



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER

ORDINARY COUNCIL MEETING

WEDNESDAY, 26 APRIL 2017

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 Council Chamber, Tenterfield Shire Council, on **Wednesday 26 April 2017** commencing at **9.30 am**.

Damien Connor
General Manager

Meeting Event:
10.00 am Citizenship Ceremony

COMMUNITY CONSULTATION – PUBLIC ACCESS

Community Consultation (Public Access) relating to items on this Agenda can be made between 9.30 am and 10.30 am on the day of the Meeting. Requests for public access should be made to the General Manager no later than COB on the Monday before the Meeting.

Section 8 of the Business Paper allows a period of up to 30 minutes of Open Council Meetings for members of the Public to address the Council Meeting on matters INCLUDED in the Business Paper for the Meeting.

Members of the public will be permitted a maximum of five (5) minutes to address the Council Meeting. An extension of time may be granted if deemed necessary.

Members of the public seeking to represent or speak on behalf of a third party must satisfy the Council Meeting that he or she has the authority to represent or speak on behalf of the third party.

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone or in person prior to close of business on the Monday prior to the day of the Meeting. Persons not registered to speak will not be able to address Council at the Meeting.

Council will only permit two (2) speakers in support and two (2) speakers in opposition to a recommendation contained in the Business Paper. If there are more than two (2) speakers, Council's Governance division will contact all registered speakers to determine who will address Council. In relation to a Development Application, the applicant will be reserved a position to speak.

Members of the public will not be permitted to raise matters or provide information which involves:

- Personnel matters concerning particular individuals (other than Councillors);
- Personal hardship of any resident or ratepayer;
- Information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
- Commercial information of a confidential nature that would, if disclosed:
 - Prejudice the commercial position of the person who supplied it, or
 - Confer a commercial advantage on a competitor of the Council; or
 - Reveal a trade secret;
- Information that would, if disclosed prejudice the maintenance of law;
- Matters affecting the security of the Council, Councillors, Council staff or Council property;
- Advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
- Information concerning the nature and location of a place or an item of Aboriginal significance on community land;
- Alleged contraventions of any Code of Conduct requirements applicable under Section 440; or
- On balance, be contrary to the public interest.

Members of the public will not be permitted to use Community Consultation to abuse, vilify, insult, threaten, intimidate or harass Councillors, Council staff or other members of the public. Conduct of this nature will be deemed to be an act of disorder and the person engaging in such behaviour will be ruled out of order and may be expelled.

CONFLICT OF INTERESTS

What is a "Conflict of Interests" - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary - a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Who has a Pecuniary Interest? - A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below).

Relatives, Partners

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. "Relative", in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

Disclosures to be Recorded (s 453 Act)

A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

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## ORDER OF BUSINESS

1. Opening & Welcome
2. Civic Prayer & Acknowledgement of Country
3. Apologies
4. Disclosure & Declarations of Interest
5. Confirmation of Previous Minutes
6. Tabling of Documents
7. Urgent, Late & Supplementary Items of Business
8. Community Consultation (Public Access)
9. Mayoral Minute
10. Recommendations for Items to be Considered in Confidential Section
11. Open Council Reports
  - Our Community
  - Our Economy
  - Our Environment
  - Our Governance
12. Reports of Delegates & Committees
13. Notices of Motion
14. Resolution Register
15. Confidential Business
16. Meeting Close

# AGENDA

## 1. OPENING & WELCOME

## 2. (A) OPENING PRAYER

*"We give thanks for the contribution by our pioneers, early settlers and those who fought in the various wars for the fabric of the Tenterfield Community we have today.*

*May the words of our mouths and the meditation of our hearts be acceptable in thy sight, O Lord."*

## (B) ACKNOWLEDGEMENT OF COUNTRY

*"I would like to acknowledge the traditional custodians of this land that we are meeting on today. I would also like to pay respect to the Elders 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

### ***Recommendation***

That the Minutes of the following Meetings of Tenterfield Shire Council, as typed and circulated, be confirmed and signed as a true record of the proceedings of those meetings:

- Ordinary Council Meeting held on Wednesday, 22 March 2017
- Extraordinary Council Meeting held on Wednesday, 12 April 2017

