



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING WEDNESDAY, 19 DECEMBER 2018

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 Tenterfield Shire Council Chamber, on **Wednesday, 19 December 2018** commencing at **9.30 am**.

10.15 am *Citizenship Ceremony*

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 both past and present of the Jukembal, Kamilaroi and Bundjalung nations and extend that respect to other Aboriginal people present."

3. APOLOGIES

4. DISCLOSURES & DECLARATIONS OF INTEREST

5. CONFIRMATION OF PREVIOUS MINUTES

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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

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Nil.

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15. CONFIDENTIAL BUSINESS

(ITEM ECO28/18)	TENDER 02-18/19 - PROVISION OF STREET SWEEPING FOR TENTERFIELD STREETS
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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) (a) (c) (d(i)) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals; AND 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.

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 MIN5/18) 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 held on Wednesday, 28 November 2018**

as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 28 November 2018 22 Pages**

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 28 NOVEMBER 2018

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday, 28 November 2018 commencing at 9.30 am.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Donald Forbes
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)
Chief Operating Officer (Andre Kompler)

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.

Website: www.tenterfield.nsw.gov.au

Email: council@tenterfield.nsw.gov.au

WEBCASTING OF MEETING

I advise all present that this meeting is being recorded for placement on Council's website for the purposes of broadening knowledge and participation in Council issues, and demonstrating Council's commitment to openness and accountability.

All speakers must ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms or mentioning any private information.

No other persons are permitted to record the meeting, unless specifically authorised by Council to do so.

OPENING AND WELCOME

Noted that Senior Planner, Ms Tamai Davidson was in attendance.

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 both past and present of the Jukembal, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

- 249/18** **Resolved** that the apology of Cr John Macnish and Cr Brian Murray be received and accepted.

(Greg Sauer/Bob Rogan)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

- 250/18** **Resolved** that Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

Name	Type	Item	Action
Cr Bronwyn Petrie	Pecuniary Interest	ENV22/18 – Tenterfield Local Environmental Plan 2013 – Planning Proposal RU3 Zoned Land Provisions	Will leave the meeting.

(Michael Petrie/Donald Forbes)

Motion Carried

(ITEM MIN4/18) CONFIRMATION OF PREVIOUS MINUTES

251/18 **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting held on Thursday, 25 October 2018

as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

(Tom Peters/Bob Rogan)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

252/18 **Resolved** that the Addendum Report be received and the Item GOV93/18 Quarterly Budget Review Statement – September 2018, be considered by Council prior to Item GOV91/18 Presentation of the Financial Statements for the Year Ended 30 June 2018.

(Bronwyn Petrie/Gary Verri)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Item ENV22/18 – Tenterfield Local Environmental Plan 2013 – Planning Proposal RU3 Zoned Land Provisions

Having declared a Pecuniary Interest, Cr Bronwyn Petrie left the meeting, the time being 9.33 am.

The following community members addressed Council on this matter:

- Mr Bill Petrie
- Ms Gail Hartridge

Cr Bronwyn Petrie returned to the meeting, the time being 9.50 am.

Item GOV83/18 – Monthly Operational Plan – October 2018

- Ms Kylie Smith – Chief Corporate Officer addressed the following sections of the Monthly Operational Report:
 - Corporate and Governance
 - Finance & Technology
 - Environmental Management
 - Livestock Saleyards
 - Planning & Regulation
 - Building & Amenities
 - Parks, Gardens & Open Space
 - Swimming Complex
- Mr Andre Kompler – Chief Operating Officer addressed the following sections of the Monthly Operational Report:
 - Transport Network
 - Asset Management & Resourcing

- Waste Management
- Water Supply
- Sewerage Services

Having declared a Pecuniary Interest in the following item, Cr Bronwyn Petrie left the meeting, the time being 10.28 am.

CHANGE TO ORDER OF BUSINESS

253/18 Resolved that Item ENV22/18 Tenterfield Local Environmental Plan 2013 – Planning Proposal RU3 Zoned Land Provisions be moved forward in the Order of Business and be considered at this time.

(Greg Sauer/Michael Petrie)

Motion Carried

**(ITEM ENV22/18) TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013 -
PLANNING PROPOSAL RU3 ZONED LAND PROVISIONS**

SUMMARY

The purpose of this report is to seek Council's direction in progressing the Planning Proposal (PP) to rezone land from RU3 Forestry to RU1 Primary Production in light of submissions received after the statutory public consultation process. It is recommended that Council further amend the Planning Proposal to include only land that is held in freehold title to be rezoned from RU3 Forestry to RU1 Primary Production at Attachment 4 (Booklet 2) Document A. A copy of the original exhibited Planning Proposal can be found at Attachment 4 (Booklet 2) Document B.

Procedural - Chief Executive Terry Dodds asked the Senior Planner if any issues had been raised by the speakers which had not previously been addressed and was advised that this was not the case.

RECOMMENDATION

That Council:

- (1) Amend the Planning Proposal to reflect the submissions received, by rezoning only that land which is held in freehold title from RU3 Forestry to RU1 Primary Production;
- (2) Amend the Planning Proposal Part 6 - Project Timeline to reflect updated anticipated timeframes
- (3) Liaise with Forestry Corporation NSW and Property NSW in relation to freehold parcels of land which are no longer governed by the provisions of the forestry act and regulations with a view to rezoning them from RU3 to RU1;
- (4) Submit the revised Planning Proposal to the Minister for Planning and Environment for consideration.

(Greg Sauer/Bob Rogan)

AMENDMENT

Replace Item (1) with the following:

- (1) Requests a draft instrument be prepared under Section 3.36(1) of the Environmental Planning & Assessment Act 1979 of the publicly exhibited document.

Current Item (3) will then become obsolete.

(Greg Sauer/Gary Verri)

Amendment Carried

254/18 Resolved that Council:

- (1) Requests a draft instrument be prepared under Section 3.36(1) of the Environmental Planning & Assessment Act 1979 of the publicly exhibited document;
- (2) Amend the Planning Proposal Part 6 - Project Timeline to reflect updated anticipated timeframes
- (3) Submit the revised Planning Proposal to the Minister for Planning and Environment for consideration.

(Greg Sauer/Bob Rogan)

Motion Carried

Senior Planner Tamai Davidson left the meeting and Cr Bronwyn Petrie returned to the meeting, the time being 10.40 am.

SUSPENSION OF STANDING ORDERS

255/18 Resolved that Standing Orders be suspended.

(Tom Peters/Gary Verri)

Motion Carried

The Meeting adjourned for morning tea, the time being 10.41 am.

The Meeting reconvened with the same members present but with the inclusion of Manager Finance & Technology Paul Della and representatives from the Audit Office of NSW, Director, Financial Audit, James Sugumar and Audit Manager, Financial Audit, Furqan Yousuf, the time being 11.05 am.

RESUMPTION OF STANDING ORDERS

256/18 Resolved that Standing Orders be resumed.

(Gary Verri/Greg Sauer)

Motion Carried

CHANGE TO ORDER OF BUSINESS

- 257/18** **Resolved** that Item GOV91/18 Presentation of the Financial Statements for the Year Ended 30 June 2018 be moved forward in the Order of Business and be considered at this time.

(Greg Sauer/Bob Rogan)

Motion Carried

(ITEM GOV91/18) PRESENTATION OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2018

SUMMARY

The purpose of this report is to present to Council the audited Financial Statements for the year ended 30 June 2018, in accordance with the provisions of Section 418 of the *Local Government Act 1993*.

Representatives from the Audit Office of NSW, Director, Financial Audit James Sugumar and Audit Manager, Financial Audit Furqan Yousuf addressed Council, giving a presentation on the audit of the Financial Statements for the year ended 30 June 2018.

- 258/18** **Resolved** that Council notes the audited Annual Financial Statements for the year ended 30 June 2018, attached as an Annexure to this report.

(Greg Sauer/Bob Rogan)

Motion Carried

Representatives from the Audit Office of NSW, Director, Financial Audit, James Sugumar and Audit Manager, Financial Audit, Furqan Yousuf and Manager Finance & Technology Paul Della left the meeting, the time being 11.30 am.

MAYORAL MINUTE

(ITEM MM6/18) PRIORITY FOR FUNDING - DROUGHT COMMUNITIES PROGRAMME

SUMMARY

Following initial discussion at the conclusion of the August 2018 Council Meeting, a further discussion on 17 September 2018 and a meeting with General Stephen Day, Commonwealth Co-ordinator General for Drought on 21 September to further develop priorities for the Drought Communities Programme in line with the provided Guidelines, Council, at a Workshop on 17 October 2018 made submission for the following items:

- \$50,000 - Pastoral Care for Villages/Places with a Family Fun Day – BBQ, Support, Information, Hay and Water provided;
- \$25,000 - Rodeo (17 November 2018);
- \$50,000 - Tenterfield Show;
- \$50,000 - "Why Leave Town" Gift Vouchers to Salvation Army to distribute;
- \$200,000 – De-silting of Private Dams (animal welfare) – employing

- local contractors;
- \$100,000 - Labour Relief for Farmers (feeding stock, mental health support);
- \$495,000 - Upgrading or Temporary Repairs of Load Limited Timber Bridges;
- \$5,000 - Assistance to Small Business;
- \$25,000 - Provision and Cartage of Potable Water (through Salvation Army).

Total \$1,000,000

Following lodgement of the submission, advice was received that the Guidelines had been amended and "Gift Cards" were no longer applicable as the Federal Government would be arranging an alternative to this option for all drought effected Councils.

Council's submission was amended and relodged, allocating the additional \$50,000 to the upgrading or temporary repairs of load limited timber bridges.

On Thursday, 15 November 2018, further advice was received from Department of Premier & Cabinet (DPC) indicating that the following projects were unlikely to be accepted resulting in the removal of the following items:

- \$200,000 - De-silting of Private Dams;
- \$100,000 - Labour Relief for Farmers; and
- \$5,000 - Assistance to Small Business.

The application was then moved to DRAFT status by Department of Premier & Cabinet to allow resubmission of revised eligible projects, whilst suspending the application in its entirety.

Council met again on Friday, 16 November to consider the allocation of outstanding funding. Serious concern was expressed regarding the removal of an allocation for private dams due to the increasing risk and occurrences of animals becoming stuck in the silted up dams. It was requested that the submission again include this allocation and the allocation for the Tenterfield Show. However, Council agreed that if it became unlikely that the de-silting of private dams, labour relief and assistance to small businesses were deemed unlikely to proceed, the funds were to be reallocated to the upgrading or temporary repairs of load limited bridges.

Councillors also expressed extreme disappointment and concern regarding the unavailability of a Drought Co-ordinator for Tenterfield as it was a promise of General Day that this position would be available to assist Tenterfield Shire primary producers complete paperwork and provide support. To date this support has not materialised.

On 20 November, following considerable discussion with DPC, Council re-submitted its revised application for funding which excluded the following:

- \$200,000 - De-silting of Private Dams;
- \$100,000 - Supply of labour Relief for Farmers; and
- \$5,000 - Assistance to small business

The revised application dated 20 November 2018 now includes the following:

- \$850,000 - Upgrading or Temporary Repairs of Load Limited Timber Bridges;
- \$50,000 - Community Drought support events;
- \$50,000 - Tenterfield Show;
- \$25,000 - Tenterfield Rodeo Drought Relief Activity
- \$25,000 - Provision and Delivery of Potable water

Total \$1,000,000

259/18 **Resolved** that in the event the \$50,000 allocation for the Tenterfield Show is excluded, this amount also be allocated to Council's timber bridge infrastructure giving a total for that project of \$900,000.

(Peter Petty/Gary Verri)

Motion Carried

(ITEM MM7/18) WASTE RECYCLING CONTRACT - CONTAINER DEPOSIT SCHEME & NATIONAL CHINA SWORD IMPACTS

SUMMARY

It has recently come to Council's attention that updated Agreements with Lismore City Council relating to the disposal of recyclables at the Lismore Materials Recycling Facility (MRF) are due for signing at the end of the month.

The new conditions contained in the Agreements, particularly relating to the Refund Sharing Agreement and payment of the Container Deposit Scheme (CDS) and large increase in disposal costs, have the potential to lead to substantial increases in Council's waste budget, with the likelihood that these costs would need to be passed on to Ratepayers.

In addition, the ad hoc manner in which the changes to the Agreements has been advised to Council are of immediate concern.

260/18 **Resolved** that Council:

- (1) Sign final revised draft Agreements between Lismore City Council and Tenterfield Shire Council, relating to the disposal of recyclables at the Lismore Materials Recycling Facility (MRF) for a period not exceeding twelve (12) months pertaining to the following:
 - Glass Crushing Temporary Additional Fee Agreement
 - Container Deposit Scheme Refund Sharing Agreement
 - Northern Rivers Waste Feedstock Supply Agreement
- (2) Management staff, over the next six (6) months, investigate and confirm alternative means for minimising the costs/tonne for recycling and present to Council an alternatives/options report specifically talking to relative operational costs/tonne of doing business associated with each alternative option, the whole of life capital costs/tonne associated with each alternative, and the recommended way forward identifying the expected impact on subsequent years' annual waste budgets.

(Peter Petty/Greg Sauer)

Motion Carried

(ITEM MM8/18) LOCAL GOVERNMENT NSW (LGNSW) SAVE OUR RECYCLING CAMPAIGN

SUMMARY

Local Government NSW (LGNSW) has called on all NSW Councils to support it in its advocacy to all those contesting the upcoming State election to reinvest 100% of the Waste Levy collected each year into waste management, recycling and resource recovery in NSW.

The *Protection of the Environment Operations Act 1997* (POEO Act) requires certain licensed waste facilities in NSW to pay a contribution to the NSW Government for each tonne of waste received at the facility. Referred to as the 'waste levy', the contribution aims to reduce the amount of waste being landfilled and promote recycling and resource recovery.

The Waste Levy applies in the regulated area of NSW which comprises the Sydney Metropolitan Area, the Illawarra and Hunter Regions, the Central and North Coast Local Government Areas to the Queensland border as well as the Blue Mountains, Wingecarribee, and Wollondilly Local Government Areas.

In 2016/17, the NSW Government collected \$726 million from Local Government, community, businesses and industry via the Waste Levy, but only committed to use \$72 million through its *Waste Less Recycle More* initiative – or 10% – on waste minimisation and recycling in 2017/18.

Overall the NSW Government's *Waste Less Recycle More* initiative allocates \$801 million over 8 years (2013-2021) to waste and recycling, however the Waste Levy collected over that same period will be over \$4.62 billion.

At a Local Government level, just 18% of the \$300 million collected from the Local Government Sector each year is reinvested in recycling and waste management.

Regardless of how you look at it, the principle remains the same – very little of the Waste Levy is currently used to support waste minimisation, recycling and resource recovery. The remainder is returned to NSW Government's consolidated revenue.

The reinvestment of the Waste Levy to support waste and resource recovery infrastructure, develop markets and innovative solutions, and undertake other initiatives to encourage reuse and recycling also offers wide-ranging benefits to our communities right across NSW. There is the potential for economic growth, new infrastructure, new technology and new jobs, particularly in our regional areas.

It should be noted that the following motion was unanimously endorsed at the Local Government NSW 2018 Conference:

That the NSW Government be called upon to ensure that 100% of the levy

arising from Section 88 of the Protection of the Environment Operations Act 1997 be used for waste infrastructure and programs, predominantly by local government and the waste sector, for initiatives such as:

- Development of regional and region-specific solutions for sustainable waste management (e.g. soft plastic recycling facilities, green waste, waste to energy).*
- Support innovative solutions to reduce waste and waste transport requirements.*
- Protect existing and identify new waste management locations.*
- Local community waste recovery and repair facilities.*
- Funding a wider range of sustainability initiatives, such as marketing and strategies that promote and support a circular economy.*

This motion covered motions proposed by Blacktown City Council (Resource Recovery Locations); Central Coast Council (Waste Levy Revenues); Cessnock City Council (Recycling Crisis - Funding Support); City of Ryde (Revenue Raised by the Waste Levy); Federation Council (Waste Resource); Gwydir Shire Council (Tyre Recycling); Hornsby Shire Council (Increase in Grant Funding for Waste Levy Program); Leeton Shire Council (Increase of Waste Levy Distribution); and Shoalhaven City Council (POEO Levies).

Related motions were also submitted by Tweed Shire Council (Recycled Products & Procurement); Lake Macquarie Council (Support for Recyclate End Markets, Reusable, Recyclable or Compostable Packaging); and Orange City Council (Waste Management).

As previously noted, this is not a party-political issue: the advocacy initiative calls on all parties and candidates to commit to the 100% hypothecation of the Waste Levy to the purpose for which it is collected.

Although Tenterfield Shire Council is exempt from paying the NSW EPA Waste Levy and has received three (3) grants funded through the Waste Levy (equating to a total amount of \$817,945.49 between 2015 and 2018), I am recommending that we support this campaign by the NSW local government sector and Local Government NSW and call on all political parties to commit to the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste management, recycling and resource recovery.

261/18 **Resolved** that Council:

- (1) Endorse Local Government NSW's campaign, *Save Our Recycling*, to realise the reinvestment of a 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery; and**
- (2) Make representation to the local Members, The Hon Thomas George MP and The Hon Barnaby Joyce MP in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery; and**
- (3) Write to the Premier, the Hon Gladys Berejiklian MP, the Opposition**

Leader, Mr Michael Daley, the Minister for Local Government and Minister for the Environment, The Hon Gabrielle Upton MP, and the Shadow Minister for the Environment & Heritage, Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery; and

- (4) Take a lead role in activating the LGNSW *Save Our Recycling* campaign locally; and
- (5) Endorse the distribution and display of the LGNSW *Save Our Recycling* information on Council premises, as well as involvement in any actions arising from the initiative; and
- (6) Formally advise LGNSW that Council has endorsed the *Save Our Recycling* advocacy initiative.

(Peter Petty/Bronwyn Petrie)

Motion Carried

RECOMMENDATION FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

262/18 **Resolved** that the following items be considered in the Confidential Section of the Meeting:

- Item COM23/18 - School of Arts Restoration Project - Tender Recommendation;
- Item GOV92/18 - Information Technology - Review of Tenterfield Shire Council Conducted by Roberts & Morrow Technology;
- Item COM24/18 - Tenterfield Shire Council Rural & Regional Roads Reseal Program 2018;
- Item ENV25/18 - Tenterfield Dam Upgrade - End of Project Status and Future Followup.

(Greg Sauer/Tom Peters)

Motion Carried

OPEN COUNCIL REPORTS

Property, Building & Landscape Coordinator Heidi Ford entered the meeting, the time being 11.40 am.

OUR COMMUNITY

(ITEM COM21/18) LEASES FOR AERODROME HANGERS

SUMMARY

The purpose of this report is to seek a resolution to enter into new leases with the existing owners of the two (2) Aerodrome Hangars.

263/18 Resolved that Council:

- (1) Delegate authority to the Chief Executive to enter into Five (5) year leases with the two existing owners of sheds located on Hangar Site 1 and Hangar Site 2.
- (2) Authorise the Leases to be signed under the Seal of Council by the Mayor and the Chief Executive.

(Bob Rogan/Michael Petrie)

Motion Carried

Property, Building & Landscape Coordinator Heidi Ford left the meeting, the time being 11.46 am.

(ITEM COM22/18) ELECTRIC VEHICLE RECHARGING STATION

SUMMARY

The purpose of this report is to seek endorsement from Council to lease a car spaces in Tenterfield Shire Council's carpark for the purpose of NRMA installing an Electric Vehicle Fast Charger station.

