY

The purpose of this report is to recommend to Council the preferred option for village signs style for the villages of Drake, Urbenville, Jennings, Liston, Legume, Mingoola and Torrington.

OFFICER'S RECOMMENDATION:

That Council:

- (1) **Proceed with the adoption of Concept B for the Village Entrance signs; and**
- (2) **Incorporate changes as per the second round of consultation for the final designs as detailed in the report.**
- (3) **Utilise the principles of Concept B for basis of the new Shire entry signs in a future project;**

BACKGROUND

Design, manufacture, construction and installation of the signs is fully funded by the NSW Government under the Stronger Country Communities Fund. Two separate rounds of community consultation has been undertaken, with initial concept designs amended following the first round of consultation undertaken between February and April 2020. Given pending deadlines for acquittal of the funding, installation will need to be carried out prior to October 2020 and manufacturing of signs must commence as soon as possible.

Community engagement for the project has been completed and identified a community preference for Concept B while identifying a number of additional concepts community members would like to see incorporated into their designs.

Further consultation with those villages seeking amendments to the design was undertaken and final designs for four (4) villages have been completed. Three (3) village entrance signs are to have modifications.

In 2017 Council received funding from the Stronger Country Communities Fund to assist the Shire's seven (7) villages in attracting new resident and greater visitor numbers.

Our Environment No. 11 Cont...

The villages of Jennings, Drake, Mingoola, Liston, Legume, Urbenville and Torrington will receive new village entry signage.

Armsign Design & Sign Construction Company was engaged to develop several different concept designs and these concepts have been shared with the community and key stakeholders for feedback and comments. The signs are required to meet certain technical specifications due to their positioning adjacent to the public road network and have been designed as such.

Council will then incorporate this feedback into the final designs of the signage after which, production will commence to meet the Stronger Country Communities Fund October 2020 deadline.

All timeframes for the project have been determined by the funding requirements.

REPORT:

The project was initially placed on exhibition from 27 February to the close of business 14 April 2020.

Community engagement over the exhibition period included:

- Council's digital engagement platform – Engagement Hub;
- Distributing information and feedback packs out to each of the village progress associations (mailed); and
- Presentation of the design concept at a number of key stakeholder meetings.

Council's online platform gave the opportunity for all members of the community to view the concept designs and provide feedback, whilst the packs sent out gave the opportunity for progress associations to offer feedback as an association whilst also promoting the option of individual feedback.

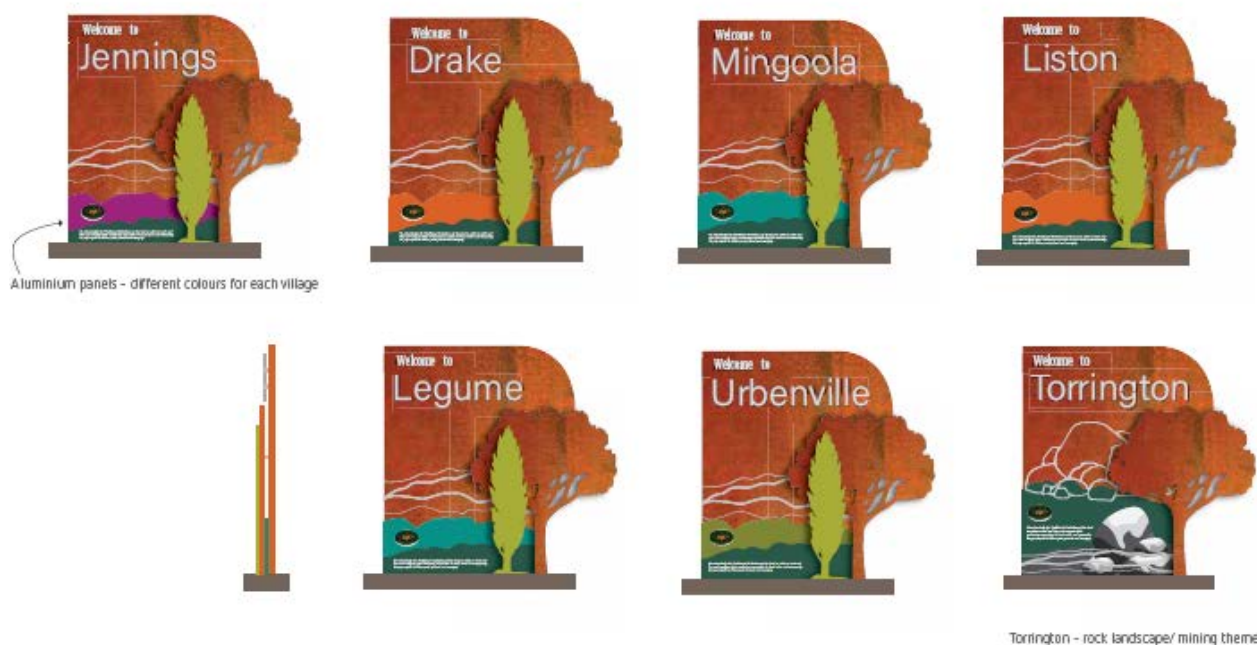
The level of stakeholders engaged was not overly high for this project and whilst this may be due to difficulty of reaching some of the Shire's more remote residents, it is also important to note that this engagement should not just be measured by the number of received submissions i.e. many community members provided feedback via their respective association.

In total there were:

- 6 feedback forms received
- 7 people used the online polling tool
- 1 person completed the online survey
- 1 person submitted an online submission.

Below are the original concept styles and it is recommended that the design utilised for the villages also be adopted for future entrance signs to the Shire and Tenterfield itself to ensure some degree of identity throughout the Shire for visitors and residents alike.

Our Environment No. 11 Cont...

**Concept A – not preferred****Concept B – preferred style**

Communities were also asked to identify the preferred location for the signs in the feedback forms. Final locations will be based on the preferred location, subject to that location meeting required safety provisions for their location beside the road.

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

Council's digital engagement online platform was utilised to display the concept designs and, all relevant project documentation. This was also the key method used by the community to lodge feedback and comments about the concept designs.

The project was exhibited from the 27 February, 2020 until the 14 April, 2020.

Our Environment No. 11 Cont...

Additionally, printed information packs including concept designs, other relevant project information and a feedback forms were distributed (and available) at relevant community halls and progress associations.

Other methods used to promote this exhibition and receiving feedback included:

- Publishing project information in the Your Local News newsletter.
- Presenting the designs to various stakeholders at meetings
 - o Aboriginal Advisory Committee Meeting.
 - o Heritage Advisory Committee Meeting.

A summary of feedback and comments received over the exhibition period are:

Jennings

- Support for Concept B, Option C.
- Preferred location is where the NSW signs are currently located.
- To incorporate the border gate into signs.
- Landscaping under sign on New England Highway.

Drake

- No option identified
- Preferred location was "just after the Long Gully turn off into Drake, as you come out of the village going west to Tenterfield, as you leave the 50 kph signage"

Mingoola

- Preferred Concept B however raised concern the appropriateness for using the poplar tree.
- Preferred location - corner of Bruxner Highway and Road into school/hall.

Liston

- Preferred Concept B, option C.
- Preferred location: where the current village entry signage is located.
- An alternative concept also included.

Torrington

- Preferred Concept B with the rock landscape/mining theme.
- Preferred location: near the grid at the Stannum & Torrington Road.

Legume

- No preference provided; the Legume Progress Association does not believe the proposed concepts reflect their area; an alternative concept was included

Urbenville

- No preference provided however a different concept was offered with the suggestion Council can incorporate elements of this concept into the final sign design.

Our Environment No. 11 Cont...

Other feedback from the website had the majority of support for Concept B, however there were some elements that they would like to see changed. Liston and Urbenville have submitted their own designs.

Sign design incorporating community feedback

Comments received during the initial round of consultation resulted in modified designs as per the below;



The above designs were created taking in to account the feedback received during the first round of consultation as detailed below in 'Community Engagement.' The above designs were again forwarded (via email) to the progress and hall associations who sought variations. Comments received indicated the following;

Jennings – changes acceptable

Torrington – no changes – original sign concept acceptable

Urbenville – changes acceptable

Liston – no response – assume changes acceptable

Drake – changes not acceptable – removal of cattle and scene

Mingoola – one support and one not supporting – suggest remove wheat and instead insert hay bales in fields, pecan tree – these features can be incorporated.