## 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**

|                 |                                                                                        |   |
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| (ITEM GOV23/17) | INTERNATIONAL TOWN PARTNERSHIP ADVISORY<br>COMMITTEE - COMMITTEE TO BE DISSOLVED ..... | 6 |
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### **OUR ECONOMY**

### **OUR ENVIRONMENT**

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### **OUR GOVERNANCE**

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## **15. CONFIDENTIAL BUSINESS**

## **16. MEETING CLOSED**

|                      |                                                                                      |
|----------------------|--------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Strategic Planning and Environmental Services</b>                                 |
| <b>Submitted by:</b> | Acting Director, Strategic Planning and Environmental Services                       |
| <b>Reference:</b>    | <b>ITEM GOV23/17</b>                                                                 |
| <b>Subject:</b>      | <b>INTERNATIONAL TOWN PARTNERSHIP ADVISORY COMMITTEE - COMMITTEE TO BE DISSOLVED</b> |

|                                                               |                                                                                                                                |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                |
| <b>Goal:</b>                                                  | Our community is actively engaged and consulted about Council's decisions and informed about services and activities.          |
| <b>Strategy:</b>                                              | Ensure that Council's strategic directions reflect the views of the community.                                                 |
| <b>Action:</b>                                                | Revise the Community Engagement Strategy with the aim to be more inclusive and at the same time meet legislative requirements. |

### SUMMARY

The purpose of this report is to advise Council of the resolution of the International Town Partnership Advisory Committee to dissolve the Committee as it no longer plays a role in the Sister City Relationship.

### OFFICER'S RECOMMENDATION:

- (1) That Council notes the resolution of the International Town Partnership Advisory Committee to dissolve the International Town Partnership Advisory Committee; and**
- (2) That Council write to the members of the International Town Partnership Advisory Committee thanking them for their service to this Committee.**

### BACKGROUND

At the Ordinary Meeting of 23 November 2016, Council resolved to wind up its Section 355 Advisory Committees and replace the International Town Partnership Cultural Committee with the International Town Partnership Advisory Committee.

### REPORT:

The new Committee met on Tuesday, 14 February 2017 and discussed at length the purpose and function of the Committee, concluding that it no longer had an active role in the International Town Partnership relationship.

Points that highlighted this included:

- The Council Committee of Sister City Ottobeuren dissolved some three (3) years ago to form a community committee;
- The Committee has no role in organizing the Biennial visit and festival;
- The Committee has not been successful in attracting members of the community to consider the exchange program that has been on offer; and
- The Committee felt that the Tenterfield Rotary Club has taken on full responsibility for these activities and that the International Town Partnership Advisory Committee was no longer required to facilitate these actions.

The vote to dissolve the International Town Partnership Advisory Committee was unanimous.

Our Community No. 23 Cont...

Committee members believe that the Sister City agreement would not be effected by this decision and that communications between both Councils should continue between the Mayors of each town.

Mayor Peter Petty put forward a Notice of Motion at the March 2017 Council meeting which will promote the future exchange program between the towns.

### **COUNCIL IMPLICATIONS:**

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

N/A

**2. Policy and Regulation**

N/A

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

N/A

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

N/A

**7. Performance Measures**

N/A

**8. Project Management**

N/A

**David Stewart**

**Acting Director Strategic Planning and Environmental Services**

Prepared by staff member:

Harry Bolton, Senior Economic Development Officer

Approved/Reviewed by Manager:

David Stewart, Acting Director Strategic Planning and Environmental Services

Department:

Strategic Planning and Environmental Services

Attachments:

There are no attachments for this report.



|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| <b>Department:</b>   | <b>Strategic Planning and Environmental Services</b>         |
| <b>Submitted by:</b> | Acting Director, Strategic Planning & Environmental Services |
| <b>Reference:</b>    | <b>ITEM ENV4/17</b>                                          |
| <b>Subject:</b>      | <b>Planning/Development Update</b>                           |