Recommendation to include the words "one (1)" car space ...

RECOMMENDATION

That Council authorises that the License to Occupy for Charging Stations for Electric Vehicles be signed under the Seal of Council by the Mayor and the Chief Executive, thus committing one (1) car space in the northern carpark to be allocated for a five (5) year peppercorn lease to NRMA for the purposes of electric car recharging.

(Michael Petrie/Bob Rogan)

AMENDMENT

New Item (2):

- (2) That Council ask NRMA to print a promotional article in *The Road Ahead* extolling the virtues of Tenterfield Shire Council tourist attractions.

(Gary Verri/Tom Peters)

Amendment Carried

264/18 Resolved that Council:

- (1) Authorises that the License to Occupy for Charging Stations for Electric Vehicles be signed under the Seal of Council by the Mayor and the Chief Executive, thus committing one (1) car space in the northern carpark to be allocated for a five (5) year peppercorn lease to NRMA for the purposes of electric car recharging; and
- (2) Ask NRMA to print a promotional article in *The Road Ahead* extolling the virtues of Tenterfield Shire Council tourist attractions.

(Michael Petrie/Bob Rogan)

Motion Carried

OUR ECONOMY

Nil.

OUR ENVIRONMENT

(ITEM ENV23/18) 2018 WATER ASSET MANAGEMENT PLAN UPDATE

SUMMARY

The purpose of this report is to update Council's Water Supply Asset Management Plan to reflect current thinking, allow for funding projections as used in the current Operations Plan, to align with IP & R, and provide a refresh on the way ahead to manage expectations in terms of what we can do, what we cannot do, flagging challenges ahead.

Also an up to-date Asset Management Plan is needed as part of a current funding application for a new water treatment plant under the NSW Government's 'Safe and Secure Water Supply Scheme'.

265/18 **Resolved** that Council receive and adopt the updated Water Supply Asset Management.

(Gary Verri/Greg Sauer)

Motion Carried

(ITEM ENV24/18) FORMER ARSENIC PROCESSING PLANT, JENNINGS NSW - VOLUNTARY MANAGEMENT PROPOSAL UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997

SUMMARY

This report is in addition to the previous report ITEMS ENV14/18 considered at the 27 June 2018 Ordinary meeting and ENV25/18 considered at the 22 August 2018 Ordinary meeting to advise Council of an additional partial road reserve that is required to be closed as part of the Voluntary Management Proposal (VMP) under the Contaminated Land Management Act 1997 submitted by NSW Department of Industry-Crown Lands following the outcome of the NSW Environment Protection Authority's (EPA's) assessment of contamination of the NSW Crown Land, known as the Former Arsenic Poison Factory, Jennings NSW.

266/18 **Resolved** that Council, in addition to Council Resolution Nos. 125/18 and 181/18:

Continues the Road Closure Process in accordance with the Roads Act 1993 to incorporate the additional portions of Council road reserves to enable NSW Department of Industry – Crown Lands and Water to secure perimeter fencing around the entire proposed Project Site Boundary to minimise access to the public, livestock and wildlife and subject to objections being resolved:

- Portion of King Street road reserve and Gladstone Street road reserve as identified and fenced (highlighted yellow) as per attachment (Survey Plan Dwg No. TE180470-SV1).
- Upon closure, it is understood that all of the mentioned road

reserves will vest in the Crown.

- Upon completion of bitumen sealing of King Street to be undertaken by Crown Lands, Council will be required to update Council's Road Register accordingly for ongoing maintenance of King Street, Jennings between Ballandean Street and Robinson Street.

(Bob Rogan/Michael Petrie)

Motion Carried

OUR GOVERNANCE

(ITEM GOV83/18) MONTHLY OPERATIONAL REPORT - OCTOBER 2018

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 2018/2019 Operational Plan.

267/18 **Resolved** that Council receives and notes the status of the Monthly Operational Report for October 2018.

(Greg Sauer/Gary Verri)

Motion Carried

Manager Customer Service, Governance & Records Erika Bursford entered the meeting, the time being 12.07 pm.

(ITEM GOV84/18) TENTERFIELD SHIRE COUNCIL ANNUAL REPORT 2017/2018

SUMMARY

The purpose of this report is for Council to receive the Annual Report, inclusive of the Annual Financial Statements, for the financial year ending 30 June 2018.

268/18 **Resolved** that Council receive and adopt the Annual Report for 2017/2018.

(Bob Rogan/Michael Petrie)

Motion Carried

(ITEM GOV85/18) AMENDED POLICY - CONFERENCE/SEMINAR/TRAINING EXPENSES - POLICY NO 4.031

SUMMARY

The purpose of this report is to seek Council's adoption of the amended Conference/Seminar/Training Expenses Policy No 4.031.

269/18 **Resolved** that Council adopt the amended policy - Conference/Seminar/Training Expenses Policy No. 4.031.

(Gary Verri/Michael Petrie)

Motion Carried

Manager Customer Service, Governance & Records Erika Bursford left the meeting, the time being 12.25 pm.

Property, Building & Landscape Coordinator Heidi Ford entered the meeting, the time being 12.25 pm.

(ITEM GOV86/18) NOMINATION OF NATIVE TITLE MANAGER

SUMMARY

Council is required to give notice to the Minister for Lands and Forestry of the name and contact details of Council's nominated Native Title Manager.

270/18 **Resolved** that Council:

- (1) Nominate the Engineering Officer, Jessica Gibbons as its Native Title Manager; and further
- (2) Give notice to the Minister for Lands and Forestry of contact details of Council's Engineering Officer as required under Section 8.8 of the Crown Land Management Act 2016.

(Bronwyn Petrie/Greg Sauer)

Motion Carried

Property, Building & Landscape Coordinator Heidi Ford left the meeting, the time being 12.28 pm.

Manager Finance & Technology Paul Della entered the meeting, the time being 12.28 pm.

(ITEM GOV87/18) NEW DRAFT POLICY - CONCEALED WATER LEAKAGE CONCESSION - POLICY NO 1.037

SUMMARY

The purpose of this report is to adopt a new policy in relation to Concessions for Water Leakages caused by concealed leaks.

271/18 **Resolved** that Council adopt the attached new draft policy - Concealed Water Leakage Concession Policy No 1.037.

(Bob Rogan/Gary Verri)

Motion Carried

**(ITEM GOV88/18) REVISED POLICY - WRITING OFF OF DEBTS -
POLICY NO 1.230**

SUMMARY

The purpose of this report is to provide a minor update to the Writing Off of Debts Policy 1.230 to complement the new Concealed Water Leakage Concession policy of Council.

- 272/18** **Resolved** that Council adopt the revised Writing Off of Debts Policy No 1.230 and note that the threshold for which the write off of debts be referred to Council be increased from \$1,000 to \$5,000.

(Greg Sauer/Donald Forbes)

Motion Carried

**(ITEM GOV93/18) QUARTERLY BUDGET REVIEW STATEMENT -
SEPTEMBER 2018**

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).

- 273/18** **Resolved** that Council:

- (1) Adopts the September 2018 Quarterly Budget Review Statement; and
- (2) Approves that an increase of up to \$1.030M to Council's borrowing limit be sought for 2018/19 to fund additional works in relation to the Dam Wall Project if additional funding sources are not forthcoming.

(Bronwyn Petrie/Gary Verri)

Motion Carried

**(ITEM GOV89/18) FINANCE & ACCOUNTS - PERIOD ENDED 31
OCTOBER 2018**

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.

- 274/18** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 October 2018.

(Greg Sauer/Gary Verri)

Motion Carried

(ITEM GOV90/18) CAPITAL EXPENDITURE REPORT AS AT 31 OCTOBER 2018

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.

- 275/18** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 October 2018.

(Gary Verri/Bob Rogan)

Motion Carried

Manager Finance & Technology Paul Della left the meeting, the time being 12.46 pm.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC24/18) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE - 25 OCTOBER 2018

SUMMARY

A meeting of the Audit & Risk Committee was held on Thursday, 25 October 2018.

- 276/18** **Resolved** that the report and actions of the Audit & Risk Committee Meeting of 25 October 2018 be received and noted.

(Greg Sauer/Donald Forbes)

Motion Carried

(ITEM RC25/18) REPORTS OF COMMITTEES & DELEGATES - ARTSTATE BATHURST - 1 TO 4 NOVEMBER 2018

SUMMARY

Artstate Bathurst was held at the Bathurst Memorial Entertainment Centre from Thursday, 1 November to Sunday, 4 November 2018 and was attended by Council's Arts NorthWest delegate, Cr Gary Verri.

- 277/18** **Resolved** that the delegate's Report on the Artstate Bathurst event held 1 to 4 November 2018 be received and noted.

(Gary Verri/Bob Rogan)

Motion Carried

**(ITEM RC26/18) REPORTS OF COMMITTEES & DELEGATES -
TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE - 14 NOVEMBER 2018**

SUMMARY

A meeting of the Tenterfield Shire Local Traffic Committee was held on Wednesday, 14 November 2018.

278/18

Resolved that the report and actions of the Tenterfield Shire Local Traffic Committee meeting of 14 November 2018 be received and noted.

(Peter Petty/Tom Peters)

Motion Carried

NOTICES OF MOTION

(ITEM NM8/18) NOTICE OF MOTION - DROUGHT PROOFING FARMS

SUMMARY

The purpose of this motion is to drought proof Australian at the farming level by using tax incentives to store more water, using water more efficiently and storing more fodder on farms.

279/18

Resolved that Council request the Hon Barnaby Joyce MP to pursue the following items to help drought proof farms by giving a 125% tax write off for the following items. The tax incentive should be in addition to any Federal Government scheme and that the taxation measures remain in place for at least ten (10) years.

First Priority Items:

- Making new dams, enlarging and deepening existing dams;
- Installing stock watering troughs and associated tanks and piping;
- Installing solar pumps for stock and domestic purposes;
- Construction of contour banks (swales) to retain water in the paddocks;
- Restoring natural waterholes that have been silted up and the removal of this material out of the flood plain, plus the stabilization of any material to prevent the removed material re-entering the waterways.

Second Priority Items

- Construction of hay sheds, silos and silage pits;
- Use of contractors to make pit silage;
- Purchase of molasses tanks;
- Purchase of grain, hay, molasses and any fodder that can be stored for a considerable period – any fodder stored under this programme cannot be used without a drought declaration.

(Gary Verri/Bob Rogan)

Motion Carried

RESOLUTION REGISTER

(ITEM RES10/18) COUNCIL RESOLUTION REGISTER - NOVEMBER 2018

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.

- 280/18** **Resolved** that Council notes the status of the Council Resolution Register to November 2018.

(Greg Sauer/Michael Petrie)

Motion Carried

CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

- 281/18** **Resolved** that Standing Orders be suspended and;

- 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.

(Bronwyn Petrie/Tom Peters)

Motion Carried

The doors were closed to the public, the recording device turned off and the Meeting moved into Closed Committee, the time being 12.55 pm.

Property, Building & Landscape Coordinator Heidi Ford entered the meeting, the time being 12.56 pm.

(ITEM COM23/18) SCHOOL OF ARTS - WINDOWS RESTORATION PROJECT - TENDER RECOMMENDATION

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

SUMMARY

The purpose of this report is to advise Council of the recommendation for the School of Arts Windows Restoration tender, and grant authority to affix the Council Seal to the contract.

282/18 **Resolved** that Council:

- (1) Accept Magoffin and Deakin Architects' recommendation to receive David Brown's tender to the value of \$343,080.
- (2) Delegate the authority to the Chief Executive to execute the contract.
- (3) Authorise the Seal of Tenterfield Shire Council to be affixed to the contract between Tenterfield Shire Council and David Brown.

(Bob Rogan/Bronwyn Petrie)

Motion Carried

Property, Building & Landscape Coordinator Heidi Ford left the meeting, the time being 12.59 pm.

Manager Finance & Technology Paul Della entered the meeting, the time being 12.59 pm.

**(ITEM GOV92/18) INFORMATION TECHNOLOGY REVIEW OF
TENTERFIELD SHIRE COUNCIL CONDUCTED BY ROBERTS & MORROW
TECHNOLOGY**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (f) of the Local Government Act, 1993, as the matter involves matters affecting the security of the Council, Councillors, Council staff or Council property.

SUMMARY

That Council notes the report of Roberts & Morrow Technology in relation to their review of Council's Information Technology environment and the associated resource implications.

283/18 **Resolved** that Council notes the Information Technology Review from Roberts & Morrow Technology.

(Greg Sauer/Tom Peters)

Motion Carried

Manager Finance & Technology Paul Della left the meeting, the time being 1.08 pm.

**(ITEM COM24/18) TENTERFIELD SHIRE COUNCIL RURAL AND
REGIONAL ROADS RESEAL PROGRAM 2018/2019**

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

SUMMARY

The purpose of this report is to seek Council's approval to proceed with Tenterfield Shire Council's annual Reseal program following tender process and evaluation of tender through Local Government Procurement.

- 284/18** **Resolved** that Council accept the tender from Fulton Hogan Industries Pty Ltd for \$521,109 to complete Council's Resealing program for the 2018/2019 financial year.

(Gary Verri/Donald Forbes)

Motion Carried

(ITEM ENV25/18) TENTERFIELD DAM UPGRADE - END OF PROJECT STATUS AND FUTURE FOLLOWUP

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

SUMMARY

The purpose of this report is to give Council an update on the status of the project and close out actions appropriate.

- 285/18** **Resolved** that Council:

- (1) Note the completion of the project which otherwise would have achieved time and budget targets except for necessary changes to work scope design and additional project work; and further
- (2) That Council write to the NSW Water Minister seeking additional grant funding for increased works costs necessary to fully complete the project and deliver a durable quality asset for the State and Tenterfield; and further
- (3) That Council subject to whatever level of extra funding provided by the NSW Government, endorse staff engaging in due process needed to increase dam project loan funding from the current \$5.45M approved level up to a maximum of \$1.03M to cover shortfall on initial loan funding undertaken and extra project works.

(Greg Sauer/Bronwyn Petrie)

Motion Carried

Noted: Public Tour of Dam Wall and Official Opening to be held early February 2019.

RESUMPTION OF STANDING ORDERS

286/18 Resolved that Standing Orders be resumed.

(Bob Rogan/Gary Verri)

Motion Carried

The Meeting moved out of Closed Committee, the doors were opened to the public and the recording device switched on, the time being 1.22 pm.

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

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 1.24 pm.

.....
Councillor Peter Petty
Mayor/Chairperson

Department:	Office of the Chief Corporate Officer
Submitted by:	Administration Officer
Reference:	ITEM COM25/18
Subject:	PARKING FINE CONCESSIONS

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Community - COMM 3 - Our range of services and facilities support accessibility for all in our community.
CSP Strategy:	Lobby government to maintain and improve community and public transport services and infrastructure particularly to provide access to services not available in our Shire.
CSP Delivery Program	Engage with transport providers and the community to assess the transport needs of residents in the Shire.

SUMMARY

The Minister for Industrial Relations has announced plans to make parking fines fairer for residents across the State, by reducing the fine. Councils have the option to opt in by 1 January 2019. These Regulations exist to improve road safety and manage traffic congestion and reducing fines may impact their deterrence effect. By opting in, Councils who charge all fees would reduce 52 fines not just the original 10 announced.

OFFICER'S RECOMMENDATION:

That Council reply to the Minister that Tenterfield Shire Council will NOT be seeking to participate in the scheme and will continue to apply the non-concessional fee to deter motorists from not complying with limits on parking.

BACKGROUND

Parking fines are normally set under State Legislation and the Government has committed to providing Council the freedom and flexibility to reduce their parking fines. Parking within the Tenterfield Shire is not a revenue stream, all parking infringements are forwarded onto the Infringement Processing Bureau, and within the last 12 months only 8 parking infringements have been issued.

Currently the main areas patrolled in Tenterfield are:

- The main street (Rouse Street) from Molesworth Street to Miles Street intersection;
- The entry on Manners Street and High Street coming off Rouse Street.

Other areas are patrolled on a more random basis and if there has been an alleged breach.

REPORT:

Parking fines play an important role in maintaining order and safety on our streets. At present, parking fines in NSW are much higher than in many cities in Australia and overseas, creating an opportunity for review of the framework by the NSW Government.

Our Community No. 25 Cont...

Under the new framework, Council can reduce their fines from \$112.00 to \$80.00. These concessions do not apply automatically. To make this change Council must opt in, by advising the minister in writing by the 1 January 2019.

Councils that opt in by 1 January 2019 to reduce their fines will be recorded in the relevant regulation, which will be published on the NSW Government Legislation website, and will be able to charge lower fine amounts from 1 March 2019.

By opting in, Council would be reducing 52 non-safety related legal 2 parking offences, however only 14 of the 52 fines apply to the Tenterfield Shire.

If Council does not opt in by 1 January 2019, Council will have a further 3 opportunities to opt in at later points in the next year (by 1 April, 1 July and 1 October).

LGNSW have raised concerns with the change in fees sighting that the revenue from fees is reinvested in the local community and that the lower fee proposal will have unintended consequences for Councils by reducing income and reducing the consequence for not obeying regulation signage.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil

2. Policy and Regulation

- NSW Road Rules 2008
- Road Transport Act 2013
- Part 5 of Chapter 16 of the Local Government Act 1993.

3. Financial (Annual Budget & LTFP)

The impact to Council reducing the fine would be minimal as parking within the Tenterfield Shire Council is not a recognised revenue stream given the low number of fines issued. Within the last 12 months Council have issued 8 infringements, these being for:

- 5 Parking continuous for Longer than Permitted;
- 1 Parking in a Loading Zone;
- 1 Parking in a No Stopping Zone; and
- 1 Parking outside Lines not in a Designated Parking Bay.

Tenterfield Shire would only have 14 parking fines affected out of the initial 52 fines that have been announced to be reduced.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Media Release - *A Kinder Government, or Just Smoke and Mirrors?* (attached) issued by Local Government NSW on 2 July 2018 discusses some of the wider implications of Council opting in to the scheme and the industry belief that

Our Community No. 25 Cont...

"Government reportedly believes that by putting Councils under pressure it will be too embarrassing for them to not reduce fines".

The risks identified include the wider breadth of fines impacted than those originally announced and by opting in, councils would reduce 52 fines, not just the original 10 announced on 1 July 2018. The wider impact discussed is the purpose of the fine and given it is a deterrent, the impact of reducing the fines on motorist behavior.

7. Performance Measures

Council Rangers have concerns that the public may take advantage of the decreased fee and this may lead to a rise in the number of infringements issued per year. Should the detrimental nature of the fine be reduced this may increase the need for more proactive patrols, and hence cost to ratepayers in management of enforcement measures.

8. Project Management

Nil

Kylie Smith
Chief Corporate Officer

Prepared by staff member: Jodie Condrick, Administration Officer; Mark Cooper, Open Space, Regulatory & Utilities Supervisor

Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer

Department: Office of the Chief Corporate Officer

Attachments: **1** Media Release - A Kinder Government, or Just Smoke & Mirrors? 1
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Media Release - A Kinder Government, or Just Smoke and Mirrors?

2 June 2018

A NSW Government bid to be "kinder" by reducing parking fines for overstayers could actually cost all motorists, residents and ratepayers, the local government sector said today.

NSW Treasurer Dominic Perrottet has said the State Government will reduce parking fines on the roads it maintains, and will allow councils to do the same on local roads, which make up 90% of the state's road network.

The Government reportedly believes that by putting councils under pressure it will be too embarrassing for them to not reduce fines.

But the move may backfire, by leading to further reductions in road maintenance, increased congestion and reduced council services.