Legume – changes not acceptable – Legume community prefer to have their own design as per below, which will be manufactured and added to the sign to integrate in to the base structure.

Our Environment No. 11 Cont...



2. Policy and Regulation

- No implications.

3. Financial (Annual Budget & LTFP)

No implications. The funding for the signs has been provided under the Stronger Country Communities Fund, with all design, constructions and installation covered by the allocated amount for each village. All signs are on target to meet the budget allocation.

4. Asset Management (AMS)

The signs will become an asset of Council.

5. Workforce (WMS)

The community engagement for this project was developed with the assistance of Matthew Salamone from The City of Canterbury- Bankstown. Matthew's assistance was part of the Local Government Bushfire Recovery Support Group, which allowed the project to meet deadlines whilst Council staff continued bushfire recovery related work.

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:

There are no attachments for this report.

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM ENV12/20
Subject:	DEFERRED NOTICE OF MOTION - NATIONAL PARKS IN TENTERFIELD SHIRE LOCAL GOVERNMENT AREA

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Environment - ENVO 10 - Environmental risks and impacts are strategically managed.
CSP Strategy:	We are prepared, resourced and educated as a community to deal with natural disasters such as bushfires, storm and flood events.
CSP Delivery Program	Review and ensure the integration of Council current studies and plans into strategic land use planning and operational planning documents and policies to support our emergency management function.

SUMMARY

The purpose of this report is to bring forward deferred Notice of Motion – National Parks in Tenterfield Shire Local Government Area, put forward at the Ordinary Council Meeting of 26 February 2020 by Cr Gary Verri.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Invite Mr Darren Pitt, Manager, Northern Tablelands Area, National Parks & Wildlife Service to address Council at the first opportunity once COVID-19 restrictions are relaxed.**
- (2) Reconsider the Notice of Motion following Mr Pitt's address.**

BACKGROUND

Cr Gary Verri put forward the following Notice of Motion at the February 2020 Ordinary Council Meeting.

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.*

Council amended the proposed Notice of Motion as follows:

Resolution 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.

Our Environment No. 12 Cont....

REPORT:

Following the meeting, Council wrote to National Parks & Wildlife Service (NPWS) (copy attached) and a response was received early May 2020 (copy attached).

The attached map shows the administrative boundaries between NPWS Northern Tablelands Area, including the towns of Glen Innes and Tenterfield, and the Richmond River Area which incorporates the towns of Kyogle and Urbenville. The boundary was last adjusted in 2017 at the time Cataract National Park was incorporated into the Northern Tablelands Area.

At the time it was considered that the northern national parks such as Koreelah and Tooloom which are serviced from the NPWS depot at Urbenville, were too far from the Tenterfield NPWS office to be managed effectively.

At this point no review of administrative boundaries is under consideration.

Regarding item (b) of the Notice of Motion, NPWS advises that the Northern Tablelands Area is part of the NPWS Northern Inland Branch which has a statutory Regional Advisory Committee (RAC) made up of community representatives which act as a conduit between NPWS and the community.

Mr Darren Pitt, Manager, Northern Tablelands Area has indicated he would be happy to present to a future Council meeting on NPWS operations and activities within the Shire.

COUNCIL IMPLICATIONS:

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

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.

Our Environment No. 12 Cont....

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:	1 Council's Request for Information	1 Page
	2 Response - National Parks & Wildlife Service	1 Page



Birthplace of Our Nation

6 April 2020
OCR20203431

Mr Michael Lieberman
National Parks & Wildlife Service
10 Miles Street
TENTERFIELD NSW 2372

Email: npws.ntab@environment.nsw.gov.au

Dear Mr Lieberman

Re: Request for Information – Proposed Notice of Motion

At the February 2020 Ordinary Council Meeting, a Notice of Motion was proposed as follows:

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

- (a) *That all 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.*

Council resolved to defer this item to the next Ordinary Council Meeting and seek advice from National Parks & Wildlife Service as to the management of National Parks in Tenterfield Local Government Area (ie are all Parks managed from the Tenterfield Office) and if not, what would be required to bring their management into the one area.

Council's next Ordinary Council Meeting is scheduled for Wednesday, 22 April 2020. It would be appreciated if a response could be provided by this date, however Council is understanding of the new work conditions imposed by the COVID-19 regulations.

Yours sincerely

Terry Dodds
Chief Executive

All correspondence should be addressed to:

Chief Executive
Tenterfield Shire Council

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ABN: 85 010 810 083



5 May 2020
DOC20/335388

Mr Terry Dodds
Chief Executive
Tenterfield Shire Council
PO Box 214
TENTERFIELD NSW 2372

E: council@tenterfield.nsw.gov.au

Dear Mr Dodds

Thank you for your correspondence dated 6 April 2020 relating to national parks in the Tenterfield Local Government Area (LGA). Your correspondence raised the issues that all national parks in the Tenterfield Shire LGA should be managed from our Tenterfield office; and that a local management committee be formed to manage these national parks.

I have attached a map that shows the administrative boundaries between National Parks and Wildlife Service (NPWS) Northern Tablelands Area which includes the towns of Glen Innes and Tenterfield, and the Richmond River Area which incorporates the towns of Kyogle and Urbenville. The boundary between Northern Tablelands Area and Richmond River Area was last adjusted in 2017 at which time Cataract National Park was incorporated into Northern Tablelands Area. At the time it was considered that the national parks such as Koreelah and Tooloom, which are serviced from the NPWS depot at Urbenville, were too far from the Tenterfield NPWS office to be managed effectively. At this point, a review of administrative boundaries is not under consideration.

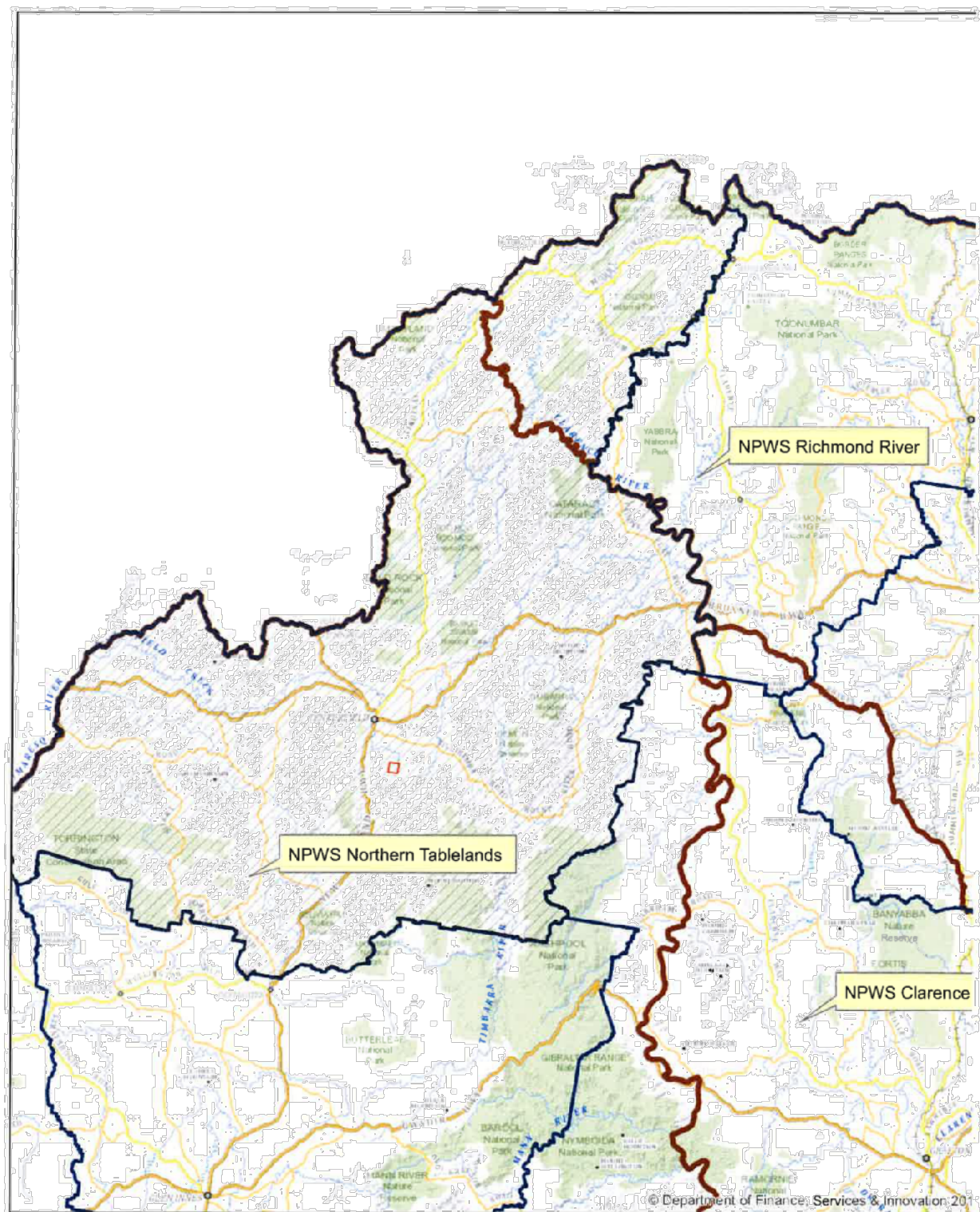
In relation to your second point, the Northern Tablelands Area is part of NPWS Northern Inland Branch which has a statutory regional advisory committee (RAC) made up of community representatives which act as a conduit between NPWS and the community. The Northern Inland RAC can be contacted through the chair, Bryan Johnston, at bryan.johnston@bigpond.com.