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                  |                                                                                                                                                                                                                                    |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Goal:</b>     | DIRECTION 1.5 – Land use planning strategies and policies enhance and support sustainable economic growth.                                                                                                                         |
| <b>Strategy:</b> | STRATEGY 1.5b – Exercise Council’s statutory functions under the EPAA 1979 properly and equitably to determine applications efficiently and in accordance with statutory requirements and/or Council policy and standards.         |
| <b>Action:</b>   | Proper execution of delegated authorities in a timely and professional manner in accordance with the adopted policy “Limit of Delegated Authority in Dealing with Development Application and Complying Development Certificates”. |

**SUMMARY**

The purpose of the report is to provide up to date statistics for Councillors on development activities, the information is also forwarded to the Australian Bureau of Statistics (ABS).

**OFFICER’S RECOMMENDATION:**

That Council receives and notes the Report “Planning/Development Update”.

**BACKGROUND**

This report provides a review of development applications and the processing undertaken by Council for the month of **March 2017**. The data herein is also provided to the Australian Bureau of Statistics (ABS) for development monitoring purposes.

Our Environment No. 4 Cont...

**REPORT:****APPLICATIONS LODGED WITH COUNCIL IN MARCH 2017**

| App No.         | Lodged    | Applicant                                      | Lot/Sec/DP                                               | Location                             | Development                                                                                  |
|-----------------|-----------|------------------------------------------------|----------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------|
| DA<br>2017.025  | 01-Mar-17 | KEARNEY Stephen<br>& Judith                    | 2/841194                                                 | 15 McKechnie Road,<br>Ruby Creek     | Relocation of a<br>Previously Used<br>Residence                                              |
| CDC<br>2017.026 | 06-Mar-17 | New England<br>Developments Pty<br>Ltd (Smith) | 1/1007466                                                | 132 Bulwer Street,<br>Tenterfield    | Alterations to Existing<br>Dwelling                                                          |
| DA<br>2017.027  | 07-Mar-17 | Duff Pastoral                                  | 10/1155323                                               | Banksia Drive,<br>Tenterfield        | Distribution Centre &<br>Office                                                              |
| DA<br>2017.028  | 07-Mar-17 | DJL Consolidated<br>Pty Ltd (Munns)            | 11/255005                                                | 26 Casino Road,<br>Tenterfield       | Shed X 3                                                                                     |
| DA<br>2017.029  | 08-Mar-17 | HAUTLE Hans<br>Ulrich & Heidy                  | 3/751049                                                 | 390 Rover Park Road,<br>Sandy Hill   | Temporary Use - 2017<br>Easter & June Long<br>weekends - Recreation<br>Facility - Rover Park |
| DA<br>2017.030  | 08-Mar-17 | CLAY Timothy                                   | 4/1155455                                                | 35 Scrub School<br>Road, Tenterfield | Manufactured Dwelling                                                                        |
| CDC<br>2017.031 | 10-Mar-17 | WILLIAMS Dallas &<br>HAMMOND Erica             | 32/1162949                                               | 6 Wood Street,<br>Tenterfield        | Dwelling                                                                                     |
| DA<br>2017.032  | 17-Mar-17 | CUNNINGHAM<br>Robert                           | 7/84/758959                                              | 148 Wood Street,<br>Tenterfield      | Garage                                                                                       |
| DA<br>2017.033  | 24-Mar-17 | Rhombus<br>Contracting<br>(Sutton)             | 5/745222                                                 | 30 Molesworth Street,<br>Tenterfield | Storage Shed                                                                                 |
| DA<br>2017.034  | 24-Mar-17 | Tenterfield Surveys<br>(Golf Club)             | A/356723                                                 | 288 Pelham Street,<br>Tenterfield    | Two (2) Lot Subdivision                                                                      |
| DA<br>2017.035  | 28-Mar-17 | DJL Consolidated<br>Pty Ltd (Searle)           | 21/1228504                                               | 33 Douglas Street,<br>Tenterfield    | Garage                                                                                       |
| DA<br>2017.036  | 29-Mar-17 | DJL Consolidated<br>Pty Ltd (Stanford)         | 3/839289                                                 | 80 Derby Street,<br>Tenterfield      | Storage Shed                                                                                 |
| DA<br>2017.037  | 30-Mar-17 | Tenterfield Surveys<br>(Harvey)                | 40, 41 &<br>44/751486,<br>18<br>&19/751521<br>& 1/128936 | Mount McKenzie<br>Road, Tenterfield  | Boundary Adjustment                                                                          |
| DA<br>2017.038  | 31-Mar-17 | BRIEN Louise                                   | 2/602271                                                 | 81 Wood Street,<br>Tenterfield       | Entertainment Area                                                                           |
| DA<br>2017.039  | 31-Mar-17 | THOMAS Daniel                                  | 3/701755                                                 | 258 Bruxner Road,<br>Drake           | Storage Shed                                                                                 |