"Local government is strongly supportive of moves that make real and meaningful improvements to the lives of residents and ratepayers," Local Government NSW President Linda Scott said.

"But this announcement appears to be a bit of a trick involving smoke and mirrors.

"Parking restrictions exist to improve road safety and manage traffic congestion – and fines are imposed on the small percentage of motorists who breach those restrictions.

"The parking fines then get reinvested in road maintenance, community infrastructure and council services.

"Reducing the amount available for reinvestment actually reduces maintenance on our roads, which seems very counterproductive.

"It also seems unfair that the vast majority residents and ratepayers who don't overstay parking times should be impacted.

"The Treasurer clearly hasn't thought through the negative impact this could have on residents – especially those already being driven to distraction by road construction and traffic congestion."

In a range of Council areas, including the City of Sydney, 50% of the revenue from Council parking fines after processing fees are returned directly to the State Government.

Of the \$35 million in parking contributions collected by the City of Sydney in the last financial year, approximately \$12 million was spent on processing fees and a further \$12 million was returned directly to the NSW State Government.

"If the NSW Treasurer is genuine about supporting NSW communities, he should ensure the State doesn't continue to take funding from the pockets of Councils and communities."

Mr Scott said councils were always prepared to look at clearer signage, to ensure parking restrictions were easily identified and observed by motorists.

Media Enquiries
Media Toni Allan: 0412 774 441

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Customer Service, Governance & Records
Reference:	ITEM COM26/18
Subject:	SUBMISSION OF PETITION - DEVELOPMENT APPLICATION NO. 2018.07 "FUNERAL HOME & MORTUARY" 60 POLWORTH STREET, TENTERFIELD

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:	Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region.
CSP Delivery Program	Provide sound and inclusive decisions using the Community Engagement Strategy to guide our interactions.

SUMMARY

The purpose of this report is to advise Council of a petition submitted on 30 November 2018 by Mr Mark Ibbett of 53 George Street, Tenterfield, with 48 other signatories, requesting that Council refuses a Development Application for a funeral home and mortuary on the corner of Polworth Street and the New England Highway, Tenterfield.

OFFICER'S RECOMMENDATION:

- (1) That Council notes the tabling of a petition requesting that Council refuses approval for Development Application No. 2018.087 "Funeral Home and Mortuary" at 60 Polworth Street, Tenterfield; and**
- (2) That Council consider the petition's request, as part of Council's deliberation and decision process, when considering all other public submissions for Development Application No. 2018.087 "Funeral Home and Mortuary" 60 Polworth Street, Tenterfield.**

BACKGROUND

Development Application No. 2018.087 "Funeral Home and Mortuary" at 60 Polworth Street, Tenterfield, was received by Council on 4 October 2018. Council subsequently advised neighbouring properties to the proposed development address by letter dated 9 October 2018 of the Development Application, and the opportunity for submissions of comments on the application by 23 October 2018. Council conducted a meeting on 7 November 2018 for those members of the community that responded with submissions to the neighbour notification letter. Council advertised the Development Application in the Your Local News newsletter of 19 November 2018, advising of public exhibition of the application and submissions for comments being possible until 30 November 2018.

REPORT:

Council has received a petition on 30 November 2018, signed by 49 petitioners, in response to the public exhibition and comment period of 19 November 2018 to 30 November 2018 for Development Application No. 2018.087 "Funeral Home and Mortuary" at 60 Polworth Street, Tenterfield.

Our Community No. 26 Cont...

The Petition Summary, Background and Action petitions:

"Council to refuse DA for mortuary and funeral home on the corner of Polworth St. and New England Highway."

Council has also received other public submissions from the public exhibition period, for consideration during Council's deliberation of the Development Application. As the petition has been submitted to Council during the public exhibition period, Council should consider the petition request in concert with the other public submissions.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Development Application 2018.087 has been notified and publicly exhibited on two occasions, being from 9 October 2018 to 23 October 2018, and from 19 November 2018 until 30 November 2018. Council has received other submissions, separate to the petition, from the public as a result of these consultation periods, and will be considering the content of these submissions during its deliberation and decision process.

2. Policy and Regulation

- Local Government Act 1993
- Environmental Planning and Assessment Act 1979

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Kylie Smith
Chief Corporate Officer

Prepared by staff member:	Erika Bursford, Manager Customer Service, Governance & Records
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
Department:	Office of the Chief Corporate Officer

Our Community No. 26 Cont...

Attachments:

- | | | |
|----------|---|----------|
| 1 | Petition - Covering Letter - 30 Nov 2018 | 1 Page |
| 2 | Petition - Original Document - 30 Nov 2018 | 10 Pages |
| 3 | Petition - Spreadsheet - Petitioner Details - 30 Nov 2018 | 3 Pages |

Attn: Noeline Hyde,

On behalf of Pamela Parker with whom I believe you spoke to recently regarding petition forms to be lodged by 30th November 2018 in response to Development Application No. 2018.087 Lot 121, DP 1220542, 60 polworth Street, Tenterfield. Please find here the Petition forms.

Regards

Mark Ibbett

53 George St Tenterfield.

Mobile: 0439472411

TENTERFIELD SHIRE		
COUNCIL		
IDA 2018 2618		
30 NOV 2018		
	Action	Info
CL		
CCO		
CCO		
SP	✓	

Xref ODA 2018 2044

Petition to

Petition summary and background	Council to refuse DA for mortuary and funeral home on the corner of Polworth St. and New England Highway.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to stop this DA.

Printed Name	Signature	Address	Comment	Date
Stacy Corbin	[Signature]	Flannys Menswear 256 Rouse Street Tenterfield NSW 2372 P 02 6736 1248 E contact@flannysntenterfield.ct...	Residential -	24/11/18
Mark Bandy	[Signature]	277 Rouse St Tenterfield	Should be in a industrial area	24/11/18
Rob Westerman	[Signature]	40 Oakley Road Tenterfield	Not in Residential area	24/11/18
MIKE HALLSON	[Signature]	Albanshot Road	Not in Tenterfield.	25/11/18
Theresa O'DRISCOLL	[Signature]	Albanshot Road	NOT IN TENTERFIELD	25/11/18
David Huntley	[Signature]	Rouse Street	Not in residential area	26/11/18
Jan McMehe	[Signature]	Douglas St Tenterfield	Not in residential area	26/11/18
GREVOR PROOCH	[Signature]	Mt. Lindsay Rd. Tenterfield	" "	26/11/18
Chappelle Kasevan	[Signature]	371 Rouse St	Shouldn't be in Residential area	26/11/18
STEVE ALFORD	[Signature]	277 ROUSE ST	SHOULD BE IN INDUSTRIAL AREA	26/11/18
Laurie Stenzel	[Signature]	277 Rouse ST	NOT in Town	26/11/18
HELEN CLOTHY	[Signature]	277 ROUSE ST	Not in Residential area	26.11.18
KERRY HICKEY	[Signature]	277 ROUSE ST	NOT IN RESIDENTIAL AREA	26.11.18


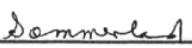

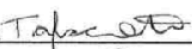
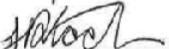





(Handwritten mark)

RICHARD SAMUEL	<i>R. Samuel</i>	112 COWPER ST.	SHOULD BE OUT OF TOWN	26-11-18
TERRINA SAMUEL	<i>T. Samuel</i>	112 COWPER ST.	NOT IN TOWN	26-11-18
RICHARD KELLY	<i>Richard Kelly</i>	110 COWPER ST	TOTALLY INAPPROPRIATE	26-11-18
JACI VALENTINE	<i>Jaci Valentine</i>	114 COWPER ST	NOT APPROPRIATE	26-11-18

(Handwritten circled number 2)

Petition to

Petition summary and background	Council to refuse DA for mortuary and funeral home on the corner of Polworth St. and New England Highway.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to



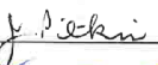

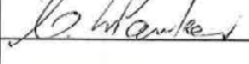


Printed Name	Signature	Address	Comment	Date
CAROL DEARDEN		22 Duncan St / 40 George St	It's all about the location.	27/11/18
Chrissy Sommerlad		119 Pelham Street Tenterfield	Not against but in a different area.	28/11/18
RAY HOLMES		73 PELHAM ST TENTERFIELD	on location	29/11/18
Karen Tapscott		266 Douglas St, T Field	Not against - don't like in residential area.	26/11/18
Jennifer Koch		12234 Brunner Highway Tenterfield	Not against - don't like in residential area.	26/11/18
Frances Moore		11 CORNHILL ST, Liston	Potential to disrupt traffic	27-11-18
FRANK VASTA		203 PELHAM ST. T.FIELD	NOT AGAINST - BUT DON'T LIKE IN RESIDENTIAL	27-11-18
Luke Odger		94 Rouse St T. Field	Not against - But don't like in Residential	27-11-18
JOHN LANDERS		132 WOOD ST T.FIELD	NOT IN RESIDENTIAL	27-11-18
Peter Chittick		91 Moleworth	Not against But	29.11.18
			Not in residential	

(3) 0

4

Petition to

Petition summary and background	Council to refuse DA for mortuary and funeral home on the corner of Polworth St. and New England Highway.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to

Printed Name	Signature	Address	Comment	Date
Richard Prime		124 WOOD STREET TENTERFIELD 2372	NOT IN A RESIDENTIAL AREA	24/11/18
Paul Latta		148 Bulwer St Tenterfield	" " "	24/11/18
Jenny Pitkin		"Bangalla" Tenterfield		24/11-18
Mr Annan		3CLIVA ST TELLO 2100		24/11/18
COLIN PARKER		111 CONPER ST, TEN-ERFIELD		26/11/18
Krystine WHITE		164 Miles ST TENTERFIELD	NOT IN A RESIDENTIAL AREA	27/11/18
Anne Harmond		84 DULCA ST TENTERFIELD.		28/11/18

(5)

[illegible]

6

Petition to

Petition summary and background	Council to refuse DA for mortuary and funeral home on the corner of Polworth St. and New England Highway.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to stop this DA.

Printed Name	Signature	Address	Comment	Date
MARK IBBETT	<i>Mark Ibbett</i>	53 GEORGE ST		29-11-18
S. Ibbett	<i>S. Ibbett</i>	53 George St	No to development	29/11
M. Beusch	<i>M. Beusch</i>	45 George St	Unsuitable for this area	29.11.18
G. BEUSCH	<i>G. Beusch</i>	✓ ✓ ✓	✓ ✓	29.11.18
John Cerri	<i>John Cerri</i>	27 George St		29-11-18
PR Oak	<i>PR Oak</i>	11 George St	?	
Valerie Melling	<i>Valerie Melling</i>	Owner of 5 George St. T. Field	Feel that the mortuary is inappropriate	29-11-18
KAY GRAY	<i>Kay Gray</i>	1 GEORGE ST. TENTERFIELD	Should not be in residential area.	29.11.18
MAX GRAY	<i>Max Gray</i>	1 GEORGE ST. TFIELD.		29.11.18
THELMA COX	<i>T.C.</i>			
GRAEME ROOTS	<i>G. Roots</i>	28 GEORGE ST. TFIELD	NOT SUITABLE FOR IN TOWN.	29-11-18
Denis Hull	<i>Denis Hull</i>	50 George St	will affect property prices	29/11/18
Toni Hull	<i>Toni Hull</i>	50 George St	Residential Area not appropriate for business.	29.11.18

⑦



Petition to

Petition summary and background	Council to refuse DA for mortuary and funeral home on the corner of Polworth St. and New England Highway.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to stop this DA.

Printed Name	Signature	Address	Comment	Date
Kaye Kane	<i>Kaye Kane</i>	<i>46 George St Tenterfield</i>		<i>30.11.18</i>
Peter Kane	<i>Pete Kane</i>	<i>46 George ST Tenterfield</i>		<i>30.11.18</i>

(8)

<u>Petition</u>			
<i>Name</i>	<i>Address</i>	<i>Comment</i>	<i>Date</i>
Stephen George	Flanagans Menswear 256 Rouse Street, TENTERFIELD NSW 2372	Family Life, Residential	24/11/2018
Peter Bradley	91 Rouse Street, TENTERFIELD NSW 2372	Should be in an industrial area	24/11/2018
Rob Westerman	7643 New England Highway, TENTERFIELD NSW 2372	Not in Residential area	24/11/2018
Mike Hallson	20 Aldershot Road, TENTERFIELD NSW 2372	Not in Tenterfield	25/11/2018
Thomas O'Driscoll	Aldershot Road, TENTERFIELD NSW 2372	Not in Residential area	25/11/2018
David Huntley	387 Rouse Street, TENTERFIELD NSW 2372	Not in Residential area	26/11/2018
Jennifer McMahon	51 Douglas Street, TENTERFIELD NSW 2372	Not in Residential area	26/11/2018
Trevor Fidock	Mt. Lindesay Road, TENTERFIELD NSW 2372	Not in Residential area	26/11/2018
Chappelle?	371 Rouse Street, TENTERFIELD NSW 2372	Shouldn't be in a Residential Area	26/11/2018
Steve Alford	277 Rouse Street, TENTERFIELD NSW 2372	Should be in an industrial area	26/11/2018
Laurie Stenzel	277 Rouse Street, TENTERFIELD NSW 2372	Not in town	26/11/2018
Helen Crotty	277 Rouse Street, TENTERFIELD NSW 2372	Not in Residential area	26/11/2018
Kerry Hickey	277 Rouse Street, TENTERFIELD NSW 2372	Not in Residential area	26/11/2018
Richard Samuel	112 Cowper Street, TENTERFIELD NSW 2372	Should be out of town	26/11/2018
Terrina Samuel	112 Cowper Street, TENTERFIELD NSW 2372	not in town	26/11/2018
Richard Kelly	110 Cowper Street, TENTERFIELD NSW 2372	Totally inappropriate	26/11/2018
Jaci Valentine	114 Cowper Street, TENTERFIELD NSW 2372	Not appropriate	26/11/2018
Carol Dearden	22 Duncan Street, TENTERFIELD	Its all about the location	27/11/2018

Christine Sommerlad	119 Pelham Street, TENTERFIELD NSW 2372	Not against, but in a different area	28/11/2018
Ray Holmes	73 Pelham Street, TENTERFIELD NSW 2372	on location	29/11/2018
Karen Tapscott	266 Douglas Street, TENTERFIELD NSW 2372	Not against - but don't like in residential area	26/11/2018
Jennifer Koch	12234 Bruxner Highway, TENTERFIELD NSW 2372	Not against - but don't like in residential area	26/11/2018
Frances Moore	11 Clarence Street, LISTON NSW 2372	Potential to disrupt traffic	27/11/2018
Frank Vasta	203 Pelham Street, TENTERFIELD NSW 2372	Not against - but don't like in residential area	27/11/2018
Luke Odger	94 Rouse Street, TENTERFIELD NSW 2372	Not against - but don't like in residential area	27/11/2018
John Landers	132 Wood Street, TENTERFIELD NSW 2372	Not in Residential area	27/11/2018
Peter Chittick	91 Molesworth Street, TENTERFIELD NSW 2372	Not against - but don't like in residential area	29/11/2018
Richard Prime	124 Wood Street, TENTERFIELD NSW 2372	Not in Residential area	24/11/2018
Paul Latta	148 Bulwer Street, TENTERFIELD NSW 2372	Not in Residential area	24/11/2018
Jenny Pitkin	"Bungulla" PO Box 151, TENTERFIELD NSW 2372	Not in Residential area	24/11/2018
Tim Annard	3 Clive Street, TENTERFIELD NSW 2372	Not in Residential area	24/11/2018
Colin Parker	111 Cowper Street, TENTERFIELD NSW 2372	Not in Residential area	26/11/2018
Krystine White	144 Miles Street, TENTERFIELD NSW 2372	Not in Residential area	27/11/2018
Anne Harmond	84 Duncan Street, TENTERFIELD NSW 2372	Not in Residential area	28/11/2018
Mark Ibbett	53 George Street, TENTERFIELD NSW 2372		29/11/2018
S Ibbett	53 George Street, TENTERFIELD NSW 2372	No to development	29/11/2018
M Beusch	45 George Street, TENTERFIELD NSW 2372	Unsuitable for this area	29/11/2018
G Beusch	45 George Street, TENTERFIELD NSW 2372	Unsuitable for this area	29/11/2018
John Cerri	27 George Street, TENTERFIELD NSW 2372		29/11/2018
P R Duck	11 George Street, TENTERFIELD NSW 2372		
Valerie Melling	Owner of 5 George Street, TENTERFIELD NSW 2372	Feel that the mortuary is inappropriate	29/11/2018
Kay Gray	1 George Street, TENTERFIELD NSW 2372	Should not be in residential area	29/11/2018
Max Gray	1 George Street, TENTERFIELD NSW 2372	Should not be in residential area	29/11/2018
Thelma Cox	1A George Street, TENTERFIELD NSW 2372		29/11/2018

Graeme Roots	28 George Street, TENTERFIELD NSW 2372	Not suitable for in town	29/11/2018
Denis Hull	50 George Street, TENTERFIELD NSW 2372	Will Affect property prices	29/11/2018
Toni Hull	50 George Street, TENTERFIELD NSW 2372	Residential area not appropriate for business	29/11/2018
Kaye Kane	46 George Street, TENTERFIELD NSW 2372		30/11/2018
Peter Kane	46 George Street, TENTERFIELD NSW 2372		30/11/2018

Department:	Office of the Chief Operating Officer
Submitted by:	Chief Operating Officer
Reference:	ITEM ECO27/18
Subject:	MT LINDESAY ROAD \$24M PROJECT - TENTERFIELD SHIRE COUNCIL/ROADS & MARITIME SERVICES - PROJECT DELIVERY MEMORANDUM OF UNDERSTANDING

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

SUMMARY

The purpose of this report is to advise Council of the framework being put in place to manage the financial risks associated with the above \$24M grant funded project.

OFFICER'S RECOMMENDATION:

That Council endorse the Chief Executive signing the Memorandum of Understanding as between Tenterfield Shire Council and the NSW Roads & Maritime Services for the delivery of the \$24M Mt Lindesay Road Upgrade Project.

BACKGROUND

The State and Federal governments have committed \$12M each towards the \$24M road widening and upgrade of section of the Mt Lindesay Road between Legume and Woodenbong. Tenterfield Shire Council is delivering the project as Project Manager and Road Authority for the Road. Council is using consultants for all design works and contractors for construction works.

In view of the tight funding constraints and the need to deliver the project without significant project overspend, and in view of the number of stakeholders, Council is working collaboratively with Roads & Maritime Services (RMS) to oversight the administration of the project.

The governance model for administering the project is encapsulated in the Memorandum of Understanding (Attachment 1 (Booklet 1) involving Tenterfield Council and RMS. This draft governance model needs to be signed by both Council and RMS

REPORT:

Council senior staff (i.e. Chief Operating Officer and two engineers) and RMS have formed a Project Control Group for overseeing project progress, changes to work scope, and budgetary control. This group meets/teleconferences every 4 to 6 weeks to review progress and address risks.

Our Economy No. 27 Cont...

The group has drafted the current Memorandum of Understanding (MOU) and is currently working to the same. This MOU needs to be endorsed by Council and ongoing tight management of the project effected to ensure best value service provision within the \$24M project budget constraint.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

There has been ongoing community involvement by way of several stakeholder group meeting updates on the project since July 2017.

Council intends on providing a 6 monthly update to the stakeholder group via email. Such will cover progress against program, program adjustments and possible changes to sections of work/ scope targeted to help ensure no project overspend.

The MOU provides communication protocol otherwise provides understanding on the process for providing media releases and joint announcements on milestone achievements.