In addition, I would be pleased to present at a future council meeting on NPWS' operations and activities within the shire and to respond to any questions from the council or councillors. Please let me know if this is something you would like me to do. I can be contacted at darren.pitt@environment.nsw.gov.au or on 0427 212 255.

Yours sincerely

DARREN PITT
Manager, Northern Tablelands Area
National Parks and Wildlife Service

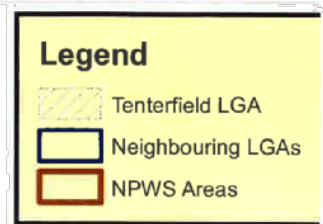
PO Box 281, Glen Innes NSW 2370
68 Church Street, Glen Innes NSW 2370
Tel: (02) 6739 0713
ABN 20 770 707 468
www.nationalparks.nsw.gov.au



NPWS and Local Govt Areas



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Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV24/20
Subject:	MONTHLY OPERATIONAL REPORT - MARCH/APRIL 2020

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.
CSP Strategy:	Council's decision making processes are open, accountable and based on sound integrated planning.
CSP Delivery Program	Promote and support community involvement in Council decision making process.

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.

OFFICER'S RECOMMENDATION:

That Council receives and notes the status of the Monthly Operational Report for March/April 2020.

REPORT:

Council's Monthly Operational Report format will be changing from February 2020, with reports using the CAMMS Strategy Integrated Planning and Reporting program.

Council staff have been working with CAMMS to ensure the new reporting format has a comparable look and level of detail as the previous manually generated reporting format. The CAMMS program will also streamline all of Council's Integrated Planning and Report requirements, through automation of updates and ease of reporting to the community.

Due to COVID-19 restrictions, the March 2020 Ordinary Council Meeting was cancelled and due to ongoing developments with the CAMMS software, no Monthly Operational Report was provided for the April 2020 Meeting. Hence this report covers the period February 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:	1 Attachment 2 (Attachment Booklet 172 2) - Monthly Operational Report - Pages February/March/April 2020

Department:	Office of the Chief Executive
Submitted by:	Human Resources Co-Ordinator
Reference:	ITEM GOV25/20
Subject:	DRAFT AMENDED EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN - 2020-2024

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan.
CSP Strategy:	Council fosters a strong organisational culture which strives for best practice in all operations with a supportive corporate governance framework.
CSP Delivery Program	Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available to decision makers.

SUMMARY

The purpose of this report is for Council to adopt the draft amended, and updated, Equal Employment Opportunity Management Plan for the period 2020-2024.

OFFICER'S RECOMMENDATION:

That Council adopts the draft amended Equal Employment Opportunity Management Plan for 2020 to 2024.

BACKGROUND

Council instruments communicate decisions and directions for pursuing specific goals. Regular reviews of Council documents are required, to maintain currency of decisions and directions, and to ensure that Council is delivering desired outcomes.

The Equal Employment Opportunity Management Plan (EEO) contains position titles no longer in use, and is updated to reflect current Policy change.

Predominately, Council needs to reaffirm that it will comply with EEO requirements.

REPORT:

Council has had in place an Equal Employment Opportunity Management Plan 2014 – 2018. Application of this Plan continued throughout 2019, because it reflected legislative compliance. Compliance is demonstrated through current gender balance within the organisation, constrained by limited gender interest in particular professions, e.g. outdoor trades.

Some progress has been made in provision of positions for promotion of indigenous personnel.

Opportunities to attract those with a different nationality, have been taken.

A number of significant achievements in employment for those with cognitive disability have been made.

Our Governance No. 25 Cont...

Government programs to advance employment opportunity amongst young people and mature aged have been utilised.

The Management Plan has been reviewed and updated. Procedures in the 2014-2018 Plan have been removed to ensure greater Plan clarity, and separate operational processes from the strategic issues involved in the Plan.

COUNCIL IMPLICATIONS:

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

2. Policy and Regulation
The following Plan has been amended:

- Equal Employment Opportunity Plan 2014-2018

3. Financial (Annual Budget & LTFP)
Nil.

4. Asset Management (AMS)
Nil.

5. Workforce (WMS)
Employees will be advised of the amended Equal Employment Opportunity Management Plan 2020-2024 once adopted.

6. Legal and Risk Management
Nil.

7. Performance Measures
Nil.

8. Project Management
Nil.

Terry Dodds
Chief Executive

Prepared by staff member:	Janet Vassallo	
Approved/Reviewed by Manager:	Terry Dodds, Chief Executive	
Department:	Office of the Chief Executive	
Attachments:	1 Attachment ?? (Attachment Booklet ??) - Draft Amended Equal Employment Opportunity Management Plan 2020-2024	17 Pages

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV26/20
Subject:	QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2020

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

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council adopts the March 2020 Quarterly Budget Review Statement.

BACKGROUND

Regulation 203 of the Regulation states that:

- (1) Not later than two months after the end of each quarter (except the June quarter), the Responsible Accounting Officer of a Council must prepare and submit to the Council a Budget Review Statement that shows, by reference to the estimate of income and expenditure set out in the statement of the Council's Revenue Policy included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A Budget Review Statement must include or be accompanied by:
 - (a) a report as to whether or not the Responsible Accounting Officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure, and
 - (b) if that position is unsatisfactory, recommendations for remedial action.
- (3) A Budget Review Statement must also include any information required by the Code to be included in such a statement.

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

Our Governance No. 26 Cont...

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

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

REPORT:

The original budget adopted by Council indicated that the Net Operating Surplus at the end of the 2019/20 financial year was expected to be \$23,993,887 (including Capital Grants and Contributions). This was based on budgeted total operating revenue of \$45,425,161 and budgeted total operating expenditure of \$21,431,274.

The effect of the approved budget changes for the September 2019 quarter of additional \$1,462,248 resulted in an increase to the bottom line projected Net Operating Surplus to \$25,456,135.

In the December 2019 quarterly budget review, the net effect of changes made has resulted in an increase to the projected surplus from the September 2019 Quarterly Budget Review of \$110,763 to \$25,566,898 when capital grants and contributions are included (\$933,076 when capital grants and contributions are excluded).

The minor change from the September 2019 Quarterly Budget Review was mainly due to an increase in Roads to Recovery funding and other operational grant income which has been offset to a large extent by a reduction in income from water usage (please refer to the comment on the Water Fund below).

The December 2019 Quarterly Budget Review indicates that overall, Council is in a good position in respect of actual expenditure to budgeted expenditure with the caveat being the Water Fund. The net operating result after excluding Capital Income remains on par with the September Quarterly Budget review estimate.