Our Environment No. 4 Cont...

**DETERMINATIONS MADE UNDER  
STAFF DELEGATION IN MARCH 2017**

| App No.      | Lodged    | Date of Approval | No. of Days | Applicant                                                             | Lot/ Sec/ DP            | Locality                                                                           | Description of Development                                                          |
|--------------|-----------|------------------|-------------|-----------------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| DA 2016.095  | 31-Oct-16 | 22-Mar-17        | 69 Days     | Tenterfield Surveys (Scarrabelotti)                                   | 13/751523               | 1490 Back Creek Road, Back Creek                                                   | Six (6) Lot Staged Subdivision                                                      |
| DA 2017.011  | 10-Feb-17 | 08-Mar-17        | 27 Days     | CMC Constructions (Birnbaum)                                          | 5/1192951               | 295 East Street, Tenterfield                                                       | Staged Development<br>1. Temporary Dwelling<br>2. Dwelling                          |
| DA 2017.012  | 10-Feb-07 | 09-Mar-17        | 28 Days     | Rhombus Contracting (Tenterfield Local Aboriginal Land Council)       | 344/751540              | 73 Leechs Gully Road, Tenterfield                                                  | Storage Shed                                                                        |
| DA 2017.013  | 16-Feb-07 | 13-Mar-17        | 26 Days     | McNAMARA Margaret                                                     | 2/1036571               | 76 Summit Road, Maryland                                                           | Extension to Existing Accommodation Cabin                                           |
| DA 2017.014  | 13-Feb-17 | 09-Mar-17        | 25 Days     | Cawongla Pty Ltd T/as GNE Sheds & Kit Homes (Hile & Urzi)             | 9/15/ 758654            | 29 Maryland Station Road, Maryland                                                 | Garage                                                                              |
| DA 2017.015  | 13-Feb-17 | 21-Mar-17        | 37 Days     | Cawongla Pty Ltd T/as GNE Sheds & Kit Homes (Negerevich)              | 3/12/ 758616 & B/397160 | 5110 Mount Lindesay Road, Liston                                                   | Garage X 2                                                                          |
| DA 2017.017  | 15-Feb-17 | 19-Mar-17        | 31 Days     | Wes Smith Building Pty Ltd (Spedding)                                 | 34/71201                | 42 Aldershot Road, Tenterfield                                                     | Staged Development<br>1. Dwelling<br>2. Granny Flat                                 |
| DA 2017.018  | 15-Feb-17 | 17-Mar-17        | 31 Days     | LUND Zdenek & Kim                                                     | 812/ 1205063            | Neagles Lane, Tenterfield                                                          | Three (3) Lot Subdivision                                                           |
| DA 2017.021  | 15-Feb-17 | 03-Mar-17        | 17 Days     | The Shed Stop (Bartlett)                                              | 72/1223142              | 29 Stoney Ridge Road, Liston                                                       | Shed                                                                                |
| DA 2017.023  | 20-Feb-17 | 03-Mar-17        | 3 Days      | FOWLER Rhonda                                                         | 2/1064589               | 324 Bryans Gap Road, Tenterfield                                                   | Temporary Use Beerfest Lunch 5 March 2017<br>Oracles of the Bush Lunch 1 April 2017 |
| DA 2017.024  | 28-Feb-17 | 24-Mar-17        | 24 Days     | Killarney P-10 State School P & C Border Rangers Trail Ride Committee | Multiple                | Killarney Road, Acacia Plateau Road, Goulds Falls Road & Acacia Scrub Road, Legume | Temporary Use "Border Ranges Trail Ride" 25 & 26 March 2017                         |
| DA 2017.025  | 01-Mar-17 | 22-Mar-17        | 22 Days     | KEARNEY Stephen & Judith                                              | 2/841194                | 15 McKechnie Road, Ruby Creek                                                      | Relocation of a Previously Used Residence                                           |
| CDC 2017.026 | 06-Mar-17 | 16-Mar-17        | 11 Days     | New England Developments Pty Ltd (Smith)                              | 1/1007466               | 132 Bulwer Street, Tenterfield                                                     | Alterations to Existing Dwelling                                                    |