2. Policy and Regulation

Not applicable.

3. Financial (Annual Budget & LTFP)

Nil

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Council may call upon its day labour work force to do selected shoulder widening and or heavy patch works at locations yet to be confirmed closer to Woodenbong. Such works will be considered towards the end of the project and be aligned with available funding.

6. Legal and Risk Management

Whilst Council has not funding contribution to the this \$24M project, it effectively carries the risk of project overspend as the State or Federal Governments have signaled there are no funds available for extending the project. Accordingly Council and RMS will jointly manage this risk through the MOU framework.

Project delays are being incurred in getting access to crown land for construction by virtue of the compulsory acquisition and permit to construct process which has to ensure aboriginal land claims and native title is dealt with. Notwithstanding these delays, the project is being expedited.

7. Performance Measures

Delivery within budget.

8. Project Management

The project is currently in the planning and delivery/ implementation stage.

Andre Kompler
Chief Operating Officer

Our Economy No. 27 Cont...

Prepared by staff member:	Andre Kompler, Chief Operating Officer	
Approved/Reviewed by Manager:	Andre Kompler, Chief Operating Officer	
Department:	Office of the Chief Operating Officer	
Attachments:	1 Attachment 1 (Booklet 1) - Draft Memorandum of Understanding - Tenterfield Shire Council & Roads and Maritime Services	15 Pages

Department:	Office of the Chief Corporate Officer
Submitted by:	Senior Planner
Reference:	ITEM ENV26/18
Subject:	DEVELOPMENT APPLICATION NO. 2018.087 - FUNERAL HOME AND MORTUARY, 60 POLWORTH STREET, TENTERFIELD

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 2018.087 for a Funeral Home and Mortuary is presented to Council for consideration and determination. The proposal involves converting an existing building and construction of a new building on the site at 60 Polworth Street, Tenterfield. Council is in receipt of written objections and a petition in relation to the proposal. Pursuant to the provisions of *Tenterfield Local Environmental Plan 2013* The proposed development is permitted with Council consent in the RU5 Village Zone, is consistent with the objectives of the Zone and is recommended to Council for approval subject to conditions.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Approve Development Application 2018.087 for a Funeral Home and Mortuary at 60 Polworth Street, Tenterfield subject to the conditions contained in Attachment 2 (Booklet 1).**
- (2) Notify those persons who made submissions of Council's determination.**

BACKGROUND

Background and The Site and Surrounding Development

1. Development Application 2018.087 for a Funeral Home and Mortuary was lodged with Council for assessment and determination on 4th October 2018. The application proposes the following as defined under *Tenterfield Local Environmental Plan 2013*;

"funeral home means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

Note.

Funeral homes are a type of **business premises**—see the definition of that term in this Dictionary.

Our Environment No. 26 Cont...

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation."

2. An inspection of the site was undertaken during the Councillor Workshop held in December.
3. The site is located on the south western corner of the intersection of Polworth Street and Cowper Street (New England Highway) with an area of approximately 4972sq. metres. It has primary street frontage of 99.5m to Polworth Street, and secondary frontage of 46.36m to Cowper Street.
4. The site currently contains a building, storage shed, maze and associated car parking, previously operated as a Restaurant and Garden Maze approved by Council under DA 1998/031 on 25 March 1999, subject to conditions. The consent was subsequently modified on 17 July 2007, where amendments were made to the floor plan and associated signage for the development were approved.
5. Immediately surrounding land uses comprise residential dwellings and Millrace Hostel, with a mixture of retail and service businesses (Mechanic workshop, Produce store, motels) located further to the east.
6. The site is not a heritage item and is not located in a heritage conservation area.
7. Plans of the proposed development and applicant's information are provided at Attachment 3 (Booklet 1). Select drawings and plans of the development are provided below:

Our Environment No. 26 Cont...



Figure 1: Aerial image of subject site and surrounds

Our Environment No. 26 Cont...

Proposal

The application seeks consent for;

1. The change of use of the existing building from the approved use as a "Maze and Coffee Shop" as described in the existing consent (DA 1998/31) to a 'Funeral Home' where it is proposed to conduct funeral services and associated after service receptions. Whilst the floor plans accompanying the application refer to the proposed use as 'chapel' - a 'chapel' is not listed as a defined use development in *Tenterfield LEP 2013* and the definition of a 'Funeral Home' allows for the carrying out of services. Alterations to the existing building comprise;
 - a. Enclosure of the south facing verandah
 - b. Insert new stack sliding doors to northern façade
 - c. Batten screening to 2100mm above floor level at western entrance to building
 - d. Enclosure of west facing entrance area incorporating tinted windows
2. The construction of a new building to the north of the existing building, being approximately 24m x 13m, containing a mortuary, reception/office area, viewing room and associated storage, with a covered walkway between the two buildings and covered hearse parking area.
3. Installation of landscaping and screening.
4. Construction of a new concrete car park to the north of the proposed building.
5. Extension of the existing bitumen carpark to the south of the existing building.
6. Removal of the interior of the existing "maze" vegetation.
7. Construction of a new access off Polworth Street, with a request to remove all existing trees located on the road reserve/footpath area.
8. Erection of business identification signage on the existing advertising pole structure located on the Cowper Street frontage.

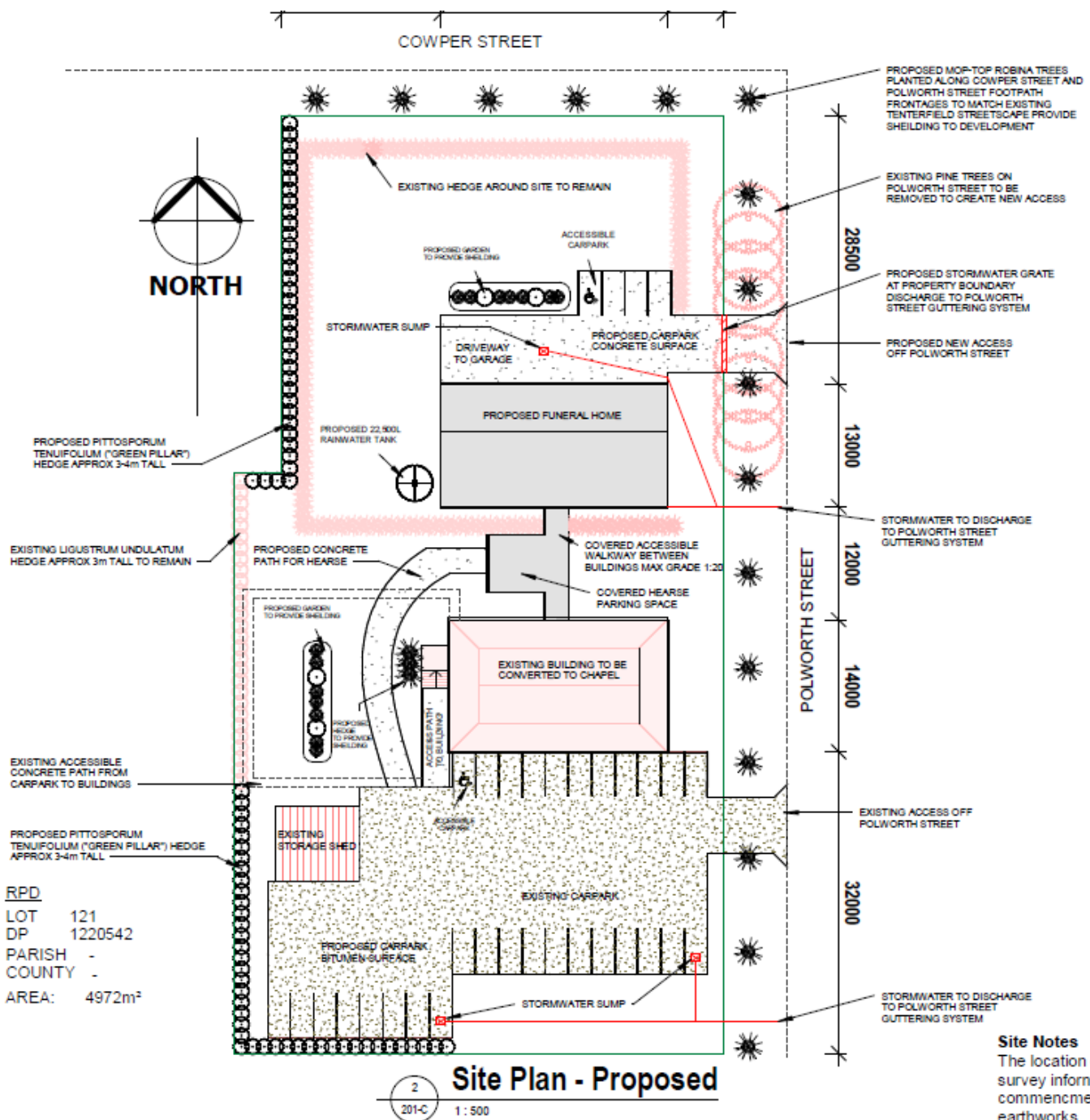


Figure 2: Site Plan

Our Environment No. 26 Cont...

REPORT:

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

(a) the provisions of:

(i) any environmental planning instrument

State Environmental Planning Policy (Infrastructure) 2007

The provisions of Clause 101 state that the consent authority (Council in this instance) "*...must not grant consent to development that has a frontage to a classified road unless it is satisfied that:*

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Response to above

- (a) Cowper Street is a classified road in accordance with the provisions of the SEPP and access to the site is provided via Polworth Street, which is not a classified road.
- (b) Cowper Street has a speed limit of 50km/h which is regulated through the presence of a speed camera to the west of the subject site. Access to and from the site is existing and has been in operation since commencement of the existing approved development. It is intended that when transfer from the Funeral Home to Tenterfield cemetery occurs, the hearse and funeral cortege will turn left from Polworth Street and head west on Cowper Street, then turn left on to Pelham Street.
- (c) The development is not sensitive to traffic noise from the highway traffic.

Clause 104 Traffic-generating development does not apply to the proposed development as it does not meet the criteria as set down in Column 1 of the Table to Schedule 3 of the Infrastructure SEPP. On average, the applicant indicates between 30-35 vehicles are in attendance at funeral services, with expected larger funerals held at venues such as Memorial Hall, Anglican or Catholic Church. On average attendance at funerals is between 50-60 persons.

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Tenterfield Local Environmental Plan 2013 (LEP)

The subject site is known as Lot 121, DP 1220542, 60 Polworth Street, Tenterfield and is subject to the provisions of *Tenterfield Local Environmental Plan 2013*. The land lies within the RU5 Village zone, where the proposed development of a Funeral Home and Mortuary are permitted with consent in the zone. Tenterfield LEP defines the use as;

"funeral home means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

Note.

Funeral homes are a type of **business premises**—see the definition of that term in this Dictionary.

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation."

The site is subject to the RU5 Village zoning table provisions, which state;

Zone RU5 Village

1 Objectives of zone

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To enable development of a scale that is compatible with the general residential character of village areas and that will not prejudice the viability of established shopping and commercial centres.*

2 Permitted without consent

Building identification signs; Environmental protection works; Home occupations; Roads; Water reticulation systems

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dwelling houses; Liquid fuel depots; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Cellar door premises; Correctional centres; Eco-tourist facilities; Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Heavy industries; Resource recovery facilities; Roadside stalls; Rural workers' dwellings; Waste disposal facilities; Wharf or boating facilities

The proposed development is permitted with consent. The proposed development is consistent with the objectives of the RU5 Village zone in the provision of a service which is associated with the functioning of the village of Tenterfield.

Our Environment No. 26 Cont...

The development is of such a scale that it is compatible with the general residential character of the Tenterfield village area and does not prejudice existing shopping/commercial centre viability.

New England North West Regional Plan

The proposed development is consistent with the intent of the NENW Regional Plan which aims to support growing regional economies and associated services required for the communities across the region.

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

No proposed or draft instruments applicable.

(iii) any development control plan,

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

Chapter 2 - Notification Procedures

Table 1 identifies that 'funeral home' and 'mortuary' are required to be notified in the RU5 Village Zone. In accordance with the DCP, Council provided written notice of the proposed development to those persons owning adjoining and neighbouring land.

During the notification period Council became aware of considerable community interest in the proposal and as such, an additional extended notification period was commenced with written notice provided to all owners in George Street (south to Riley Street) and all owners on Cowper Street between Duncan and Rouse Streets.

In addition a public advertisement was placed in Your Local News, with the proposed development plans and information available on Council's website and at Council's Administration Office, Rouse Street, Tenterfield. All submissions received during both notification periods have been taken in to account in the assessment of the application.

Chapter 6 - Access and Parking

Table F1 contained in Chapter 6 requires 1 space per 30sq.m of Gross Floor Area for business premises, which 'funeral home' is defined as pursuant to *Tenterfield LEP 2013* dictionary definition (above).

As such, the new building attracts a requirement for seven (7) car parking spaces, based on a gross floor area of 214sq.m. Adequate spaces have been provided, comprising four (4) spaces external to the building and three (3) spaces available internally in the garage, used by operators.

Our Environment No. 26 Cont...

The proposed converted building attracts a requirement for ten (10) spaces, based on a gross floor area of 322 sq.m (including verandahs). A total of thirty four (34) spaces have been provided.

In practice, it is likely that this form of development will attract a need for more car parking than is set down by the provisions of the DCP.

If the car parking requirements for "place of public worship" are utilised this may be more reflective of the intended future use. In this instance, the required car parking for the reception building would be twenty one (21) car parking spaces. This number has been exceeded with the provision of thirty four (34) spaces.

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

Consistent with the regulations.

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

Context and Settings

The site contains an existing approved commercial use, in the form of a restaurant and maze, with approved operating hours of Monday to Thursday 10.00am to 6.00pm and Fridays and Saturdays from 10.00am to 10.00pm.

The design of the development incorporates alterations to the existing building and construction of a new building to the north of the existing building. The predominant public views of the development are from Cowper Street, with the proposed building located 28.5m from the Cowper Street frontage. The building is of a simple, single storey design, with garage doors and windows along the northern elevation. The size of the building is in scale and keeping with the residential form, bulk and scale of the locality.

The proposed use is of a lesser impact in terms of hours of operation and attendance than that of an approved restaurant/maze facility. Given the nature of the business, numbers of future funeral services and receptions cannot be exact. The application indicates that funerals conducted by the company to date have not exceeded 30 in any one year - refer below for funeral numbers and locations;

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Actual Funerals conducted by Tenterfield Family Funerals

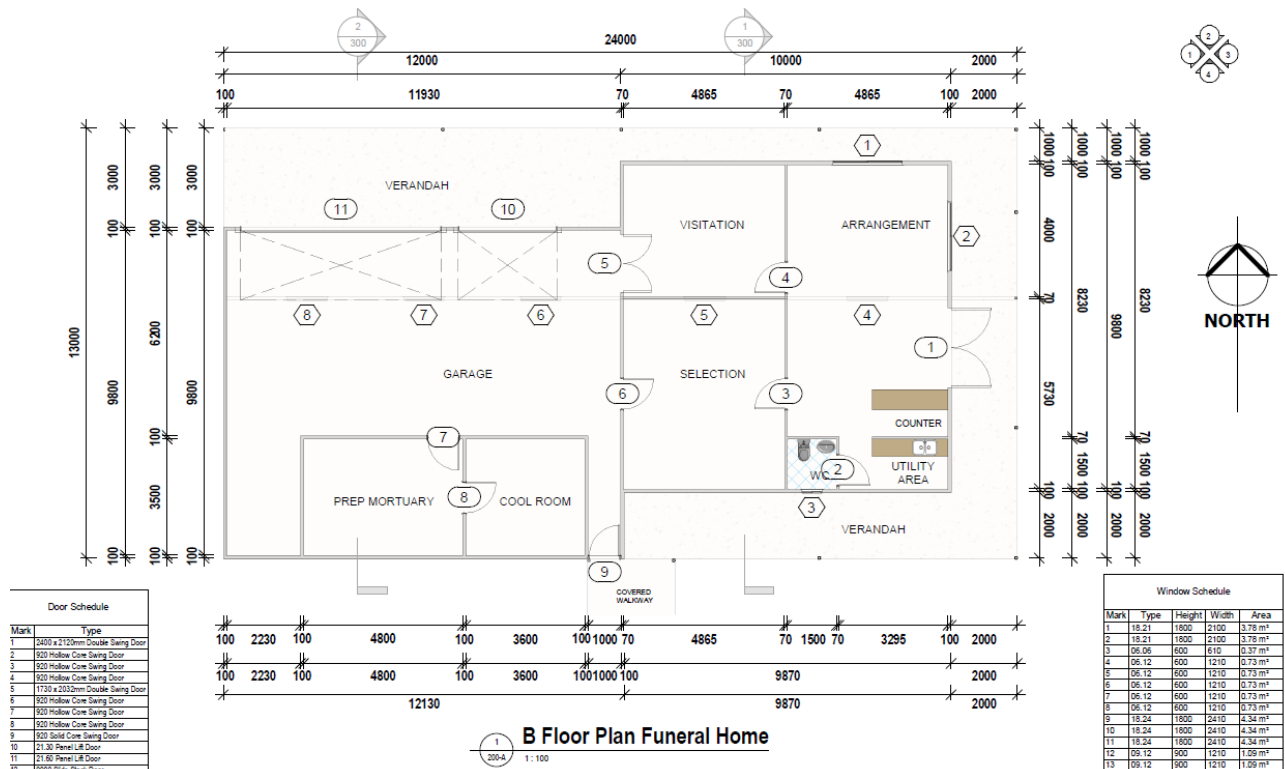
	Church	Graveside	Other	Direct	Total
2016	14	7	1	5	27
2017	14	5	3	4	26
2018	7	7	2	3	19 (29/10/18)
Totals	35 (49%)	19 (26%)	6 (8%)	12 (17%)	72

(Other includes RSL Pavilion, Funeral Home & Own Residence)
(Direct – Cremation without a service)

The operation of the mortuary facility located in the proposed new building will be conducted on an as needs basis, with delivery occurring as required. It is not considered that the use of the site by a single vehicle entering and exiting on limited occasions will cause any detrimental impact on the locality.

The site adjoins the New England Highway/Cowper Street which has traffic and associated vehicle noise and lighting 24 hours a day and the proposed usage would be less than that experienced by a single dwelling on a daily basis.

The internal layout of the mortuary component of the development enables delivery vehicles to manoeuvre inside the building and transfers of the body to be undertaken within the enclosed building. This method should not cause any substantive amenity impacts.



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Proposed hours of operation for the reception facility are as follows;

Monday to Friday - 9.00am to 6.00pm

Saturday - 9.00am to 12.00noon

Sunday - 9.00am to 12.00noon

Last Wednesday in November each year - Reflection Service held for families and friends who have lost loved ones in the prior year - until 9.00pm

The facility is not licensed for service of alcohol and historically funeral services are held between 10.00am to 2.00pm.

The application proposes to install screens and enclose existing open areas of verandah and the entry to the building such that views in to the building from adjoining and adjacent dwellings (primarily located on George Street) are screened. There is existing landscaping located along the western boundary of the subject land that provides a filtering effect to the proposed development from some residences. A sample of photographs below provides an indication of the existing landscaping. Residents have however raised concerns that this landscaping does become thinner and less dense during winter months.



Photo 1: Existing landscaping- image taken from rear of 55 George Street

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Photo 2: View to proposed development site from entry to 51 George Street



Photo 3: View to proposed development site from rear of 51 George Street

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Photo 4: View from residence on corner of Cowper and George Streets



Photo 5: View from rear of 53 George Street

Our Environment No. 26 Cont...