The March review shows a deterioration in Council's expected end of year position mainly due to revised depreciation figures. There is now expected to be a minor underlying deficit of approximately \$114,185.

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

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

$$\frac{\text{Total Continuing Operating Revenue (excluding Capital grants and contributions)} - \text{Operating Expenses}}{\text{Total Continuing Operating Revenue}}$$

Total Continuing Operating Revenue

Council originally budgeted for a positive Operating Ratio (surplus) both including and excluding Capital income of 52.82% percent and 6.75% percent respectively.

Our Governance No. 26 Cont...

This changed in the September 2019 Quarterly Budget Review to 53.76% and 3.99% respectively and the December Quarterly Budget Review is on par with the September Quarterly Budget Review estimate and was 53.66% and 4.05% respectively. The revised figures for this March review are 49.5% and -0.46% respectively

Water Fund

Due to the drought and water restrictions there has been a significant reduction to operating income as a result of the decrease in water consumption and the maintaining of fees at the standpipe at 2017/18 levels.

Based on the Original Budget, the Water Fund had been expected to make a surplus of \$507,906 excluding capital grants and contributions, however based on figures to the end of March 2020, this is expected to now result in a deficit excluding capital grants and contributions of **(\$389,00)**.

Cash and Investment Review:

The cash and investment review provides an estimate of the current internal and external restrictions on Council's invested funds. These are not fully determined until the end of the Financial Year and these figures were updated in the September Quarterly Budget Review to reflect updates that were made in the Financial Statements as at 30 June 2019.

The report also includes a reconciliation of Council's cash and investments on hand as at 31 March 2020.

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

Further, a declaration as to the preparation of bank reconciliations is also required. Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the December 2019 quarter occurred on 15 April 2020.

Capital Budget Review:

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

This review proposes to increase Capital Works Expenditure by \$431K in this review, mainly due to an increase the Drought Augmentation New Bore Project of \$573K which has been offset slightly by reductions to some other capital works projects.

Contracts:

The Reporting Framework requires the identification of contracts entered into in the preceding quarter, which exceed specified expenditure limits. The limit for reporting contracts in the QBRS is one percent (1%) of revenue from continuing operations, or \$50,000, whichever is less. Nothing to report in this area for this quarter.

Our Governance No. 26 Cont...

Consultancy and Legal Expenses:

The current expenditure to 31 March 2020 on qualifying consultancies and legal fees are identified in the QBRS and this expenditure is budgeted for and, given the size and nature of Council's operations, is considered reasonable.

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

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

3. Financial (Annual Budget & LTFFP)

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

The March Quarterly Budget Review has seen the Operating Surplus be revised to \$24,519,637 (including capital grants) and **-\$114,185** (excluding capital grants).

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

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

7. Performance Measures

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

8. Project Management

Nil.

Kylie Smith
Chief Corporate Officer

Our Governance No. 26 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 Quarterly Budget Review as at 31 March 2020	9 Pages

Tenterfield Shire Council

Budget review for the quarter ended - 31 March 2020

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for the Tenterfield Shire Council for the quarter ended 31 March 2020 indicates that Council's projected financial position at 30 June 2020 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: 

Responsible Accounting Officer

Date: 19/5/2020

Tenterfield Shire Council							
Budget Statement for the year ended - 31 March 2020							
Income and Expenditure Review by Function							
	Original Budget 2019/20	APPROVED Changes September Review	APPROVED Changes Dec Review	Recommended Changes March Review	REVISED Budget	PROJECTED year end Result 2019/20	ACTUAL YTD as at 31/03/20
	\$	\$	\$	\$	\$	\$	\$
Income							
Civic Office							
Organisation and Leadership							
Community Development	1,461	3,750		235,190	240,401	240,401	342,426
Economic Growth and Tourism	27,559			534,477	562,036	562,036	553,982
Theatre and Museum Complex	167,966	42,000			209,966		130,538
Finance and Technology	10,045,969	(386,543)		(1,647,222)	8,011,904	8,011,904	6,436,418
Corporate and Governance	1,500				1,500		3,196
Workforce Development	66,040	23,341			89,381	89,381	135,888
Library Services	46,938	45,256			92,193	92,193	85,582
Emergency Services	233,800	10,994			244,794	244,794	599,869
Asset Management and Resourcing	3,763				3,763		5,430
Commercial Works	141,000				141,000	141,000	115,454
Environmental Management	820,849	69,000			889,849	889,849	9,353
Planning and Regulation	291,500	195,657			487,157	487,157	255,625
Plant, Fleet and Equipment	90,000				90,000	90,000	54,236
Building and Amenities	124,050	516,094	50,000		690,144	690,144	186,584
Livestock Saleyards	691,806	(49,500)			642,306	642,306	80,286
Parks, Gardens and Open Space	102,121	233,846	29,890	125,000	490,857	490,857	396,448
Swimming Complex			10,000		10,000	10,000	10,000
Transport Network	17,469,085	1,214,527	816,821	1,667,222	21,187,655	21,187,655	4,386,173
Stormwater and Drainage	72,662				72,662	72,662	72,557
Sewerage Services	2,638,517	(99,352)			2,539,165	2,539,165	2,560,317
Waste Management	2,603,521	105,762			2,709,283	2,709,283	2,743,466
Water Supply	9,755,354		(608,806)	973,000	10,129,546	10,129,546	2,647,971
Total Income including Capital Grants & Contributions	45,425,161	1,924,831	297,903	1,887,667	49,535,562	49,535,562	21,605,799
Expenses							
Civic Office	279,113	109,276		(73,200)	315,189	315,189	225,899
Organisation and Leadership	1,071,262	2,500		(11,900)	1,061,862	1,061,862	710,902
Community Development	83,483	38,734		235,190	357,407	357,407	85,030
Economic Growth and Tourism	397,586	40,684		526,141	966,413	966,413	317,393
Theatre and Museum Complex	315,846	(40,684)	(5,000)	3,655	273,817	273,817	247,785
Finance and Technology	88,216	79,377	184,000	27,495	372,988	372,988	359,154
Corporate and Governance	666,285	(3,000)		(25,230)	668,055	668,055	557,358
Workforce Development	940,794	23,291		(1,000)	963,075	963,075	831,210
Library Services	475,623	(5,140)		(5,474)	465,009	465,009	335,645
Emergency Services	215,257	81,700		267,341	564,298	564,298	800,896
Asset Management and Resourcing	770,922			(39,452)	731,470	731,470	526,216
Commercial Works	100,000	10,000			110,000	110,000	76,894
Environmental Management	1,101,789	69,000		(44,633)	1,126,156	1,126,156	414,782
Planning and Regulation	528,988	126,801		(61,606)	594,183	594,183	368,240
Plant, Fleet and Equipment	(2,209,329)			1,862,224	(347,105)	(347,105)	(214,113)
Building and Amenities	1,077,073	(34,034)	85,325	(54,843)	1,073,521	1,073,521	853,604
Livestock Saleyards	400,224	(178,000)		(90,333)	131,891	131,891	102,134
Parks, Gardens and Open Space	916,938	85,325	(37,185)	208,475	1,173,553	1,173,553	774,481
Swimming Complex	297,107	(9,945)	10,000	(12,128)	219,290	219,290	139,344
Transport Network	7,799,876	33,048	(50,000)	(263,181)	7,519,743	7,519,743	6,040,421
Stormwater and Drainage	104,000			(3,080)	100,920	100,920	50,460
Sewerage Services	1,808,244	40,000		(2,419)	1,845,825	1,845,825	1,024,963
Waste Management	2,004,537	(128,213)		306,396	2,182,720	2,182,720	1,567,164
Water Supply	2,257,448	127,863		160,324	2,545,635	2,545,635	1,808,329
Total Expenses	21,431,274	462,583	187,140	2,934,928	25,015,925	25,015,925	18,024,391
Total Surplus/ (Deficit)	23,993,887	1,462,248	110,763	(1,047,261)	24,519,637	24,519,637	3,581,408
Capital Grants and Contributions	22,442,536	2,104,772	86,514	30,000	24,633,822	24,633,822	3,219,502
Net Operating Result excluding Capital Grants and Contributions	1,551,351	(642,524)	24,249	(1,077,261)	(114,185)	(114,185)	361,906
Operating Ratio (including Capital Income)	52.82%				49.50%	49.50%	16.58%
Operating Ratio (excluding Capital Income)	6.75%				-0.46%	-0.46%	1.97%