## Our Environment No. 4 Cont...

| App No.      | Lodged    | Date of Approval | No. of Days | Applicant                        | Lot/ Sec/ DP | Locality                     | Description of Development   |
|--------------|-----------|------------------|-------------|----------------------------------|--------------|------------------------------|------------------------------|
| DA 2017.027  | 07-Mar-17 | 30-Mar-17        | 14 Days     | Duff Pastoral                    | 10/1155323   | Banksia Drive, Tenterfield   | Distribution Centre & Office |
| DA 2017.028  | 07-Mar-17 | 24-Mar-17        | 18 Days     | DJL Consolidated Pty Ltd (Munns) | 11/255005    | 26 Casino Road, Tenterfield  | Shed X 3                     |
| CDC 2017.031 | 10-Mar-17 | 23-Mar-17        | 14 Days     | WILLIAMS Dallas & HAMMOND Erica  | 32/1162949   | 6 Wood Street, Tenterfield   | Dwelling                     |
| DA 2017.032  | 17-Mar-17 | 30-Mar-17        | 3 Days      | CUNNINGHAM Robert                | 7/84/ 758959 | 148 Wood Street, Tenterfield | Garage                       |

**APPLICATIONS CURRENTLY OUTSTANDING (AS AT 13 APRIL 2017)**

| DA No. | Lodged    | Status of Application                          | Applicant                                | Location                | Proposed Development  |
|--------|-----------|------------------------------------------------|------------------------------------------|-------------------------|-----------------------|
| 16.103 | 14-Nov-16 | Additional Information Required from Applicant | Tenterfield Family Funerals (Glen Curry) | 61-63 Rouse St, T'field | Crematorium           |
| 17.019 | 15-Feb-17 | Additional Information Required from Applicant | ABC Constructions (Townes)               | Kildare Rd, T'field     | Manufactured Dwelling |
| 17.039 | 31-Mar-17 | Additional Information Required from Applicant | THOMAS Daniel                            | 258 Bruxner Rd, Drake   | Shed                  |



Our Environment No. 4 Cont...

**COUNCIL IMPLICATIONS:**

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

Development applications are placed on public exhibition, or neighbour notified in accordance with legislation and Council's Development Control Plan as required.

**2. Policy and Regulation**

Processing of Development applications relates to Councils Local Environmental Plan 2013, Councils Development Control Plan 2014, the NSW Environmental Planning and Assessment Act 1979, and other associated NSW Legislation.

**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

**David Stewart**

**Acting Director Strategic Planning and Environmental Services**

Prepared by staff member: Jenni Pentland, Senior Administration & Planning Assistant

Approved/Reviewed by Manager: David Stewart, Acting Director Strategic Planning and Environmental Services

Department: Strategic Planning and Environmental Services

Attachments: There are no attachments for this report.

|                      |                                                                                    |
|----------------------|------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b>                                                     |
| <b>Submitted by:</b> | General Manager                                                                    |
| <b>Reference:</b>    | <b>ITEM GOV18/17</b>                                                               |
| <b>Subject:</b>      | <b>OPERATIONAL PLAN 2016/2017 - REVIEW OF ACTIVITIES - JULY 2016 TO MARCH 2017</b> |

|                                                               |                                                                                             |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                             |
| <b>Goal:</b>                                                  | Council achieves excellence in corporate governance.                                        |
| <b>Strategy:</b>                                              | Implement strategies, policies and practices to achieve excellence in corporate governance. |
| <b>Action:</b>                                                | Undertake all legislative requirements of Local Government.                                 |

## SUMMARY

The purpose of this report is to inform Council of the progress of activities for the period 1 July 2016 to 31 March 2017 as contained within the Operational Plan 2016/2017.