Visibility of the development from adjoining and adjacent residences varies from being filtered to exposed for those residents further south along George Street. The above photographs are a representative sample from those residences located in the closest proximity to the proposed development. It is proposed to enclose the existing open verandah on the southern side of the existing building and to enclose the entry on the western elevation of the building and incorporate landscaping as indicated on the plans below;



2 ELEVATION SOUTH EXISTING BUILDING WITH LANDSCAPING
1:100

Figure 3: Proposed south elevation



2 ELEVATION WEST EXISTING BUILDING WITH LANDSCAPING
1:100

Figure 4: Proposed west elevation.

The applicant was requested to place the hearse in its intended location during a service on the site, the below image indicates this location;

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Figure 5: Location of hearse during service.

The arrival and departure of the hearse will be partially visible from adjoining/adjacent residences, however will be screened when parked.

Access, transport and traffic

Existing consent for the site permits usage every day for up to 89 persons (as per the approved floor plan layout) during the approved hours of operation. Associated traffic movements consistent with this number of patrons were assessed under the original Development Application and deemed to be satisfactory.

Traffic movements for the operation of a funeral home and mortuary can be expected to be more targeted in terms of the timing, with vehicles arriving and departing the site within a set time either side of a service being held.

Consultation with the Roads and Maritime Services (RMS) is not required given that the proposal does not trigger the 'Traffic-generating development to be referred to Roads and Maritime Services' under the provisions of State Environmental Planning Policy (Infrastructure) 2007 as detailed above.

Parking considerations have been addressed above and deemed to meet the requirements as per Council's Development Control Plan 2014.

Waste, Noise, Security

Operation of the mortuary component of the facility does not generate significant waste products and a condition of consent has been recommended in this regard to ensure the facility operates in accordance with relevant Public Health Act and Regulation requirements. Solid waste from the facility would comprise general waste associated with the operation of a reception/service and can be dealt with by existing waste service servicing the facility.

Noise associated with the operation of the facility would include vehicles and persons arriving/departing for consultations and services, conversations prior and post services. By the general nature of funeral services, it is anticipated that operational noise from the proposed development will be of less impact than the existing approved use, resulting in less impact on adjoining and adjacent residential uses.

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Cool room/compressor unit will be buffered given the proposed location within the building and air conditioning unit located to the east of the garage access is equivalent, or less, to that within residential premises, with operation only carried out when meetings with family are conducted.

Social Impacts

There are no impacts to the community in terms of health and safety.

Strong sentiments have been expressed by those persons making submissions about the possible psychological impacts of residents in the locality, however no expert evidence or opinions have been put forward. It is obvious that the feelings of unease are genuine and legitimately felt, and whilst they may be taken in to account, they do not, in themselves, warrant refusal of the application, or contribute significantly to the refusal of an application. By way of historic relevance of similar matters which have been considered by the NSW Land and Environment Court, the following is provided;

In *Harris v Hurstville City Council [2012] NSWLEC 1224* the Court considered a Development Application for the use of a premises for funeral home and mortuary, where issues similar to this proposal were considered. The Court granted development consent to the proposal subject to conditions.

Below is an extract from Commissioner Hussey's decision which makes various references to case law which are of value in consideration of the current proposal before Council.

"...Justice Lloyd's findings on amenity in *New Canterbury Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 (30 July 2003)*, he said;

60 In analysing the substance of such contributions from the public, issues of taste and morality are not necessarily set aside when determining whether or not a development is appropriate (Venus Enterprises at 69, Fairfield City Council v Liu Lonza & Beauty Holdings, NSWCA, Mason P and Dunford AJA, 17 February 1997, unreported). Indeed, as Mr Officer QC submitted, it is not difficult to envisage a development which causes such great offence to a large portion of the community that for that reason it ought not to be permitted on town planning grounds (Venus Enterprises per Cripps J at 70, see also Perry Properties Pty Ltd v Ashfield Municipal Council (2000) 110 LGERA 345 at 349 per Cowdroy J). Such antagonism would amount to a detrimental social impact (Dixon v Burwood Council [2002] NSWLEC 190 at [66] per Pain J). These sentiments in relation to the element of subjectivity involved in assessing such impact upon amenity are echoed in the decision of Novak at 237, with the caution that there is room for opinions to differ in weighing the same objective criteria.

61 In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area (Dixon at [53]). In Broad, de Jersey J explained (at 304) that whilst the court is clearly entitled to have regard to the views of residents of the area, those views will be accorded little, if any weight if there is no objective, specified, concrete, observable likely consequence of the establishment of the proposed use.

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62 A fear of concern without rational or justified foundation is not a matter which, by itself, can be considered as an amenity or social impact pursuant to s 79C(1) of the EP & A Act (Newton v Wyong Shire Council, NSWLEC, McClelland J, 6 September 1983, unreported, Jarasius v Forestry Commission of New South Wales (1990) 71 LGRA 79 at 93 per Hemmings J; Perry Properties Pty Ltd v Ashfield Municipal Council (2000) 110 LGERA 345 at 350 per Cowdroy J). Where there is not evidence to support a rational fear it will be irrelevant that members of the community may have modified their behaviour arising from such an unjustified fear (Dixon at [71]).

63 It follows that in forming an opinion on the probable impact of a proposed development on the amenity of an area, tangible or otherwise, a court would prefer views from residents which are based upon specific, concrete, likely effects of the proposed development. This is consistent with the statement of Mason P in Fairfield City Council v Liu at [2] that "...the demonstrable social effect of a particular ... use is relevant under s 90(1)(d) [now s 79C]" (see also Dixon at [48]).

36

The decision in New Century Developments makes the following points on amenity:

- Issues of taste and morality are not necessarily set aside in the consideration of amenity,*
- If there is such great offence to a large portion of the community then this may be a valid consideration,*
- There is room for opinions to differ in weighting the same objective criteria,*
- Evidence on amenity impacts must be objectively assessed before a finding can be made of an adverse effect on the amenity of the area.*
- Little, if any, weight can be given to amenity impacts if there is no objective, specific, concrete, observable likely consequence,*
- A fear or concern without rational or justified foundation is not a matter which, by itself, can be considered as an amenity or social impact pursuant*
- A Court would prefer views from residents which are based upon specific, concrete, likely effects of the proposed development.*

There is obvious concern relating to the proposed development from some members of the community. When assessing a development application all matters of relevance must be taken in to consideration and balanced as a whole in the determination of the proposal. In this instance there is insufficient evidence to warrant refusal of the proposal primarily on the grounds of perceived amenity impacts.

Site design and internal design

The design of the facility incorporates alterations to the existing building and construction of a new building as detailed on the proposed plans. The proposed building works and internal accesses comply with the relevant provisions of the National Construction Code.

Landscaping has been indicated on the plans, however is labelled as "indicative only" for some components. It is clear that the application intends to incorporate landscaping to provide both visual softening of the proposed building and to provide visual screening to adjoining and adjacent residential development. It is recommended that a detailed landscaping plan be provided identifying species, planting schedule and maintenance to

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ensure that the aesthetic and privacy aims of the landscaping are adequately achieved based on suitable plant species for the locality.

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

The site adjoins and is adjacent to residential development with the current consent and historic use of the site being for a business in the form of a restaurant and garden maze. The site has historic use for business purposes and has operated to this point without any issues reported to Council in terms of patrons, noise, parking, traffic or other general matters associated with the operation of the business. The proposed development of a Funeral Home and Mortuary will have less potential patronage and use than the existing approved development.

Comparatively, Funeral Homes and mortuaries can be found in a variety of locations in towns across Australia, varying from commercial precincts to mixed use and residential areas. For example;



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

The application was notified in writing to owners in the vicinity of the proposed development on two (2) occasions and publicly advertised in Your Local News and on Council's website, with submissions received as per below;

First consultation (9/10/18 to 23/10/18)- Seven (7) submissions received by way of objection (Attachment 4 (Booklet 2)). At the request of some of the residents a meeting was held between the applicant and residents who had made a submission on the site on 7 November 2018, where the proposal was discussed. After the close of this meeting Council staff determined that additional notification should be undertaken to broaden the audience who were consulted.

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Second consultation (19/10/18 to 30/11/18)- twenty three (23) submissions received, twenty (20) by way of objection, three (3) in support and a petition containing forty nine (49) signatories (Attachment 5 (Booklet 2)). A separate report has been tabled detailing the petition received by Council, which requests "*Council to refuse DA for mortuary and funeral home on the corner of Polworth St. and New England Highway.*"

Many of the matters raised in the submissions have been dealt with above in the assessment of the application, however in summary the matters raised by way of objection include;

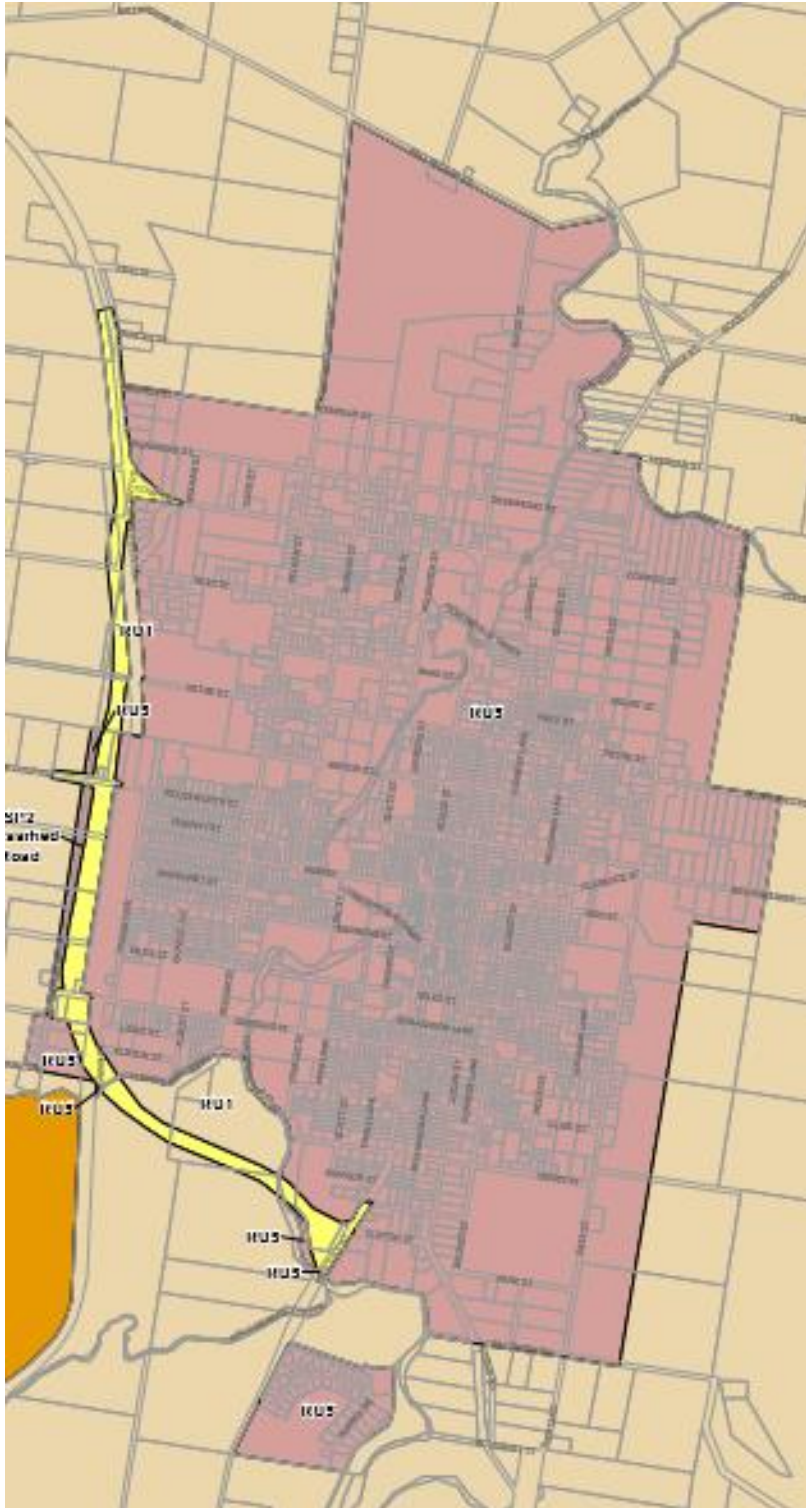
- a) Notification procedure/No DA notice placed on site

Response - The application was notified originally in accordance with the provisions of Chapter 2 of *Tenterfield DCP 2014* and then further notification undertaken after considerable community interest in the proposal by way of extended written notification, advertising in 'Your Local News' and Council's website. Reference to a notice placed on site is not a requirement under *Tenterfield LEP 2013* or *Tenterfield DCP 2014*.

- b) Zoning of the property

Response - The site is zoned RU5 Village, which is the land use planning zone for all of Tenterfield village as identified below, there are no lands specifically zoned for residential, industrial, commercial or other uses as set down by the Standard Instrument LEP;

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- c) Stormwater drainage - potential for issues on neighbouring properties and capacity of existing infrastructure to contain expected flows

Response - Council's engineering staff have reviewed the proposal and inspected the site and deemed that the proposed development, including stormwater control measures are adequate. The proposed building is of no greater size than a medium to large residential dwelling structure and stormwater measures including stormwater sumps and grates have addressed any potential issues from car parking areas. Drainage in Polworth street is via open swale drains, similar to the majority of street stormwater drainage in Tenterfield.

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d) Waste management/Potential for odours

Response - The activities of a mortuary are strictly controlled in accordance with the relevant provisions of the *Local Government Act and Public Health Regulation* and the applicant currently runs an approved facility in Rouse Street, Tenterfield, where Council has no record of any issues associated with this site. Waste management matters have been addressed above. It is proposed to place a condition of consent requiring the operator to advise Council of the type and quantity of any chemicals intended to be used on the site to ensure that such chemicals will have no impact on Council's wastewater treatment plant.

e) Visual impact in residential area

Response - The proposed development is of a scale that is consistent with adjoining and adjacent development, which is primarily single storey construction. The proposed building is set back 28.5 metres from Cowper Street behind the existing building line of dwellings on the street.

f) Residential area

Response - the site is zoned RU5 Village which allows for development compatible with existing development in the locality. The existing building has development consent for operation as a restaurant and maze with longer operating hours and higher patronage rates than that which is proposed under the proposed development.

Based on the applicants historic figures for funeral services provided in Tenterfield in the preceding three (3) years, being a total of 27, 25 and 19 (to date), a total of six (6) have been conducted at locations other than a Church or graveside. The opening of the proposed facility may lead to an increase in services outside of Church or Graveside, however the likely number is limited by the existing population, limited growth rate and sharing of services with another funeral director in Tenterfield.

g) Car parking adequacy

Response - car parking has been assessed above and deemed to meet Council's requirements.

h) Psychological impacts

Response - As discussed above under Social Impacts, psychological impacts although legitimately felt, are not of significant weight to warrant refusal of the application when balanced against all matters must take in to consideration pursuant to Section 4.15 of the *Environmental Planning & Assessment Act, 1979*.

i) Inconvenience to daily lives of residents, with activities within residential premises likely to coincide with funeral events.

Response - Residents are not restricted in their normal day to day activities by the presence or operation of the facility.

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j) Access and traffic generation

Response - matters relating to access and traffic have been addressed above. Concerns were also raised in relation to Polworth Street and its capacity to handle traffic, for vehicles to 'cut through' the dead end street and the lack of a turning area at the southern end of Polworth Street. The proposed development does not generate any greater volume of traffic than the existing approved development and with adequate signage, patrons will be directed in to the car parking area and able to turn around within this car parking area without the need to traverse to the southern end of Polworth Street. Polworth Street is clearly signposted as a No Through Road and has a large reflective barrier board sign at its southern extent.

k) Signage and outdoor advertising - what signage is proposed and will it be discreet?

Response - The existing pylon sign located on the Cowper Street frontage was approved under DA 1998/31 and subsequent Construction Certificate. Details of the signage were provided during the 2nd round of consultation and comprise the following;



Tenterfield
Family Funerals
Celebrating Life

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l) Removal of Pine Trees in Polworth Street

Response - The applicant has made application to Council pursuant to Section 138 of the Roads Act to install a new access off Polworth Street, with a request to remove all of the pine trees located in Council's road reserve. Council's engineering department has reviewed the proposed and determined that only three (3) of the trees will require removal to create the new access point. Approval is yet to be issued, pending determination of the Development Application.

m) Future plans for a crematorium - many submissions raise concerns as to the future plans of the operators to install a crematorium on the site.

Response - The application before Council is for a Funeral Home and Mortuary, there is no application before Council for a crematorium on this site, or any other site in the LGA. Should a crematorium be proposed at any future time, a development application is required to be lodged with Council for assessment.

n) Inadequacy of existing hedge screening

Response- Upon a site visit the existing hedge was providing effective screening along part of the western boundary of the development site, however residents have indicated that during winter the hedge becomes sparse and does not afford as great a level of screening. The application proposes additional screening landscaping along the western boundary, west of the reception building and north of the new building. It is also recommended that a detailed landscaping plan, including species, mature height, planting schedule and ongoing maintenance be prepared and lodged with Council.

o) Impact on property values

Response - Many submissions raise concerns in relation to perceived impacts on property values in the vicinity of the proposed development. There is no evidence to suggest that this is the case and evidence has been provided in support of the application from three (3) valuers which indicates that there is no evidence to suggest that the change of use from the current approved use to a Funeral Home and Mortuary would impact on property values. A copy of the valuers reports is included in Attachment 6 (Booklet 2).

p) Backup generator

It is unlikely that power outages for extended periods will impact on the mortuary facility, with the *Public Health Regulation* allowing for removal of a body from refrigeration for a maximum of 8 hours a day for various purposes.

q) Proximity of two (2) aged care facilities to the proposed development

Response - The proposed development is not predominantly visible to residents of either facility.

Three (3) submissions were received in support of the proposal and are contained in Attachment 7 (Booklet 2) where the following matters were raised;

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- a) Pressure placed on writer to sign a petition and was advised that the applicant had intentions to eventually install a crematorium on the site.
- b) Praise for the applicant and their undertaking of a recent family funeral.
- c) Focus on the facts instead of pressure from public scrutiny.
- d) Proposal is in an inconspicuous part of town, tasteful and respectful and proposed hours is less intrusive than previous approved business.
- e) Suggestion of the use moving to the industrial estate is flawed with a funeral service surrounded by dust, noise and business

(e) the public interest.

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

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

The application was advertised and notified as detailed above.

2. Policy and Regulation

- Council Policy 'Limit of Delegated Authority in Dealing with Development Applications and Complying Development Certificates' is applicable as the proposal is considered under Part 3 Applications of public interest.

3. Financial (Annual Budget & LTFP)

No implications

4. Asset Management (AMS)

No implications

5. Workforce (WMS)

No implications

6. Legal and Risk Management

Should Council resolve to refuse the Development Application the applicant has a right of appeal pursuant to Clause 8.7 of the *Environmental Planning and Assessment Act 1979*.

7. Performance Measures

No implications

8. Project Management

No implications

Kylie Smith
Chief Corporate Officer

Our Environment No. 26 Cont...