Notes:

ORIGINAL Budget +/- approved budget changes in previous quarters = REVISED Budget
 REVISED Budget +/- recommended changes this quarter = PROJECTED year end result

Recommended changes to original budget Budget Variations - Explanations		
Recommended Income Variations this Quarter	(000's)	Explanation:
Community Development	235	Increase of 237,192 due to National Bushfire Recovery Grants; Community Groups & Events; Decrease of 2,000 due to cancellation of Grandparents Day and grant funds returned
Economic Growth and Tourism	534	Increase of 534,477 due to National Bushfire Recovery Grant Tourism Stimulus
Finance and Technology	(1,647)	Move roads component of 1,647,222 Financial Assistance Grant to Transport
Parks, Gardens and Open Space	125	Increase of 125,000 due to National Bushfire Recovery Grant - Dead tree removal and Village approach improvements
Transport Network	1,667	Roads component of Financial Assistance Grant moved from Finance and Technology Service; Increase of 20,000 due to National Bushfire Recovery Grant - Paddy's Flat Tank Traps Vehicle Layby
Water Supply	973	Increase for the Drought Augmentation Income
Total Recommended Income Variations this Quarter	1,887	
Recommended Expenditure Variations this Quarter	(000's)	Explanation:
Civic Office	(73)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure
Organisation Leadership	(12)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure
Community Development	235	Increase of 237,192 due to National Bushfire Recovery Grants; Community Groups & Events; Decrease of 2,000 due to cancellation of Grandparents Day and grant funds returned
Economic Growth and Tourism	528	Increase due to tourism stimulus recovery grants, tourism Stimulus, reduction of various expenditure to bring budget in line with actuals and an increase in depreciation of 15,664
Theatre and Museum	4	Increase in Depreciation
Library	(5)	Decrease of 3,500 in Library travel and a decrease in Depreciation of 1,974
Asset Management	(39)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure and an increase of 3,548 in depreciation
Finance and Technology	27	Depreciation of 40,000 for Technology; Intangibles added; Decrease of 11,000 in salaries and wages and decrease of 2,500 in staff travel
Corporate and Governance	(25)	Decrease in Depreciation
Workforce Development	(1)	Decrease in Depreciation
Emergency Services	267	Increase to Emergency Services Levy of 264,249 and an increase in Depreciation of 3,092
Environmental Management	(44)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure
Building and Amenities	(55)	Decrease in Depreciation
Livestock Safeyards	(90)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure and a decrease in Depreciation of 32,333
Parks, Gardens and Open Space	208	Increase of 125,000 due to National Bushfire Recovery Grant - Dead tree removal and Village approach improvements and an increase in Depreciation of 83,475
Swimming Complex	12	Increase in Depreciation
Planning and Regulation	(62)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure and an increase in Depreciation of 4;
Plant, Fleet and Equipment	1,862	Increase plant adjustment from Capital Work to be in line with actuals and an increase in Depreciation of 162,224
Transport Network	(263)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure and an increase in Depreciation of 11,819
Stormwater	(3)	Decrease Depreciation
Sewerage Services	(2)	Reduction of expenditure budgets over various accounts to bring budget in line with actual expenditure and an increase in Depreciation
Waste Services	306	Increase in Depreciation
Water Supply	160	Increase in Depreciation of 160,324
Total Recommended Expenditure Variations this Quarter	2,935	

This document forms part of Tenterfield Shire Council's Quarterly Budget Review Statement for the quarter ended 31 March 2020 and should be read in conjunction with other documents in the QBR.

Capital Budget Review						
	Original Budget 2019/20	APPROVED Changes September Review	APPROVED Changes Dec Review	RECOMMENDED Changes March Review	REVISED Budget	ACTUAL YTD as at 31/03/20
	\$	\$	\$	\$	\$	\$
Capital Funding						
Rates and other unbilled funding	8,138,684				8,138,684	
Capital Grants & Contributions	22,442,536	2,184,772	86,514	30,000	24,663,822	3,219,582
Restrictions*		3,168,952	112,941		3,281,893	3,168,952
Other Capital Funding Sources e.g.:						
- Loans	4,180,000				4,180,000	
Income from sale of assets	2,349,171		50,000		2,399,171	1,759,198
Total Capital Funding	37,110,391	5,273,724	249,455	30,000	42,683,570	8,141,652
Capital Expenditure						
New Assets						
CHIEF EXECUTIVE OFFICE						
- Civic Office						
- Organisational Leadership	20,000	31,342	(25,200)		26,142	9,089
- Community Development						
- Economic Growth and Tourism						
- Theatre and Museum Complex						
- Workforce Development		10,000			10,000	
- Library Services	25,274				25,274	11,352
- Emergency Services	98,000	(80,000)				
CHIEF CORPORATE OFFICE						
- Finance and Technology	150,000	208,123			358,123	42,120
- Corporate and Governance	53,000				53,000	103,488
- Environmental Management						
- Planning and Regulation		567,008			567,008	32,923
- Building and Amenities						
- Livestock Safeyards	1,241,097	145,657			1,386,754	5,345
- Parks, Gardens and Open Spaces	89,500	80,935			170,435	89,502
- Swimming Complex	20,000				20,000	
CHIEF OPERATING OFFICE						
- Asset Management and Resourcing	150,000	14,900	(130,000)		44,900	15,100
- Commercial Work						
- Plant, Fleet and Equipment						
- Transportation Network						
WASTE MANAGEMENT	798,000	229,713	(270,000)	(82,000)	675,713	59,074
WATER NETWORK	8,371,500	405,000		573,000	10,349,500	3,072,306
SEWERAGE NETWORK	18,000	4,251			20,251	
STORMWATER NETWORK						
Renewals (Replacement)						
CHIEF EXECUTIVE OFFICE						
- Civic Office						
- Organisational Leadership						
- Community Development						
- Economic Growth and Tourism	34,000	14,710			48,710	3,424
- Theatre and Museum Complex		325,890	5,000	(22,489)	308,401	271,817
- Workforce Development						
- Library Services	16,390	54,330			70,720	12,662
- Emergency Services		200,000			200,000	42,056
CHIEF CORPORATE OFFICE						
- Finance and Technology	358,600		(40,000)		318,600	362,519
- Corporate and Governance						
- Environmental Management						
- Planning and Regulation						
- Building and Amenities	1,223,000	1,134,300	628,589		2,985,889	284,368
- Livestock Safeyards	28,000	5,274			33,274	16,294
- Parks, Gardens and Open Spaces	125,663	343,151		(48,401)	420,353	231,416
- Swimming Complex	121,000	12,286			133,286	6,560
CHIEF OPERATING OFFICE						
- Asset Management and Resourcing		497,250	20,000		517,250	34,996
- Commercial Work						
- Plant, Fleet and Equipment	1,406,082	840,932	17,250		2,264,264	677,512
- Transportation Network	19,580,564	1,710,016	631,034	(20,000)	21,902,014	3,773,741
WASTE MANAGEMENT	193,000	63,959		31,700	290,659	6,837
WATER NETWORK	298,300	96,252			394,552	354,593
SEWERAGE NETWORK	617,700	203,776		(2,000)	819,476	186,741
STORMWATER NETWORK	265,000				265,000	
Loan Repayments (principal)	797,521	(27,757)			769,764	468,346
Total Capital Expenditure	37,110,391	7,080,758	846,673	429,800	45,467,622	10,132,406

* Some restricted cash is treated as part of the end of year Financial Statement Process

Proposed Expenditure Variations (000's)

New Assets

- Water Supply 573

- Waste (82)

Total New Asset Budget Adjustments 491

Renewal Assets

- Theatre and Museum Complex (22)

- Parks, Gardens and Open Spaces (48)

- Transportation Network (20)

- Waste 32

- Sewerage (2)

Total Renewal Asset Budget Adjustments (60)