Prepared by staff member:	Tamai Davidson, Senior Planner	
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer	
Department:	Office of the Chief Corporate Officer	
Attachments:	1 Attachment 2 (Booklet 1) - Conditions of DA	8 Pages
	2 Attachment 3 (Booklet 1) - Plans of Proposed Development & Applicant's Supporting Information	24 Pages
	3 Attachment 4 (Booklet 2) - First Consultation - Submissions Received By Way of Objection	16 Pages
	4 Attachment 5 (Booklet 2) - Responses Received - Second Consultation	41 Pages
	5 Attachment 6 (Booklet 2) - Valuers' Reports	9 Pages
	6 Attachment 7 (Booklet 2) - Submissions in Support of the Proposal	3 Pages

Department:	Office of the Chief Operating Officer
Submitted by:	Manager Water & Waste
Reference:	ITEM ENV27/18
Subject:	RUBBISH & RECYCLING - REFERS TO NOTICE OF MOTION - RESOLUTION 48/18

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Environment - ENVO 11 - Secure, sustainable and environmentally sound infrastructure and services underpin Council service delivery.
CSP Strategy:	Waste from our operations is managed to reduce the volume and take advantage of recycling opportunities available to us.
CSP Delivery Program	Provide effective and efficient delivery of sewerage services across to the townships of Tenterfield and Urbenville.

SUMMARY

On the 28th March 2018 in Council Minute 48/18 pertaining to Notice of Motion NM4/18, Council resolved that *"Council receives a report on the most up to date waste management systems, so the most up to date systems that are appropriate for our Council can be included in our Strategic Business Plan."*

This report looks at systems available and provides recommendation to pursue where a business case can support the more cost efficient way of treating waste and subject to grant funding availability for capital.

OFFICER'S RECOMMENDATION:

That Council receives and notes the report in relation to the Notice of Motion.

BACKGROUND

This report is designed to provide Council with an updated report on global trends occurring in waste management as an extension of the notice of motion and subsequent resolution to receive a report (see Attachment 8 (Booklet 3) on the most up to date waste management systems, so the most up to date systems which are appropriate to Council can be included in our Strategic Business Plan.

As an overview of the Attachment, Council's current waste management system can be thought of as a three tiered approach of green waste, recycling and waste (putrescible and non-putrescible known as solid wastes). Notably waste for Australia has been estimated at 2.1 to 2.7 tons per person per year; [http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/1370.0~2010~Chapter~Waste%20per%20person%20\(6.6.3\)](http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/1370.0~2010~Chapter~Waste%20per%20person%20(6.6.3))

Council's waste management follows best practice and legislative guidelines included as a risk assessment in the Attachment including green waste, recycling and waste legislated under the WARR Act 2001. However in the technological age many new waste management systems have been developed to deal with waste as recycling and processing can be expensive. For example MRF's (Materials Recovery Facilities) which can create employment as labour required for sorting, however larger facilities have some automatic sorting.

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New evolving technology is trying to eliminate the human labour component as an operational cost through robotic sorting machines <https://waste-management-world.com/a/machinex-installs-waste-sorting-recycling-robot-samurai-at-lrs-site-in-illinois> .

Subsequently recycling has been estimated for the Shire at approximately 25% of total waste. The average waste recycling for Australia is estimated from 20% to 50%; [http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/1370.0~2010~Chapter~Diversion%20rate%20\(6.6.5\)](http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/1370.0~2010~Chapter~Diversion%20rate%20(6.6.5)) .

For Tenterfield recycling includes a domestic collection service of mixed recyclables, waste transfer stations collection of mixed recyclables, mixed metal collection as steel piles and lead battery collection, green waste collection as well as separation and collection of oils, gas cylinders, toxic, acidic, alkali, drummuster, small batteries, flouro tubes, fire detectors, separate collections of tyres, mattresses, whitegoods, furniture, as well as supporting Planet Ark's collections of printer cartridges and mobile phones. For Tenterfield most costs for recycling involve transportation over long distances (i.e. to Lismore), these distances provided by Council's contractor equate to an average of \$8,000 per month.

Additionally recent re-introduction of tip-shops to encourage the repurposing of goods has been received well by the community of Tenterfield Shire and will continue to be developed.

The Attachment aims to assess the Tenterfield's waste disposal methods and provide a range of options to assist Tenterfield Shire Council to improve waste management outcomes. The major aim is to provide a sustainable system and to protect the environment from possible future environmental degradation required through quadruple bottom line reporting as economic, environmental, social, cultural spheres.

REPORT:

As an overview of the Attachment, Tenterfield's waste requires options to enhance the Shire; notably most of the technology to be cost effective is targeted at large cities or scaled to encompass towns. These types of technologies are targeted for the recyclables market with many of the technologies to process and sort waste requiring investment for returns. Focus should be on the recyclable waste streams which provide the best returns.

The option of processing green waste (mulching initially) is a prime candidate for future returns as compost is a growing market and equipment required for mulching and processing (pasturisation) is cost effective in comparison with contractors.

Additionally a secondary option for a mini-MRF for sorting could be introduced. The option would include sorting recyclables at Tenterfield (initially) into various bins by the public as paper products, steel, glass and plastics. This would leave sorting of domestic recyclable pick-ups and the smaller waste transfer stations. This option could be phased to provide returns initially (with recyclables on sold to processors) then scaled dependent on labour, machinery costs and grant opportunities.

Subsequently glass is problematic with returns making the reprocessing economically unviable for the second option (due to Mexico flooding the market), however glass could be included in the Lismore recycling stream.

Our Environment No. 27 Cont...

Potentially the significant technology or third option of pyrolysis (waste to energy) has the ability to create value added products as well as energy generation. This outperforms the incineration technical approach as the system has potential for scaling and the system can produce energy as well as value added product of fuel gases such as syngas, fuel oil as pyrolysis oil and biochar. This would be a medium to long term option, due to the timeframe to obtain permission from the EPA to construct such a facility.

Conclusively this report provides an overview of systems Council could utilise in an effective, efficient, and environmental manner. However an in-depth cost and benefit analysis would be required to further demonstrate the economic viability of the options provided to Council as long-medium and short term.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Dependent on Council recommendation for mini-MRF introduction to implement the mini-MRF the waste transfer station at Tenterfield would require additional signage in the recycling bays to allow separation of recyclables, signs and advertising would inform the community of changing recycling practices.

2. Policy and Regulation

The waste industry is highly regulated and includes the following Acts and Regulations:

- Protection of the Environment Operations (POEO) Act 1997
- Protection of the Environment Operations (Waste) Regulation 2014
- Waste Avoidance and Resource Recovery Act 2001
- Solids Waste Landfills Environmental Guidelines 2016
- Environment Protection Authority (EPA) NSW Energy from Waste Policy Statement
- The Protection of the Environment Operations (Clean Air) Regulation 2010

3. Financial (Annual Budget & LTFP)

Seek funding for infrastructure grants for improvements in the ability to be able to process recycling and waste stream.

Include potential grant seed funding in annual budget (e.g. most grants require Council to provide a capital contribution of 50%).

4. Asset Management (AMS)

Dependent on Council recommendation for mini-MRF introduction. To implement the mini-MRF there is a potential to utilise Council equipment, for example auto bailing recyclables which would include operation and maintenance in asset management systems.

5. Workforce (WMS)

Dependent on Council recommendation for mini-MRF introduction.

6. Legal and Risk Management

See Attachment; note exert of risk analysis for waste.

Our Environment No. 27 Cont...

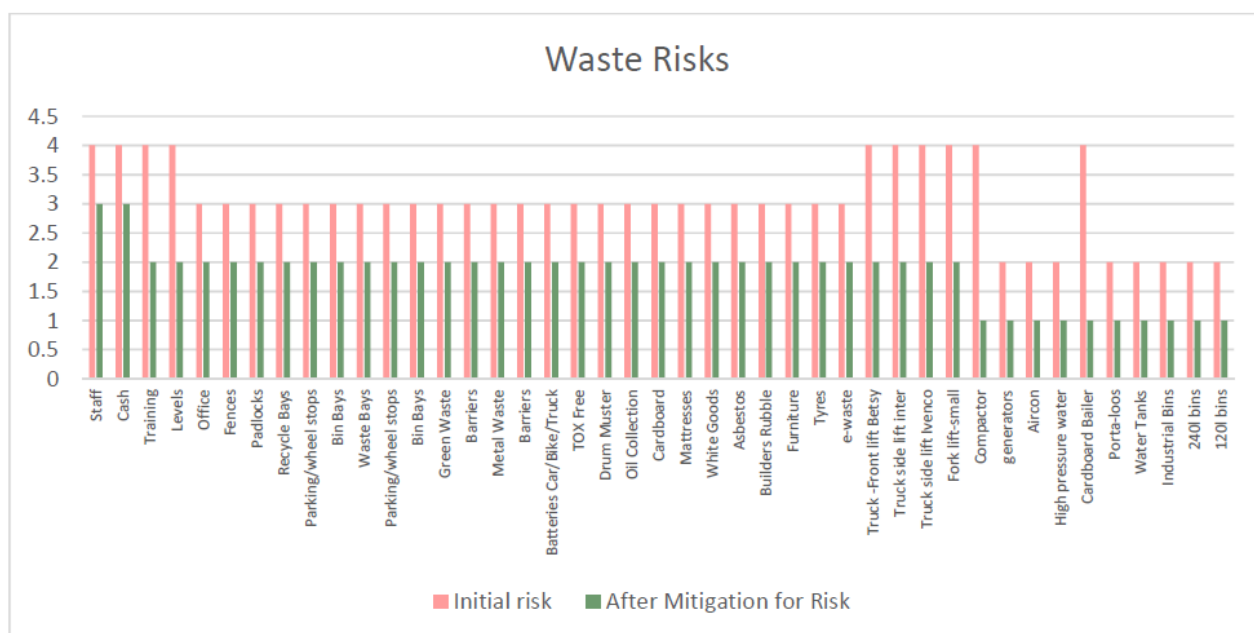


Figure 1 Assessment of Risk

7. Performance Measures

Dependent on Council recommendation for mini-MRF introduction with performance of the mini-MRF that could be gauged by the tonnage of recycling and the prices obtained.

8. Project Management

N/A

Andre Kompler
Chief Operating Officer

Prepared by staff member:

Gillian Marchant, Manager Water & Waste;
Melissa Blum, Technical Projects Engineer

Approved/Reviewed by Manager:

Andre Kompler, Chief Operating Officer

Department:

Office of the Chief Operating Officer

Attachments:

1 Attachment 8 (Booklet 3) - 33
Tenterfield Waste Review, Risks & Pages
Options Assessment 2018

Department:	Office of the Chief Operating Officer
Submitted by:	Technical Projects Engineer
Reference:	ITEM ENV28/18
Subject:	WASTE BAILER INFRASTRUCTURE

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Environment - ENVO 11 - Secure, sustainable and environmentally sound infrastructure and services underpin Council service delivery.
CSP Strategy:	Waste from our operations is managed to reduce the volume and take advantage of recycling opportunities available to us.
CSP Delivery Program	Provide effective and efficient delivery of sewerage services across to the townships of Tenterfield and Urbenville.

SUMMARY

This report provides recommendations to Council to provide an area appropriate for Council's asset as the cardboard bailer. The area is required for weather protection of the asset as well as providing a hard stand for equipment utilisation (bailer and forklift), and storage of bailed materials.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Proceeds with the construction of an extended roof and hardstand to enable protection and operation of Council's bailer asset; and**
- (2) Notes a future adjustment of \$60,000 in the December Quarterly Budget review for this expenditure with savings to fund it to be identified from additional revenue and savings in other areas of Council's waste operations; and**
- (3) Extends the community advertising campaign for recycling changes; and**
- (4) Reviews bailer operation after six (6) months for Tenterfield's Waste Transfer Station recycling operation for extension to other transfer stations and kerbside recycling operations including additional staffing requirements.**

BACKGROUND

Council's Waste Transfer Station (WTS) located at Tenterfield (Sunnyside Loop Road) is the major facility for the Shire. The cardboard bailer with attachments to be able to bail steel, aluminium cans as well as plastic bottles (PET and HDPE) and cardboard/paper was purchased with the intent of providing an income directly to Council.

The machine was utilised until 2002 when a major refurbishment was required. After this refurbishment costing \$37,400, Staff again utilised the bailer until bailed cardboard became an issue for collection as the goods were wet making transport and handling difficult as well as contamination from soil.

Our Environment No. 28 Cont...

As this issue involved storage, weather protection and handling issues the bailing was halted. The machine to replace in 2018 would be \$71,000.

REPORT:

This report is designed to provide Council with an update of the condition and requirements to protect Council's auto bailer asset and provide an initial plan for operation for Tenterfield's recyclable waste at the transfer station. The initial plan has the capacity (dependent on staffing) with a view to expand operations to include the other waste transfer stations and kerbside recycling operations.

In 2018, investigations into utilisation of the bailer where undertaken with sourcing of local transport. To ensure the Bailer was functional a service was undertaken in June 2018. As the existing weather proofing was inadequate several parts including solenoids where required to be replaced.

These where acquired in October 2018 and are awaiting installation. Final costs are pending for the service and parts. To ensure the issues of weather damage are not recurrent, an extension of the existing roofline was determined as the best possible option (Figure 1). In addition to extending the roofline the site surrounding the bailer was deemed hazardous for utilising the current plant (forklift) as the forklift requires a hard surface for operation. To provide an appropriate hard surface enclosing the bay with a concrete hardstand provided the best option.

Subsequently to provide the extended roofing required to protect the bailer from weather and construct the extended hardstand to enable utilisation of forklift as well as providing a storage area for bailed products. Quotes where requested to determine the cost of weatherproofing and hard stand for operations of the bailer. The quotations where received and ranged from \$54,000 to \$60,000.

However, Council currently has no additional funds to be able to provide the protection and hardstand.



Figure 1 Cardboard Bailer demonstrating roof line

Our Environment No. 28 Cont...

Separation of recyclables by the public could occur onsite by changing the mixed recycle bays into cardboard/paper, plastics, glass and other (Figure 2). This would allow existing holding bays (Figure 3) to be separated allowing easy access for bailing.



Figure 2 Recycling Bays



Figure 3 Cardboard separation in Bay

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Minimal community communication is required to re-instate the bailer processes, some advertising for acceptable recycling materials is already required under community education and is underway.

Our Environment No. 28 Cont...

The waste transfer station at Tenterfield requires additional signage in the recycling bays to allow separation of recyclables, signs and advertising would inform the community of changing recycling practices.

Additionally current recycling practices have implications on social sustainability as the costs of transport and separation at Lismore's Material Recovery Facility need to be met and are provided through higher rates to deliver waste management services.

2. Policy and Regulation

The waste industry is highly regulated and includes the following Acts and Regulations:

- Protection of the Environment Operations (POEO) Act 1997
- Protection of the Environment Operations (Waste) Regulation 2014
- Waste Avoidance and Resource Recovery Act 2001
- Solids Waste Landfills Environmental Guidelines 2016
- Environment Protection Authority (EPA) NSW Energy from Waste Policy Statement
- The Protection of the Environment Operations (Clean Air) Regulation 2010

3. Financial (Annual Budget & LTFP)

Seek funding release from Council's waste fund of \$60,000 to undertake the works to protect Council's asset from weather by extending the roof of the recycling bay over the bailer and extending the hard stand to enable operation of forklift to handle the bailed goods weighing potentially a tone.

Current recycling of cardboard and plastics has some fiscal impairment due to large distances for transporting (approximately \$97,000 annually) recyclable materials and costs associated with Lismore's Materials recovery facility (approximately \$45,000 annually however is due to increase). Currently Council supplies approximately 498 Tonnes of recyclables to Lismore.

The upgrade for weather proofing and hard stand have been quoted between \$54,000 and \$60,000.

Additionally Council has an opportunity for potential cost recovery for bailed materials as provided from tonnage prices in Table 1 below.

Table 1 Price Materials and Percentage recovery from Recycling

Material	Cardboard	Commons	Mixed Glass	PET	HDPE	Aluminium	Steel	Other
Percentage	.06	.27	.35	.03	.03	.013	.03	.009
Price per Tonne	\$160.00	-\$15.00	\$10.00	\$180.00	\$500.00	\$1,350.00	\$145.00	\$0.00

Our Environment No. 28 Cont...

4. Asset Management (AMS)

Part of Integrated Planning and Reporting (IP&R) is asset management. The operation and maintenance required for the bailer (operational expenditure) as well as provision of weatherproofing and hardstand (capex expenditure) can be viewed from a total asset management plan or alternatively an asset management system approach for the bailer.

5. Workforce (WMS)

The costs associated for Tenterfield waste transfer station with operation and maintenance of the bailer are estimated utilising current employees for an additional 2 hours weekly costing \$12,000 approximately.

6. Legal and Risk Management

Legally Council is required to recycle materials under Waste Avoidance and Resource Recovery (WARR) Act 2001 Legislation as;

The WARR Act (2001), was designed to ensure materials discarded in communities was valued and treated as a resource or commodity. The ideology to reduce the impact and requirement for extractive minerals through recovery.

The WARR Act aims to ensure that consideration of resource management options occurs in the following order:

- Avoidance of unnecessary resource consumption
- Resource recovery (including reuse, reprocessing, recycling and energy recovery)
- Disposal.

Some options for consideration under risk management are;

- The site where the bailer is located is prone to erosion which could lead to issues with sediment and sediment build-up in the leachate pond, creating an issue for desilting in the future (e.g. legislative requirements for disposal as controls) if left without construction of hardstand (Figure 4).
- Costs of transport increases the carbon footprint of Council's recyclables which is a risk to sustainability.
- Costs associated with current recycling practice and the imminent increases expected, managing this risk would include utilising bailing options to reduce recycling sent to Lismore's Materials recovery facility hence drop both transport and processing cost.

Our Environment No. 28 Cont...



Figure 4 Position of Bailer compound compared to Leachate pond

7. Performance Measures

Once operational, performance could be gauged by the tonnage of bailed recycling and the prices obtained.

8. Project Management

N/A

Andre Kompler
Chief Operating Officer

Prepared by staff member:	Melissa Blum, Technical Projects Engineer; Gillian Marchant, Manager Water & Waste
Approved/Reviewed by Manager:	Andre Kompler, Chief Operating Officer
Department:	Office of the Chief Operating Officer
Attachments:	There are no attachments for this report.

Department:	Office of the Chief Operating Officer
Submitted by:	Chief Operating Officer
Reference:	ITEM ENV29/18
Subject:	WASTE SERVICES REVIEW

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 review the status of waste operations across the Tenterfield Shire and confirm the best financially sustainable and strategic way forward for provision of waste services.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Notes the draft status of the current waste review consultant report; and**
- (2) Notes 'Business as Usual' means maintaining current levels of service along with ongoing use of Boonoo Boonoo landfill per the GHD Masterplan for the next 50 years using the best available operational cost minimisation technology, retention of the current domestic waste management charge and the s501 charge with the same being indexed annually; and**
- (3) Notes the current business model in the Consultant Review achieves a sustainable balanced budget over 10 years but operates in deficit for 4 years from 2022, albeit the same does not factor in current recycling cost increases being flagged by recycling facilities like Lismore Council which may dictate higher than predicted annual rate charges; and**
- (4) Continue with the 'Business as Usual' (BAU) financial model whilst more detailed updated costing is obtained on waste review options and option assumptions are tested against factors that may cause a major change of operational direction; and**
- (5) Note that the BAU strategy does not allow, over the next 10 years, for a reduction of the s501 and/or domestic waste charge (indexed annually); and**
- (6) Effect a review of the waste charges in 2024 to confirm the adequacy of fees and charges to deal with Boonoo Boonoo Stage 2 landfill cell requirements; and**

Our Environment No. 29 Cont...

- (7) Do a survey update of Boonoo Boonoo land fill in April 2019 to provide clarity on rate of landfill use, and thereafter seek adjustment to Council's EPA License; and**
- (8) Confirm Boonoo Boonoo landfill site water table ambiguity with a hydrogeological survey by July 2019 and commence the design, statutory approval process, and construction contract documentation process for Stage 1 cell development to ensure landfill cell completion by December 2021 (3 years time); and**
- (9) By 2021 negotiate a contingency landfill arrangement in the event of issues with the development of Boonoo Boonoo Stage 1; and**
- (10) By July 2019 determine minimum landfill closure and remediation requirements with EPA and a revised timeframe for the same to inform subsequent years capex and BAU modelling; and**
- (11) By 2021, update Council's Waste Strategy.**

BACKGROUND

Council closed Sunny Side Loop landfill (SSLL) around 2003 and the same has been operating as a transfer station since. Boonoo Boonoo landfill has been Council's main landfill since SSLL closure.

When a landfill closes there are remediation requirements which relate to slope of landfill batters (ie profile), the thickness of cover material on the top and side of the landfill, landfill leachate management etc. Such is normally governed by EPA guidelines and time frames for remediation are determined with EPA.

An assessment of remediation needs was commissioned and reported upon by a consultant in 2012.

Council right now has three (3) major issues;

1. Boonoo Boonoo landfill needs another landfill cell designed, approved and constructed by January 2022 (i.e. 3 years time).
2. Remediation liabilities exist at both SSLL and Boonoo Boonoo, and the same need to be confirmed with EPA and recognized in a future timeline with EPA notwithstanding that there is some staged provision allowance in Council's current BAU model for the next 10 years.
3. Costs of recycling keep increasing and alternative more cost effective processing regimes need to be considered in the near to medium term as Council looks at its overall waste strategy and revision of the same over the next 6-10 years.

This report gives a snap shot of the current status and way forward.

REPORT:

This report provides four (4) attachments;

Our Environment No. 29 Cont...

1. A consultant review of Council's current situation and explores possibilities for doing things differently (Attachment 9 (Booklet 3)).
2. A peer review of the above report by a landfill and waste management specialist. (Attachment 10 (Booklet 4)).
3. GHD Masterplan of the Boonoo Boonoo landfill showing 50 year remaining site life. (Attachment 11 (Booklet 4)).
4. BAU 10 year projection of operational and capital costs. (Attachment 12 (Booklet 5)).

Council has a Waste Management Strategy 2013-2021 dating back to 2013, and such was considered as part of this review, but such is flawed for the future in terms of the cost to deliver waste cells at current day costs, and with its strategy of seeking to close Boonoo Boonoo (BB) landfill and open back up SSL as an operational landfill whilst Council sources and develops a new landfill site. The Waste Strategy will be updated over the next 3 years.

The peer review report calibrates recent landfill costs of construction against the Mueller/ GHD costing of future works and effectively lends credibility to the more recent estimates of capex costs.

The July 2018 Bailey consultant waste review explored Council's current circumstances and different other operational possibilities tabulating pluses and minuses. An updated baseline survey was commissioned for both SSL and BB and such needs to be redone, preferably by April 2019 to give a full 12months of landfill change/ use data.

Whilst Council is in the process of getting updated cost impacts of all the options presented in the Bailey review, the current status and reality is;

1. Whilst existing fees and charges (F&C) BAU is sustainable in the sense that reserves can pay for the capex and operational costs over the next 10 years, the reality is F&C will need to be reconsidered in 6+ years' time against the evolving costs of doing business and changes in capex technology so that Council can pay for the capex and business in the following 10 year plan. The graph below shows the net position of the Waste Services reserves allowing for operations and capex year by year for the next 10 years. Whilst the net position is positive after 10 years, Council will need to effect loans and or subsidise the provision of waste from the general fund to deliver capex in 4 of the 10 years.

Our Environment No. 29 Cont...



2. The Council has to maintain its s501 charges and Domestic Waste Management Charge (DWMC) over the next 10 years if it is pay off the cost associated with providing to its communities the current level of service, and pays of the cost of providing a new landfill cell at its existing BB landfill to dispose most of its non recyclable waste.
3. Recycling costs are escalating and alternative less costly means need to be explored in the near and long term.
4. If levels of service were to be reduced, Council would need to have considerable consultation with its community over time, and such wholesale changes to the operation of the waste business cannot happen without further consideration of the changing cost evolution in the waste recycling arm of the business.
5. Incremental changes to business operation that hopefully minimise business operational costs like what is spoken about in the peer review (i..e dealing with organics, sticking with BB landfill, use of different cappings and cheaper GCL liners etc) is something that can be and will be explored as part of BAU.
6. SSLL has had little remediation done since its closure, remediation liabilities remain.
7. At SSLL, development has encroached on the site which will make it difficult environmentally if Council wanted to pursue a reopening of SSLL as a landfill site some time in the future.

Our Environment No. 29 Cont...

8. Sourcing a replacement landfill for BB any time soon is unrealistic noting what is involved (i.e. New landfill site identification, EIS, getting community acceptance, procurement, statutory approval procurement etc), and noting such is a very long drawn out process as seen in the minimal number of new approved landfills developed from scratch in NSW over the last 20 years. By way of example, Armidale Regional Council took 20 years to go through the above process. BB is workable and is an asset for the next 50 years just needing management in line with the masterplan and best technology of the day.
9. The Torrington landfill needs to be closed and a more appropriate means of managing waste effected with the community paying for the service provided.
10. The Mingoola transfer station needs to be progressed.
11. Note Council staff will bring back to Council options for more cost effectively dealing with recycling by July 2019 in line with the November 2018 Notice of Motion on the same.

Accordingly at this point in time it is prudent for Council to stay with the current BAU incorporating consideration of the above noting such has had input from both Council's Chief Operating Officer and Council's Finance Manager. Additionally set in place the ancillary followups referred to in the recommendations of this Council report which are needed to ensure right capex is provided when needed into the future, and the work that Council does is compliant with all required approvals, legislative requirements and EPA requirements.

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

To the extent that Council seeks to reduce future levels of service and or increase fees and charges, appropriate community consultation will be had.

2. Policy and Regulation

All relevant legislation

3. Financial (Annual Budget & LTFP)

Refer to the attached BAU finance model which has been incorporated into the quarterly business review on the current 18/19 budget.

4. Asset Management (AMS)

Any new landfill cells will need to have GCL liners checked at design stage for ability to deal with the char of waste to energy residue.

Also even if a pilot waste to energy plant happens in the next 5-10 years, there will still remain the need for a waste landfill as not everything is combustible, but that said, the landfill would last longer if waste to energy was part of the waste treatment service mix.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

Our Environment No. 29 Cont...

7. Performance Measures

Sustainable service delivery that does not need to be subsidized by Council's General Fund.

8. Project Management

Council is at the scoping and planning stage.

Andre Kompler
Chief Operating Officer

Prepared by staff member:	Andre Kompler, Chief Operating Officer	
Approved/Reviewed by Manager:	Andre Kompler, Chief Operating Officer	
Department:	Office of the Chief Operating Officer	
Attachments:	<ol style="list-style-type: none"> 1 Attachment 9 (Booklet 3) - Tenterfield Shire Council - Waste Services Strategic Options Plan 59 Pages 2 Attachment 10 (Booklet 4) - Draft Peer Review of Waste Services Bailey Report 8 Pages 3 Attachment 11 (Booklet 4) - 2016 GHD Boonoo Boonoo Landfill Masterplan 132 Pages 4 Attachment 12 (Booklet 5) - Tenterfield Shire Council BAU Waste Management Financial Model V Finance 2 Pages 	

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV94/18
Subject:	MONTHLY OPERATIONAL REPORT - NOVEMBER 2018

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 2018/2019 Operational Plan.

OFFICER'S RECOMMENDATION:

That Council receives and notes the status of the Monthly Operational Report for November 2018.

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 13 (Booklet 6) - Monthly Operational Plan - November 2018	166 Pages

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV95/18
Subject:	COUNCIL RECESS PERIOD - 2018/2019 & DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD

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:	Services to our community are provided in a professional, friendly and timely manner consistent with our corporate values.
CSP Delivery Program	Deliver Customer Service and Business Services in the support of corporate outcomes.

SUMMARY

The purpose of this report is for Council to approve recess arrangements and provide the Mayor and/or Deputy Mayor, and the Chief Executive with delegations over the recess period and provide delegation for Acting Chief Executive during period of leave of Chief Executive.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Be in recess from 22 December 2018 to 26 February 2019.**
- (2) Pursuant to Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and/or Deputy Mayor, and the Chief Executive jointly to exercise any function of Council during the recess period with the exception of:**
 - Determination of applications for all dwelling types and ancillary structures where significant objections have been received;**
 - Rezoning matters;**
 - Subdivision applications; and**
 - Entering into Leases and Licences.**
- (3) That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2019 Ordinary Council Meeting of Council to be held on 27 February 2019.**
- (4) That Council approve the temporary appointment of Chief Operating Officer, Andre Kompler to the position of Acting Chief Executive for the period Monday, 18 February 2019 to Friday, 1 March 2019 inclusive; and**
- (5) That subject to Section 377 of the *Local Government Act 1993*, the delegations of Council to the Chief Executive be conferred on the Acting Chief Executive, Andre Kompler for the period Monday, 18 February 2019 to Friday, 1 March 2019 inclusive.**

Our Governance No. 95 Cont...

BACKGROUND

At its Meeting of 25 October 2018, Council resolved:

Resolution 236/18

That Council endorse the closedown periods for the Christmas/New Year 2018/2019 period as follows:

- *Indoor staff – close of business Friday, 21 December 2018, reopening Wednesday, 2 January 2019;*
- *Outdoor staff – close of business Thursday, 20 December 2018, reopening Monday, 7 January 2019.*

It is now important to consider and adopt the recess period for Council, and to determine what delegated authorities will be granted to the Mayor and/or Deputy Mayor, and the Chief Executive specific to the recess period.

In addition, Chief Executive Terry Dodds will be absent on leave during the period Monday, 18 February 2019 to Friday, 1 March 2019 inclusive with Chief Operating Officer, Andre Kompler appointed to the position of Acting Chief Executive. Council will need to approve this temporary appointment.

REPORT:

There may be development applications under the standard process which would require Council to determine between the last Ordinary Meeting of Council in 2018 and the first Ordinary Meeting of Council in 2019. In this regard, it is considered prudent to delegate authority to the Mayor and/or Deputy Mayor, and the Chief Executive to determine those applications that cannot wait until the first Ordinary Meeting in February.

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

The Acting Chief Executive will pick up these delegations during the period of absence of the Chief Executive.

Options:

1. That Council grants delegated authority to the Mayor and/or Deputy Mayor, and the Chief Executive in accordance with the recommendation.
2. That Council not grant delegated authority to the Mayor and/or Deputy Mayor, and the Chief Executive in accordance with the recommendation.

Option 1 is the preferred option.

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

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

Our Governance No. 95 Cont...

2. Policy and Regulation

Section 377 of the Local Government Act 1993 provides for delegations to the Chief Executive.

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

It is important for Council to delegate functions to the Mayor and/or Deputy Mayor, and the Chief Executive/Acting Chief Executive to enable Council to lawfully make decisions of Council during the recess period. Failure to grant delegated authority may result in non-compliance of legislative provisions.

7. Performance Measures

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

8. Project Management

Nil.

Terry Dodds
Chief Executive

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

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV96/18
Subject:	ADMINISTRATION OF 2020 COUNCIL ELECTION

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:	We partner with the community, business and Federal and State Government in the achievement of our goals.
CSP Delivery Program	Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region.

SUMMARY

The purpose of this Report is to gain Council approval to request the NSW Electoral Commission to administer all of Council's elections, polls and referenda with the exception of the Mayor and Deputy Mayor election by Councillors.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Pursuant to s.296(2) and (3) of the *Local Government Act 1993 (NSW)* ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council; and**
- (2) Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all councils polls of the Council; and**
- (3) Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.**

BACKGROUND

Councils can choose to conduct elections themselves, outsource to a third party provider or resolve to have the NSW Electoral Commission conduct the elections of their behalf.

Tenterfield Shire Council elections, polls and Constitutional referenda have now been conducted by the NSW Electoral Commission for a number of Council terms. Previously, under Section 296 of the *Local Government Act 1993* Council was required to make a resolution within twelve (12) month after an Ordinary election of Councillors for the Council area to determine the administration of the next election by the Electoral Commissioner

Our Governance No. 96 Cont...

However, as a result of amendments to Section 296 of the *Local Government Act 1993* in 2013, the latest date these arrangements need to be in place is no later than fifteen (15) months before the next Ordinary election and the Council resolution to authorize such an arrangement must be passed at least eighteen (18) months before the next Ordinary election.

REPORT:

Mr Steve Robb of the NSW Electoral Commission (NSWEC) presented to the November 2018 meeting of the New England Joint Organisation, providing the following deadline dates:

- Election Day – Saturday, 12 September 2020;
- Latest date resolutions to be received for NSWEC to conduct Council's elections – 11 March 2019;
- Latest date service contract between Council and NSWEC to be signed – 11 June 2019.

This report is therefore brought before Council in order to meet these deadlines.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Should Council elect to appoint the NSW Electoral Commission to administer the 2020 Ordinary election, the Commission will provide wording for all legally required advertisements, however Council will advertise the election in general terms through *Your Local News* and the Council website.

2. Policy and Regulation

- Local Government Act Section 296

3. Financial (Annual Budget & LTFP)

The Electoral Commission provides a quote for conducting the Ordinary election based on previous requirements.

The 2016 Ordinary election NSW Electoral Commission cost was \$51,922 with an additional \$10,593 for Council staff costs, etc. Council will allow for a similar amount to be allocated in the 2020/2021 budget.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Contracting the NSW Election Commission to conduct the 2020 Ordinary election substantially reduces the legal risks to Council.

7. Performance Measures

Nil.

8. Project Management

Nil.

Our Governance No. 96 Cont...

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 14 (Booklet 7) 2020 Local Government Elections - Key Considerations	15 Pages

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV97/18
Subject:	FINANCE & ACCOUNTS - PERIOD ENDED 30 NOVEMBER 2018

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:

- (1) Receive and note the Finance and Accounts Report for the period ended 30 November 2018; and**
- (2) Approves and notes the minor administrative changes made to the Concealed Water Leakage Concession Policy (Policy Number 1.037).**

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 November 2018.

Cash Book Balances on this date were as follows:-

Our Governance No. 97 Cont...

General (Consolidated)	\$	2,298,238.36	Credit
General Trust	\$	321,533.93	Credit

(b) **Summary of Investments**

The attachment to this report is a certified schedule of all Council's investments as at 30 November 2018 showing the various invested amounts and applicable interest rates.

All investments comply with Council's Investment Policy.

Concealed Water Leakage Concession Policy Update

As per Council's request when the Concealed Water Leakage Concession Policy was adopted at the November Ordinary Council Meeting, an update will be provided in this section of the Finance Report on any Concessions granted under this new Policy. For the month of November no approvals were granted (however there will be some that will be reported on for December.)

In addition, there was a minor discrepancy in the Policy that was adopted at the November meeting that Council staff have rectified administratively. The Policy in some places said the previous two equivalent periods would be used to calculate the concession and in other places it said the previous three equivalent periods would be used. For the record it is the previous two equivalent periods that will be used for the calculation (as per the example provided in the Council report). The second recommendation in this report tidies up this administrative error and the Policy has been adjusted accordingly.

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.

Our Governance No. 97 Cont...

7. Performance Measures

Nil.

8. Project Management

Nil.

Kylie Smith
Chief Corporate Officer

Prepared by staff member: Paul Della, Manager Finance & Technology

Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer

Department: Office of the Chief Corporate Officer

Attachments: **1** Investment Report as at 30 November 2018 **1** Page

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 30 NOVEMBER 2018

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
National Australia Bank	AA-	90 Days	27/Dec/18	2.65%	1,000,000.00	7.34%
National Australia Bank	AA-	90 Days	29/Dec/18	2.00%	2,000,000.00	14.69%
TOTAL NAB INVESTMENTS					3,000,000.00	22.03%
Commonwealth Bank	AA-	At Call	31/Jan/19	1.50%	819,292.35	6.02%
Commonwealth Bank	AA-	At Call	29/Jan/19	2.35%	4,000,000.00	29.37%
TOTAL CBA INVESTMENTS					4,819,292.35	35.39%
Bankwest	AA-	60 Days	03/Dec/18	2.65%	800,000.00	5.87%
Bankwest	AA-	60 Days	29/Jan/19	2.50%	5,000,000.00	36.71%
TOTAL BANKWEST INVESTMENTS					5,800,000.00	42.59%
INVESTMENTS TOTAL					13,619,292.35	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.*

By:


 Responsible Accounting Officer

P. Della

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV98/18
Subject:	CAPITAL EXPENDITURE REPORT AS AT 30 NOVEMBER 2018

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 November 2018.

BACKGROUND

This report was updated in the 2017/18 Financial Year and replaced the Expenditure Progress Report that had previously been provided to Council.

Managers were asked to review their budgets in October 2017 and estimate when they expected capital expenditure to occur in each month between October 2017 and June 2018. This information was compiled and a month to month expenditure calculated.

A similar process was undertaken this financial year and Managers have commenced using Power Budget which gives them the ability to cash flow (phase) their own budgets. This process is still ongoing, with Managers reviewing both their timing forecast and the budget elements prior to commencement of the budget period in the new calendar year.

REPORT:

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.

Carry forward amounts from 2017/18 have now been included in the report and this reflects adjustments made in the Quarterly Budget Review.

The Dam Wall Project was discussed separately at the November Ordinary Council Meeting and Council approved up to \$1.03M additional loan funds for the project subject to the outcome of a request for additional grant funding from NSW DPI Water. Such a request will be made by the end of the calendar year.

Our Governance No. 98 Cont...

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)

Budget for Capital projects that have carried forward from 2017/18 have now been included in this report.

Council will need to increase its loans on the dam project by the amount of \$1.03M unless an additional amount of grant funding can be obtained.

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, Manager Finance & Technology	
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer	
Department:	Office of the Chief Corporate Officer	
Attachments:	1 Attachment 15 (Booklet 7) - Capital Expenditure as at 30 November 2018	2 Pages

**(ITEM RC27/18) REPORT OF COMMITTEE & DELEGATES - SIR HENRY PARKES
MEMORIAL SCHOOL OF ARTS JOINT MANAGEMENT COMMITTEE - 16 AUGUST 2018**

REPORT BY: Harry Bolton, Manager Economic Development & Community Engagement

A meeting of the Sir Henry Parkes Memorial School of Arts Joint Management Committee was held on Thursday, 16 August 2018. Minutes of meeting are attached.

RECOMMENDATION

That the report of the Sir Henry Parks Memorial School of Arts Joint Management Committee meeting of 16 August 2018 be received and noted.

ATTACHMENTS

- 1** Minutes of Meeting 3 Pages



**MINUTES OF
SIR HENRY PARKES MEMORIAL SCHOOL
OF ARTS JOINT MANAGEMENT
COMMITTEE**

THURSDAY, 16 AUGUST 2018

MINUTES OF THE **Sir Henry Parkes Memorial School of Arts Joint Management Committee** OF TENTERFIELD SHIRE held at the Sir Henry Parkes Memorial School of Arts on Thursday, 16 August 2018 commencing at 2.00 pm.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Ken Halliday – National Trust Australia (NS)
Peter Jeffrey – Friends of the SOA Committee
Christine Denis - Friends of the SOA Committee

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Manager Economic Development & Community
Engagement (Harry Bolton)

This is page 1 of the Minutes of the Sir Henry Parkes Memorial School of Arts Joint Management Committee held on Thursday, 16 August 2018

**MINUTES OF SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS JOINT
MANAGEMENT COMMITTEE** **16 AUGUST 2018**

APOLOGIES

Resolved that the apology from Mr Ian Unsworth – *National Trust Australia (NSW)* be received and noted.