Total Proposed Expenditure Variations 431

Drought Augmentation - New Bore

Removal of Telford Facilities Storage Storage (and fill) 17,000 removal of Boreas Boreas New Office 10,000 and removal of Telford WTS (S.S. Return to Landfill 50,000)

Reduction of budget due to Theatre Air conditioning project being completed for less than budgeted amount

Removal of Streetscapes, Signage Revitalisation

Increase National Bushfire Grant - Vehicle Trap Layout 20,000, RMS street lighting review 10,000 and decrease of 50,000 Footpath works

Boreas Boreas Environmental Improvements grant 31,700

Removal of debris from Jennings

This document forms part of Telford & Ebor Council's Quarterly Budget Review Statement for the quarter ended 31 March 2021 and should be read in conjunction with other documents in the GBRS

Budget Statement for the year ended - 31 March 2020									
Cash and Investment Review									
	Opening Balance 30/06/2019 from Audited Financial Statements	APPROVED Changes September Review	APPROVED Changes December Review	Recommended Changes March Review	REVISED Balance	PROJECTED year-end Result 2019/20	Closing Balance 31/03/2020		
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		
Externally restricted									
NWPS Advance (included in liabilities)	181	(181)							
Unspent LRS Loan Funds (included in liabilities)	92	(92)							
Developer Contributions General	89								
Specific Purpose Unexpended Grants	2,833								
Water Supplies	2,191								
Sewerage Services	2,788	(400)							
Domestic Waste Management	501								
Stormwater Management	549								
Bruiser Way Roadworks (RMS)	694	(694)							
Total Externally restricted	9,918	(1,367)			8,551	8,551	8,551		
Internally restricted									
Plant & Vehicle Replacement	2,946	(841)	(20)						
Employees Leave Entitlements	594								
Capital Commitments	861	(861)							
Grant funding for general purposes	200								
Gravel Quarry Rehabilitation	233								
International Town Partnerships	10								
Roads & Bridges	550								
Special Projects	1,606	(100)							
Operating Commitments	221	(221)							
Carry forward Projects from 2018/19	882								
Historical Reserves	67								
Total Internally restricted	8,170	(2,023)	93	(2,056)	4,184	4,184	4,184		
Total Restricted	18,088	(3,390)	93	(2,056)	12,735	12,735	12,735		
Available Cash (Unrestricted Funds)	181				181	181	181		
Total Cash and Investments	18,269	(3,390)	93		12,916	12,916	15,674		

Notes:

The available cash position excludes restricted funds. External restrictions are funds that must be spent for a specific purpose and cannot be used by council for general operations. Internal restrictions are funds that council has determined will be used for a specific future purpose. Internal and external restrictions are not deemed fully until after year end.

ORIGINAL Budget +/- approved budget changes in previous quarters = REVISED Budget
 REVISED Budget +/- recommended changes this quarter = PROJECTED year end result

NOTE: Explanations are to be in plain English and in a style easily understood by readers of non-financial information. This narrative is important in understanding why budget changes are necessary.

Comment on Cash and Investments Position

Some restricted cash is finalised as part of the end of year Financial Statement Process. Council's Cash and Investments are performing within anticipated parameters.

Recommended Changes to Revised Budget

Include: an explanation for recommended changes and any impact on Council's original management plan/operational plan/delivery program or LTPP; any impacts of YTD expenditure on recommended changes to the budget. All changes required are in respect of the variations detailed in both the Capital budget and the Income and Expenditure Review

Certification regarding Investments and Bank Reconciliations

Investments

It is hereby certified that all investments listed below have been made in accordance with the requirements of the Local Government Act 1993, (Section 625), the companion Regulations and Council's Investment Policy:

Cash

Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the March quarter occurred on 15 April 2020.

Cash Book Reconciliation

\$

Operating Cash balance as at 31 March 2020	5,994,902.07
Trust Account Cash balance as at 31 March 2020	313,266.50
Total Cash (Not Invested) as at 31 March 2020	6,308,168.57

Reconciliation

The YTD total Cash and Investments has been reconciled with funds invested and cash at bank:

Financial Institution		Interest	Maturity Date
National Australia Bank	5,000,000.00 AA+	1.60%	27/04/2020
Commonwealth Bank	3,000,000.00 AA+	1.077%	30/04/2020
Commonwealth Bank (At Call)	1,368,250.13 AA+	1.075%	
TOTAL INVESTMENTS	9,368,250.13		
TOTAL CASH ON HAND	6,308,168.57		
TOTAL CASH AND INVESTMENTS	15,676,418.70		

This document forms part of Penfolds State Council's Quarterly Budget Review Statement for the quarter ended 31 March 2020 and should be read in conjunction with other documents in the CBS.

Budget review for the quarter ended - 31 March 2020

[illegible]

1. Minimum reporting level is 1% of estimated income from continuing operations or \$50,000 whichever is the lesser.²
2. Contracts to be listed are those entered into during the quarter and have yet to be fully performed (excluding contractors that are on Council's preferred supplier list).³
3. Contracts for employment are not required to be included.²
4. Where a contract for services etc was not included in the budget, an explanation is to be given (or reference made to an explanation in another Budget Review Statement).³

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Tenterfield Shire Council		
Budget review for the quarter ended - 31 March 2020		
Consultancy and Legal Fees		
Expense	Expenditure YTD \$'000	Budgeted (Y/N)
Consultancies	107,917	Y
Legal Fees	72,052	Y

Definition of consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

NOTES:

* Both Legal Fees and Consultancy fees are in line with expectations. A large proportion of the legal fees are recoverable.

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV27/20
Subject:	FINANCE & ACCOUNTS - PERIOD ENDED 30 APRIL 2020

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council receive and note the Finance and Accounts Report for the period ended 30 April 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 30 April 2020.

Cash Book Balances on this date were as follows: -

General (Consolidated)	\$3,202,034.76	Credit
General Trust	\$ 313,266.50	Credit

Our Governance No. 27 Cont...

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 30 April 2020 showing the various invested amounts and applicable interest rates.

BankWest is no longer accepting investments, as a result there are only financial institutions that Council has investments with, temporarily placing Council outside of the percentages for investments with any one financial institution as per Council's investment policy. The Policy will be reviewed and updated for the June Council meeting which will rectify this situation.

Concealed Water Leakage Concession Policy Update

For the month of April 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. 27 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 30 April 2020	1 Page

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 30 APRIL 2020

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
NAB	AA-	30 Days	27-May-20	0.45%	4,000,000.00	47.81%
<u>TOTAL NAB INVESTMENTS</u>					<u>4,000,000.00</u>	<u>47.81%</u>
Commonwealth Bank	AA-	At Call		0.75%	1,366,250.13	16.33%
Commonwealth Bank	AA-	1 Month	01-Jun-20	0.52%	3,000,000.00	35.86%
<u>TOTAL CBA INVESTMENTS</u>					<u>4,366,250.13</u>	<u>52.19%</u>
INVESTMENTS TOTAL					8,366,250.13	100.00%

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.

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV28/20
Subject:	CAPITAL EXPENDITURE REPORT AS AT 30 APRIL 2020

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan.
CSP Strategy:	Council is a financially sustainable organisation, delivering value services to the Community.
CSP Delivery Program	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 30 April 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. 28 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:

1	Attachment 4 (Attachment Booklet	6
	3) - Capital Expenditure Report as	Pages
	at 30 April 2020	

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV29/20
Subject:	REPORT ON LOAN BALANCES

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

SUMMARY

The purpose of this report is to inform Council of its loan balances as at 31 March 2020.

OFFICER'S RECOMMENDATION:

That Council notes the loan balance as at 31 March 2020 was \$9,586.841.37 (\$9,686,310.92 as at 31 December 2019).

BACKGROUND

Council resolved at its meeting on 24 August, 2011 (Resolution 380/11) that a report be provided every three (3) months summarizing Council's debt levels and that the report should include the date the loan is taken out, the amount of the original loan, the current balance owing, the term of the loan, the interest rate and the payment details.

REPORT:

Loan payments are being made in accordance with the loan agreements. Council's loan balance as at 31 March 2020 was \$9,586.841.37 (\$9,686,310.92 as at 31 December 2019).