Christine Denis/Peter Jeffrey

CONFIRMATION OF MINUTES

That the Minutes of the Sir Henry Parkes Memorial School of Arts Joint Management Committee meeting held on Thursday, 22 March 2018, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

Christine Denis/Peter Jeffrey

BUSINESS ARISING

- The MEDCE reported that the funding application to assist with the planning and upgrade of the Museum was unsuccessful however a further application had been submitted to the Regional Cultural Fund for Air Conditioning and Insulation of the Museum Banquet Hall and theatre dressing rooms. The project aim is to increase the cultural capacity of the Sir Henry Parkes Memorial School of Arts Museum space and improve the heating and cooling of the theatre dressing room, allowing greater capacity to host travelling exhibitions and theatre productions by providing a comfortable environment for patrons attending banquet events and theatre performers utilising the theatre.
- The MEDCE advised that the funding application to the Regional Cultural Fund for the purchase of the Data Base Management System "PastPerfect" has been successful and that the purchase and implementation of the system will take place over the coming months.
- The MEDCE provided an update re: window restoration and exterior/interior painting project advising that the project has now gone to tender and that the work will commence February/March 2019 and be completed by the end of the 2019 FY as per the funding agreement.
- The MEDCE confirmed that funds allocated by council of \$10,000 for the purchase of museum artefacts is available for use if and when required.

Note *There was discussion about the possibility of using these funds to assist with possible upgrades to the museum as it now appears unlikely that the allocated funds would be sufficient to purchase artefacts of Sir Henry Parkes as they generally command much greater funds.*

This is page 2 of the Minutes of the Sir Henry Parkes Memorial School of Arts Joint Management Committee held on Thursday, 16 August 2018

**MINUTES OF SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS JOINT
MANAGEMENT COMMITTEE** **16 AUGUST 2018**

REPORTS

- **School of Arts Operating Report**
- **Museum Advisor Report** - The Museum Advisor was unable to provide a report to this meeting as she is on extended leave and will return in October.

Resolved that the School of Arts Operating Report be received and noted.

(Harry Bolton/Peter Jeffrey)

NEXT MEETING

2.00pm Thursday, 7 March 2019 at the Sir Henry Parkes Memorial School of Arts.

There being no further business the Mayor declared the meeting closed at 3.05 pm.

.....
Councillor Peter Petty
Mayor/Chairperson

(ITEM RC28/18) REPORT OF COMMITTEES & DELEGATES - NSW PUBLIC LIBRARIES ASSOCIATION SWITCH CONFERENCE - 27 TO 30 NOVEMBER 2018

REPORT BY: Jennifer Stoker, Senior Librarian; John Macnish, Councillor

Tenterfield Shire Council was represented at the conference by Cr John Macnish, Cr Brian Murray and Manager Library Services Jenny Stoker. There were two full days of conference presentations as well as an extensive Trade Exhibition. The keywords that kept occurring during the conference presentations were partnerships, collaboration and connections. Delegates were advised to work at recognising opportunities and taking advantage of them.

Dr John Valance State Librarian, State Library of NSW urged library advocates to consolidate (collaborate) and present a solid case to government on how important libraries are to their communities. NSW public libraries were also advised to strengthen their links with State Library to make the most of the opportunities provided.

Andrew Fraser MP, member for Coffs Harbour said that libraries have a collaborative role in the community and that regional MP's understand the need for libraries in regional areas.

Susan Benton President and CEO, Urban Libraries Council (USA and Canada) said that libraries contribute to social equity as they are a guiding force for change, are an innovation network and provide education and digital inclusion. Libraries need to first think differently, take risks and participate. Susan suggested that we could develop strategies to set a direction with stakeholders e.g. connect with Council/Councillors and participate in Council actions. Susan sees the role of libraries as "change agents in the community" with "a community led library service" being essential to support democracy.

Liz Griffiths Service Delivery Librarian, Willoughby Library and Kath Knowles Young Leader Award recipient 2016 felt that we need to recognise connections that count. Peer led learning works best for digital literacy and therefore, digital inclusion. The librarian is seen as a facilitator, a partner (source of knowledge) in social and digital inclusion. On-going support is particularly important.

John Robertson Executive General Manager, Foodbank NSW & ACT stressed the importance of forming partnerships to achieve goals.

Darren Rodrigo from Essential Media explained the background of the "Renew Our Libraries" campaign. Internal and external objectives were established and a SWOT analysis was carried out. The strength of the campaign was the diversity of users of public libraries. The weakness was that in a digital world libraries could be perceived as obsolete. The opportunity was that there is currently a favourable political environment (election looming). The threat is that it could dissolve into a Liberal versus Labour partisan battle. The success of the campaign is due to a commitment to win, a clear achievable goal, strong planning and it struck a chord with the community. The target is to keep the pressure up until the election and beyond with a target of \$94M of funding that is indexed.

In the Day One Panel Session Librarians from four very different areas spoke about the Multicultural programs that were successful for their libraries. The Fusion Festival and Language Café in Wagga Wagga.

Report of Committee No. 28 Cont...

A cultural exchange program that included a multicultural playgroup, a coffee, card and mandala program as well as establishing a multicultural choir in Albury. An International Mother Language Day which used community influencers to establish connections and form relationships with the 188 countries represented in the Blacktown area. The Fireflies literacy support program for refugees by the City of Sydney Library.

On Day two of the conference the first speaker was a Labour party shadow ministry spokesperson for Peter Primrose MLC who said that Labour, if elected, will double library funding and link it to the CPI.

Paula Kelly Paull spoke on "Only play with people who want to play with you! A partnership approach to developing a creative technology 'Play to Learn' Outreach Space". A Library's role in connecting our community is/should be innovative in nature, sustainable as well as developing partnerships with community led learning and change. The term "Tactical Urbanism" is said to be transformational in design and intent. It works by bringing together all partners in the partnership to map their collective assets. Creative technology offerings are used as a hook to engage community members as well as offering a Makerspace with a social purpose. The Creative Tech Hub can also be used in Professional Development for library staff.

Kate Roffey's presentation was of particular interest to Cr John Macnish and Cr Brian Murray as it talked about different ways of dealing with development. It was titled 'Responding to change in the age of disruption'. Kate made the point that it is important to keep historical building and blend them into new developments. When planning a new precinct develop partnerships and create a community hub of libraries, museums, shops etc. Technology can enable transformation by enhancing customer experience and engagement, assist with service delivery, develop processes and functions and create an IT enterprise solution.

Collaboration and partnerships are essential. We need to invest in supporting people and IT strategy. We were encouraged to use Smart City thinking, that is, plan for the future. Developers could be asked to include in their developments certain features (for example, an Integrated Library and Learning Centre). This is called the Value Capture concept. For the delivery of social infrastructure we need to be creative with development.

Gavin Carnegie is a Learning and Development Manager, Local Government Professionals Australia, NSW. Gavin spoke about making the most of opportunity saying that "with change comes opportunity". He encouraged us to look for opportunities in change using the following tools to take advantage of opportunities:

- Option 1 – say yes. Yes is not always the answer.
- Option 2 – follow interests. Explore a pre-existing interest or interests
- Option 3 – be deliberate (focus) by:
 - i) Go small (break into sections)
 - ii) Explore the challenges
 - iii) Join forces with someone, explore together (partnerships)
 - iv) Focus on giving (what do people need)
 - v) Try things and embrace imperfection

Annie Hensley from fjmt Architects spoke about the impact of Regional libraries on their communities, in particular, Moe's library as part of the community centre.

Report of Committee No. 28 Cont...

It has created connections with the co-location encouraging cross-visiting between the library, museum, café and council spaces.

The Day two Panel session saw Librarians and Library Managers from City of Canada Bay, Lachlan Shire Library, Shellharbour City Council and City of Sydney Library speaking about their experiences of connecting with their communities, developing partnerships and designing spaces and programs with and for their communities.

RECOMMENDATION

That the report from Council's Delegate to the NSW Public Libraries Association SWITCH Conference be received and noted.

ATTACHMENTS

There are no attachments for this report.

(ITEM RC29/18) REPORT OF COMMITTEES & DELEGATES - PARKS AND GARDENS COMMITTEE MEETING - 29 NOVEMBER 2018

REPORT BY: Mark Cooper, Open Space, Regulatory & Utilities Supervisor

A meeting of the Parks and Gardens Committee was held on Thursday, 29 November 2018. Minutes of the meeting are attached.

RECOMMENDATION

That the report from the Parks and Gardens Committee meeting of 29 November 2018 be received and noted.

ATTACHMENTS

1 Minutes of Meeting 4 Pages



MINUTES OF
PARKS AND GARDENS COMMITTEE
THURSDAY, 29 NOVEMBER 2018

MINUTES OF THE **Parks and Gardens Committee** OF TENTERFIELD SHIRE held at the Council Chambers on Thursday 29 November 2018 commencing at 10.03 am.

ATTENDANCE

Mayor Peter Petty (Chairperson)
Colleen Knight, (Tenterfield)
Jeff McKillop, (Liston)
Jan Evans, (Tenterfield)
Glen Lamb (Legume),
Kerri Andrew (Tenterfield)
Stephen Goldthorpe (Urbenville)
Tom Short (Tenterfield)

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Open Space, Regulatory & Utilities Supervisor (Mark Cooper)
Chief Corporate Officer (Kylie Smith)

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.

This is page 1 of the Minutes of the Parks and Gardens Committee held on Thursday, 29 November 2018

MINUTES OF PARKS AND GARDENS COMMITTEE

29 NOVEMBER 2018

DISCLOSURE OF INTERESTS

Nil.

APOLOGIES

Apologies received from Deputy Mayor Greg Sauer Councillor Brian Murray, Lexie Kemp & Robyn Short.

CONFIRMATION OF MINUTES

Resolved that the Minutes of the Parks, Gardens & Open Space Advisory Committee meeting held on Thursday, 9 August 2018, as circulated, be confirmed and signed as a true record of the proceedings of the meeting with an amendment to Spelling of Stephen Goldthorpe's name and Kerrie Andrew's name.

Mark Cooper/Peter Petty

BUSINESS ARISING FROM THE MINUTES

1. Information Booklet on Trees in the Tenterfield Area

- Shown a digital copy of what the information booklet will look like and in time will look at doing the other parks too
- - Ongoing

2. Bruxner Park Sign – Rouse Street, Tenterfield

- The design has been passed to a fabricator to do up a quote, Darrin Butler
- Ongoing

3. Clean Up Sections of Tenterfield Creek – Removal of Sand

- Council have applied for a \$81,000.00 grant to assist in native trees
 - o TS advised we should involve the community to plant trees
 - o Committee members should be involved and go speak to schools about program and try and get families to help, and take note home to parents
 - o PP advised he be happy to assist in the organisation of the visits to the schools.

4. Interpretative Panels

- Bruxner Park
 - o Gone back to the Heritage committee for wording
- Millbrook Park – Tree Species
 - o – Ongoing

This is page 2 of the Minutes of the Parks and Gardens Committee held on Thursday, 29 November 2018

MINUTES OF PARKS AND GARDENS COMMITTEE

29 NOVEMBER 2018

5. Grant Funding – Stronger Community Grants

- Tenterfield and surrounding villages was successful in the grant.
- May have to revisit some costings
- Just waiting on the funding deed to be signed.

6. Investigation - War Helmet

- Wondering if Bruxner Park is the right park for this fountain;
- Costing estimate around \$100k to make and install (funding may be needed)
- Should we look at making a Memorial Park near the memorial hall and install there;
- 3D Lazer design is needed to be done, in way of a form of design and dimensions for the next meeting.

GENERAL BUSINESS

1. Adoption of Parks, Gardens & Open Spaces Committee Meetings for 2019

- Thursday, 21 March 2019 – 10.00 am
- Thursday, 20 June 2019 – 10.00 am
- Thursday, 19 September 2019 – 10.00 am
- Thursday, 12 December 2019 – 10.00 am

2. Naming of Cycle way in Honor of Margaret Zannes – Requested from Tenterfield Rotary Club

- If an opening for the walkway is going to be organised John Zannes would like to be added to invites.
- Rotary responsible for naming of new sign
- Will leave the sign as is and have the opening in memory of Margaret Zannes

3. Revisit Advertising Signs Being Erected Around Town

- Hand written fruit signs are appearing around town and health club signs being erected all over town.
- Need to do a write up in 'Your Local News' advising these signs are prohibited.

4. Granite Country Platypus Trail – Along the Bike Track

- Would like to advise people that there are certain areas around the Tenterfield Creek that have platypus living in that location
 - Aim to have sign in certain location
 - Could do a statue of a platypus and do discovery trail or paint a platypus on a rock
 - This is an opportunity to encourage visitors but need to work out details before anything happens

5. Christmas Tree Lights and Decorations in Urbenville Park

- Install fairy lights in the Christmas tree in Urbenville
- Would need to be solar due to no power in the Park with the option to go hard wire in the future

This is page 3 of the Minutes of the Parks and Gardens Committee held on Thursday, 29 November 2018

MINUTES OF PARKS AND GARDENS COMMITTEE

29 NOVEMBER 2018

- MC advised that Council has Christmas decorations available for Urbenville Progress to use if they want to collect in the condition they are currently in.
- Lights would need to be donated to the Progress Association for care and installation and removal etc.
- SG also advised he would like to see Urbenville have street trees and plants in pots.

6. Tree Management Plan

- Stuart Pittantin to give board map to plant trees and use for guidance for public to use when planting.

NEXT MEETING

Thursday, 21 March 2019 at 10.00 am in the Council Chamber.

There being no further business the Chairperson declared the meeting closed at 11.30 am.

.....
Councillor Peter Petty
Chairperson

(ITEM RC30/18) REPORTS OF COMMITTEES & DELEGATES - 2018 NATIONAL ROADS CONGRESS - 20 TO 22 NOVEMBER 2018

REPORT BY: Peter Petty, Mayor

Mayor Peter Petty and Chief Executive Terry Dodds attended the 2018 National Roads Congress in Alice Springs from Tuesday, 20 November to Thursday, 22 November 2018.

- The day before the Roads Congress, Australian Local Government Association (ALGA) held their Annual General Meeting where current President David O'Loughlin was elected for a further two year term.
- In David's address, he spoke on the *Roads to Recovery* grants now being a permanent fixture being eighteen years old and increasing from \$350m to \$400m by July 2019.
- Issues going forward for the Federal Election:
 - FAGS grants, 1% of taxation revenue;
 - Realise the productive potential of Australian freight routes and preserve \$200m per year for five years for a Productivity Investment Plan;
 - Initiative/boost safety on local roads and making Bridges Renewal Program permanent;
 - Promote equitable access to community services - \$300m per year for four years;
 - Protect communities from the impact of natural disasters - \$200m per year for four years;
 - Strengthen Australia's circular economy to get access to State waste levies.

Tuesday, 20 November 2018

- Mr Allan Garcia, Chief Executive Officer, Infrastructure Tasmania addressed the Congress on *Integrating People, Land Use and Transport*.
- A Panel Session – *Stepping up Safety on our Local Roads* was conducted by Professor Narelle Haworth, Director for the Centre of Accident Research & Road Safety – Queensland, David Bobberman, Safety Program Manager, Austroads and Peter Frazer, President, Safer Australian Roads and Highways. Issues raised in this Session included:
 - 32% of fatalities are on local roads;
 - Queensland fatalities and hospitalised was 8,000, 2015-2017;
 - Local Government has a critical role to play in decreasing death and serious injury on local roads;
 - David Bobberman spoke on the National figures – 1,200 fatalities and 30,000 injured on Australian roads. 50% of crashes and 40% of fatalities are on local roads.
 - Peter Frazer spoke about his personal experience as in daughter was killed while changing a tyre on the side of the road.
 - There is a Yellow Ribbon Day as part of Road Safety Week – 6 to 12 May 2019.

Report of Committee No. 30 Cont...

- Drive So Others Survive!

Wednesday, 21 November 2018

- Panel Session *Innovation in Pavement Technology*:
 - Mr Jerry Tan, National Manager, Research & Development, Downer Group spoke on using recycled plastic to seal roads – 2% dearer.
 - Jan van de Graaff, Business Relationship Manager, Tyre Stewardship Australia advised that 56.3 million standard car tyres were dispersed in Australia 2015-2016. 41% either ended up in landfill or unknown disposal.
 - Cr Joseph Haweil, Councillor for Aitken Ward, Hume City Council advised that Hume City Council has used recycled material for building roads.
- Panel Session *Planes and Trains*:
 - Simon Bourke, Policy Director, Australian Airport Association advised that \$28.3 million has been spent over four (4) years for upgrades under the Remote Airstrip Programme.
 - \$50.1 million for new equipment at Regional Airports.
 - Productivity Commission Inquiry Report has had three extensions and final report is now due July 2019.
 - Melita Lanigan-King, Director, Regional & Industry Benefits, Inland Rail Division, Department of Infrastructure & Regional Development advised that 74% of freight between Melbourne and Brisbane travels by road. The Federal Government has committed \$16 billion to upgrade rail network to allow double stacked trains, 1 800 metre long trains and utilising 60% of existing rail corridors.
 - John Carleton, Executive Projects Manager, Moree Plains Shire Council addressed the following issues:
 - Building a transport hub;
 - Biggest agriculture area in monetary value in Australia.
- Cathryn Geiger, General Manager, Land Transport Market Reform, Department of Infrastructure, Regional Development & Cities advised that the reform of economic benefits is estimated to range from \$6.5 to \$13.3 billion over the next 20 years to ensure National service level standards and benefits:
 - Government Road Managers to help Local Governments to build a business case for investment;
 - Heavy vehicles;
 - HML limits roads to change to get funding to do work.
- Panel Session *Technology – Driving Change*:
 - Jamie French, Applied Technology Manager, Road Services Strategy Team, Downer advised that the Downer Group has 50,000 employees and is the fourth biggest employer in the Country.
 - Mike Brady, General Manager, Infrastructure Services, Toowoomba Regional Council spoke of Phase 1 - 1st and last mile issues in 2014-2016. Phase 2 is to develop 1st and last mile strategies in 2016-2018. Has achieved early success with grant funding for a bridges renewal program.

Report of Committee No. 30 Cont...

- Panel Session *Outback Way – The Longest Shortcut*:
 - Helen Lewis, General Manager, Outback Highway Development Council advised that the total length of the Outback Way is 2,700 km with 1,400 km sealed and 1,300 km remaining to be sealed.
 - Total funding is \$390 million this far and sealing to be completed by 2025.
- The final address was by The Hon Andrew Broad MP, Assistant Minister to the Deputy Prime Minister:
 - \$2.4 billion in FAGS grants.
 - Federal Government has tripled Roads to Recovery funding in the last three years.

Thursday, 22 November 2018

- Chief Executive and I attended a drought funding meeting. Very worthwhile and showed that our problems going forward with seeing the roll out of promised funding was shared by all Councils in attendance. This matter remains ongoing.

RECOMMENDATION

That the report of the Mayor of the 2018 National Roads Congress at Alice Springs be received and noted.

ATTACHMENTS

There are no attachments for this report.

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM RES11/18
Subject:	COUNCIL RESOLUTION REGISTER - DECEMBER 2018

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 December 2018.

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 16 (Booklet 7) - Resolution Register - December 2018 35 Pages