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Council's projected loan borrowings are included in the 2019/20 Operational Plan.

2. Policy and Regulation

- Section 621 of the Local Government Act allows a Council to borrow at any time for any purpose allowed under the Act subject to any restrictions imposed by the Minister in accordance with Section 624 of the Act.
- Borrowing Policy

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

Our Governance No. 29 Cont...

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 Loan Register as at 31 March 2020 1 Page

Tenterfield Shire Council
Loans Schedule
31-March-2020

Loans Details								Principal
FUND	PURPOSE	AMOUNT	OBTAINED FROM	DATE OBTAINED	DUE DATE	RATE OF INTEREST	INTERVALS AT WHICH PAYABLE	Principal Balance as at 31 March 2020
General Fund	Urbenville Medical Centre	150,000	National Australia Bank	14-05-10	14-05-20	9.20%	Half Yearly	10,715.15
General Fund	Construction of two bridges on Mt Lindsay Road	1,000,000	Commonwealth Bank of Australia	30-06-10	30-06-20	8.02%	Half Yearly	70,818.06
General Fund	Main Street Upgrade	1,200,000	National Australia Bank	25-02-15	25-02-25	3.70%	Half Yearly	654,862.01
Sewer	New Sewerage Treatment Plant	2,500,000	National Australia Bank	30-05-08	30-05-33	7.81%	Half Yearly	1,889,028.02
Water	Dam Wall Construction (1)	3,450,000	ANZ	25-05-18	25-05-38	3.95%	Half Yearly	3,274,149.05
Water	Dam Wall Construction (2)	3,051,000	CBA	05-06-19	06-06-22	2.52%	Half Yearly	2,991,906.47
Water	Urbenville Water Treatment Plant	375,000	National Australia Bank	05-02-09	05-02-33	6.47%	Half Yearly	281,654.21
Waste	Rehabilitation	1,250,000	National Australia Bank	21-12-12	21-12-22	5.45%	Quarterly	413,708.40
TOTAL								9,586,841.37

Department:	Engineering Department
Submitted by:	Engineering Administration Officer
Reference:	ITEM GOV30/20
Subject:	TRANSFER OF WEIGHTS OF LOADS ENFORCEMENT GROUP FROM NORTH EAST WEIGHTS OF LOAD GROUP TO NORTH WEST WEIGHTS OF LOAD GROUP

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Transport - TRSP 15 - We have an effective interconnected transport system that is safe, efficient and affordable for us as a community.
CSP Strategy:	We have a well-designed and functioning road network suitable for all users now and take into consideration future network consumption and demand.
CSP Delivery Program	Asset Planning, Policy and Management provide strategic direction and information to Council enabling the sustainable management of its asset portfolio as a whole.

SUMMARY

The purpose of this report is to transfer Council's Weights of Loads enforcement group to the North West Weight of Loads Group due to increasing financial costs associated with the current provider, North East Weight of Load Group.

OFFICER'S RECOMMENDATION:

That Council move to join the North West Weights of Load Group ceasing financial contributions to the North East Weight of Loads Group from 2020/2021 financial year.

BACKGROUND

Tenterfield Shire Council has been a member of the North East Weight of Loads (NEWLOG) since January 1996.

The last deed of agreement that was signed was in October 2008, which expired in July 2012. By agreement, the deed has been extended on a month to month basis, until a new MOU with RMS is executed. The MOU with RMS was initially due to expire on 30 June 2011, however RMS have advised that the previous MOU will continue to operate while funding is still being provided.

Council has been approached by the North West Weight of Loads Group to consider transferring.

REPORT:

Over the last five (5) years North East Weight of Loads Group (NEWLOG) has increased their annual member financial contribution by approximately 22% (see table below).

Name	Line Description	Invoice Amount (Ex GST)	F/Y	Increase
Ballina Shire Council	Annual Contribution to NEWLOG	\$ 23,360.00	2015/2016	

Our Governance No. 30 Cont...

Name	Line Description	Invoice Amount (Ex GST)	F/Y	Increase
Ballina Shire Council	Annual Contribution to NEWLOG 2016/17	\$ 24,178.00	2016/2017	3.502%
Ballina Shire Council	Annual Contribution to NEWLOG 2017/18	\$ 24,540.67	2017/2018	1.500%
Ballina Shire Council	Annual Contribution to NEWLOG 2018/19	\$ 28,222.00	2018/2019	15.001%
Ballina Shire Council	Annual Contribution to NEWLOG 2019/20	\$ 28,927.00	2019/2020	2.498%

According to the NEWLOG 2018/2019 financial report (attached) the distribution of financial contribution and enforcement was ...

NEWLOG		Enforcement Hours per Year		
Council	2018/2019 Contribution	State	Local	TOTAL
Lismore	\$ 38,876.00	118.6	358.7	477.3
Tweed	\$ 38,876.00	159.6	316.2	475.8
Clarence Valley	\$ 38,876.00	171.9	300.2	472.1
Ballina	\$ 34,093.00	108.5	324.8	433.3
Byron	\$ 34,093.00	137.2	278	415.2
Richmond Valley	\$ 28,222.00	175.6	223.7	399.3
Kyogle	\$ 28,222.00	186.2	203	389.2
Tenterfield	\$ 28,222.00	198.3	169.3	367.6

According to the NEWLOG monthly report as at 30 April 2020 (attached to this report), Council has received a total of 271.2 hours of enforcement, being 117.0 hours on State roads and 154.20 hours on Local roads. Taking an average of 27.12 hours per month this financial year, versus 30.63.

2019/20	YEAR TO DATE OPERATIONS REPORT				
	TENTERFIELD COUNCIL				
	Intercepts				
Load Type	State	Local	Weight check	Breach's	Compliance %
Aggregate/Sand/Soil/Gravel	36	21	57	0	100%
Bricks / Tiles	0	0	0	0	N/A
Cement	2	0	2	0	100%
Concrete	0	3	3	0	100%
Fuel	17	4	21	0	100%
General	87	29	116	2	98%
Machinery	13	16	29	0	100%
Livestock	17	8	25	0	100%
Primary produce - grain	11	5	16	2	88%
Primary produce - sugar cane	0	0	0	0	N/A
Perishable goods	2	1	3	0	100%

Our Governance No. 30 Cont...

2019/20	YEAR TO DATE OPERATIONS REPORT				
		TENTERFIELD COUNCIL			
	Intercepts				
Load Type	State	Local	Weight check	Breach's	Compliance %
Refrigerated goods	24	4	28	0	100%
Steel	2	1	3	0	100%
Timber	2	1	3	0	100%
Logs	13	5	18	1	94%
Empty	1	1	2	1	50%
Tenterfield Totals	227	99	326	6	98%

The North West Loads of Group (NWWOLG) consists of Moree Plains (Administrative Council), Dubbo Regional Council, Glen Innes Severn Council, Gunnedah, Inverell, Narrabri and Warrumbungle Councils. NWWOLG operates on a user pays system which would allow us to choose our level of enforcement giving us greater flexibility in both enforcement and budget requirements.

NWWOLG also allocates all fine income (less 5% administration costs) back to the Council where the breach occurred. NWWOLG has provided the financial comparison below.

	Member Council 1	Member Council 2	Member Council 3	Member Council 4
Net Contribution - 2019/2020 Financial Year	\$15,000.00	\$20,000.00	\$25,000.00	\$30,000.00
RMS Grant Funding - 2019/2020 Financial Year	\$29,785.00	\$29,785.00	\$29,785.00	\$29,785.00
Fine Income 5 year average	\$2,865.60	\$4,597.60	\$6,384.20	\$4,511.80
Yearly Increase to Net Contribution	Increase yearly by CPI or wage increases whichever is the greater			
Fine Income	Allocated to the Council where the breach occurred by actual date funds are received, not the date the breach was issued.			
RMS Grant Funding Contribution	First 8% towards administration costs and remainder evenly shared between all participating Councils			
Enforcement Expenditure	Enforcement costs (including legal) will be charged to the Council where the expense occurred			

Our Governance No. 30 Cont...

	Member Council 1	Member Council 2	Member Council 3	Member Council 4
Administration Cost	Administrative charge of 8% of the total expenditure (Enforcement + Legal) incurred within each of the Shires			
Accommodation Cost	Accommodation costs shared evenly between all participating Councils			
Invoice Timing	Invoiced quarterly			
Enforcement	<i>Enforcement Hours per fortnight:</i>	<i>Enforcement Hours per fortnight:</i>	<i>Enforcement Hours per fortnight:</i>	<i>Enforcement Hours per fortnight:</i>
	13 Hours	15 Hours	17 Hours	22 Hours
	<i>% of enforcement on State roads:</i>	<i>% of enforcement on State roads:</i>	<i>% of enforcement on State roads:</i>	<i>% of enforcement on State roads:</i>
	50%	50%	50%	50%
	<i>% of enforcement on Shire roads:</i>	<i>% of enforcement on Shire roads:</i>	<i>% of enforcement on Shire roads:</i>	<i>% of enforcement on Shire roads:</i>
	50%	50%	50%	50%

So to obtain the same level of enforcement as provided by NEWLOG of 30 hours per month with greater enforcement on Council roads would be a reduction in costs of approximately \$9,000.

COUNCIL IMPLICATIONS:

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

2. Policy and Regulation
• Nil.

3. Financial (Annual Budget & LTFP)
As outlined within the report.

4. Asset Management (AMS)
Nil.

5. Workforce (WMS)
Nil.

6. Legal and Risk Management
Nil.

7. Performance Measures
Nil.

8. Project Management
Nil.

Our Governance No. 30 Cont...

Fiona Keneally
Director Infrastructure

Prepared by staff member:	Kelly Pitkin	
Approved/Reviewed by Manager:	Fiona Keneally, Director Infrastructure	
Department:	Engineering Department	
Attachments:	1 NEWLOG Monthly Report as at 30 April 2020	1 Page
	2 Attachment 5 (Attachment Booklet 4) - NEWLOG Financial Statement 2018/2019	22 Pages
	3 Attachment 6 (Attachment Booklet 4) - NEWLOG Annual Report 2018/2019	12 Pages

2019/20 YEAR TO DATE OPERATIONS REPORT

TENTERFIELD COUNCIL

Intercepts						
Load Type	State	Local	Weight check	Breach's	Compliance %	
Aggregate/Sand/Soil/Gravel	36	21	57	0	100%	
Bricks / Tiles	0	0	0	0	#DIV/0!	
Cement	2	0	2	0	100%	
Concrete	0	3	3	0	100%	
Fuel	17	4	21	0	100%	
General	87	29	116	2	98%	
Machinery	13	16	29	0	100%	
Livestock	17	8	25	0	100%	
Primary produce - grain	11	5	16	2	88%	
Primary produce - sugar cane	0	0	0	0	#DIV/0!	
Perishable goods	2	1	3	0	100%	
Refrigerated goods	24	4	28	0	100%	
Steel	2	1	3	0	100%	
Timber	2	1	3	0	100%	
Logs	13	5	18	1	94%	
Empty	1	1	2	1	50%	
Tenterfield Totals	227	99	326	6	98%	

HOURS		Total Hrs
Road Type		
State		117.00
Local		154.20
TOTAL		271.20

HOURS	
Road Type	Total Hrs
State	117.00
Local	154.20
TOTAL	271.20

(ITEM RC14/20) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION - APRIL 2020 DELEGATE'S REPORT

REPORT BY:

The Murray Darling Association have provided the Delegate's Report for tabling at Council. The Report for April 2020 is attached.

RECOMMENDATION

That the Murray Darling Association Delegate's Report be received and noted.

ATTACHMENTS

- 1 MDA Delegate's Repoort for tabling at Council 2 Pages

MDA Delegate's Report for tabling at council

April 2020



The Murray Darling Association (MDA) is Australia's peak body representing local government across the Murray-Darling Basin. The following delegate's report provides a detailed report for tabling at council, including a summary of MDA Board Meeting 396, MDA reports, CEO's report, region meetings and the latest edition of the Basin Bulletin.

1. MDA Board Meeting 396

The Murray Darling Association held its Ordinary Meeting of the Board Meeting 396 on Monday 23rd March 2020. The minutes are now available [here](#).

Key motions include:

Motion 5.3: That the Board award Region 4 hosting right for the 2021 National Conference to Wentworth Council on a date to be determined by agreement

J Campbell/ B Lockyer Carried

Carried

Motion 5.4: That the MDA:

1. a) Postpone the 76th National Conference currently scheduled
2. b) Monitor closely Departmental advice around the COVID-19 developments and provide updates
3. c) Notify Stakeholders

J MacAllister / M Rebbeck

Carried

2. Communication reports

The following reports have been prepared for MDA members and the board throughout March.

Date	Report No	Topic	Author	Approved
03/03/2020	03032020	Inquiry into the Management of MDB Water Resources. Shepparton	Gemma Wilson	E. Bradbury
24/02/2020	TSB024/20	Basin Community Leadership Program MDBA & Water NSW	Tony Banks	E. Bradbury
16/03/2020	TSB025/20	MDA Strategic Planning Workshop Delegates Report	Emma Bradbury	E. Bradbury
18/03/2020	18032020	Floodplain Harvesting Measurement Policy Meeting	James Marshall	E. Bradbury

3. CEO's Report

During the past few months, the MDA's Chief Executive Officer Emma Bradbury has actively engaged with state and federal government representatives on advocacy and information sharing on behalf of the MDA membership. This includes meetings with:

- The Hon Minister Keith Pitt, Minister for Resources, Water and Northern Australia and Advisors Craig Bradley & Marcus Finn**
 Brief introduction to Minister Keith Pitt. Advised of MDA key message that NSW WRP's need to be completed. Also spoke to looking beyond 2024 to Basin Plan 2. Discussed economic diversification, connecting communities and catchments and invited to attend BCLP.
- Adam Obeid – Policy Advisor to the Hon Anthony Lynham – Minister for Natural Resources, Mines and Energy David Wiskar - Executive Director – Water Policy Department of Natural Resources, Mines and Energy**
 Teleconference to discuss Queensland's management of current inflows and position regarding feasibility of proposed river diversion scheme.
- Nicole Emara – CSIRO**
 Discussion regarding collaboration with CSIRO on the development of Australia's National Outlook: Murray-Darling Basin and progression of Relationship Agreement
- Scott Keyworth – Department of Planning, Industry and Environment**
 General discussion regarding development and release of measurement policy and how-to best support NSW to complete their WRP's.

For more information, a comprehensive CEO's report is available [here](#).

4. Region Meetings

Region meetings are an important platform for Basin communities to collaborate and work together within and across their regions. The following region meetings were held throughout the March – April 2020 period:

Region	Meeting Type	Date	Minutes
Region 4	Ordinary Meeting	10 March 2020	Available here
Region 5	AGM and Ordinary Meeting	16 March 2020	Available here
Region 9	Ordinary Meeting	23 March 2020	Available soon.

5. Basin Bulletin Issue 32 – March Newsletter

The MDA publishes the Basin Bulletin newsletter monthly. This month's newsletter (Issue 32) included the following stories:

- MDA COVID-19 updates, including postponement of the MDA 76th National Conference and Basin Communities
- An update on the MDA Strategic Workshop and inks to presentations
- Basin News Snapshot – round-up of the latest Basin news

Basin Bulletin Issue 32 can be accessed [here](#).

To receive the next edition of the Basin Bulletin, please register on the MDA website (www.mda.asn.au) or [email](#) MDA Comms and Engagement Officer Jess to request to be added to the distribution list.

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM RES4/20
Subject:	COUNCIL RESOLUTION REGISTER - MAY 2020

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan.
CSP Strategy:	Council fosters a strong organisational culture which strives for best practice in all operations with a supportive corporate governance framework.
CSP Delivery Program	Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available to decision makers.

SUMMARY

The purpose of this report is to provide a standing monthly report to the Ordinary Meeting of Council that outlines all resolutions of Council previously adopted and yet to be finalised.

OFFICER'S RECOMMENDATION:

That Council notes the status of the Council Resolution Register to May 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:	1 Attachment 7 (Attachment Booklet 33 5) - Resolution Register - May Pages 2020