## OFFICER'S RECOMMENDATION:

**That the Progress Report for the 2016/2017 Operational Plan, for the period 1 July 2016 to 31 March 2017, be received and noted.**

## BACKGROUND

Council adopted the Operational Plan 2016/2017 in June 2016 (Resolution 149/16). The activities are structured to meet the objectives for the 2016/2017 financial year with the aim to fulfil the Directions contained in the Four (4) Year Delivery Program 2013-2017 and the Community Strategic Plan 2013-2023.

This report will provide Council with the outcomes for the period July 2016 to March 2017, of actions against the activities across the organisation's six (6) key areas: Our Towns, Villages and Economic Growth; Our Infrastructure, Our Environment; Our Community; Our Sport, Recreation and Culture; and Government Leadership.

## REPORT:

Council staff have continued with extensive progress of the actions and activities in the 2016/2017 Operational Plan.

The progress for the reporting period can be viewed in Attachment 1 (Booklet 1) in the column marked "Progress as of 31 March 2017".

The 2016/2017 Operational Plan is the final Plan for the Community Strategic Plan 2013-2023 and as required following the election of the new Council in September 2016 for a new four (4) year term, Council has developed a new suite of Integrated Planning & Reporting documents.

The Community Strategic Plan 2017-2027, Community Engagement Strategy, Asset Management Strategy 2017-2027, Workforce Management Strategy 2017-2021 and Long Term Financial Plan 2017-2027 were adopted by Council at the Extraordinary Council Meeting on 12 April 2017 following a period of public exhibition.

Our Governance No. 18 Cont...

The draft Delivery Program 2017-2021 and draft Operational Plan 2017-2018 are currently on public exhibition to 10 May 2017.

### **COUNCIL IMPLICATIONS:**

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

The 2016/2017 Operational Plan is the final Plan for the Community Strategic Plan 2013-2023 and as required following the election of the new Council in September 2016 for a new four (4) year term, Council has developed a new suite of Integrated Planning & Reporting documents.

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

- NSW Local Government Act 1993 as amended;
- NSW Local Government (General) Regulations 2005;
- NSW Local Government Integrated Planning & Reporting Guidelines 2010.

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

All financial strategies for the 2016/2017 Operational Plan are contained within the Long Term Financial Plan 2015-2025 adopted by Council in June 2015 (Resolution 179/15).

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

All asset resourcing plans for the 2016/2017 Operational Plan are contained within the following documents adopted June 2015 (Resolution 181/15):

- Building Asset Management Plan;
- Parks, Recreation & Public Facilities Asset Management Plan;
- Road Network Asset Management Plan and related Appendices.

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

All workforce resourcing plans for the 2016/2017 Operational Plan are contained within the Workforce Plan 2015-2019 adopted by Council in June 2015 (Resolution 180/15).

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

N/A

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

The progress for the reporting period can be viewed in Attachment 1 (Booklet 1) in the column marked "Progress as of 31 March 2017".

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

N/A

**Damien Connor**  
**General Manager**



## Our Governance No. 18 Cont...

Prepared by staff member: Noelene Hyde, Executive Assistant & Media  
Approved/Reviewed by Manager: Damien Connor, General Manager  
Department: General Managers Office  
Attachments: **1** Attachment 1 (Booklet 1) - 66  
Operational Plan 2016/2017 - Pages  
Review of Activities - July 2016 to  
March 2017

|                      |                             |
|----------------------|-----------------------------|
| <b>Department:</b>   | <b>Corporate Services</b>   |
| <b>Submitted by:</b> | Director Corporate Services |
| <b>Reference:</b>    | <b>ITEM GOV19/17</b>        |
| <b>Subject:</b>      | <b>Finance and Accounts</b> |

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                  |                                                                                                          |
|------------------|----------------------------------------------------------------------------------------------------------|
| <b>Goal:</b>     | Direction 6.1 – Council has a long-term vision based on principles of sustainability.                    |
| <b>Strategy:</b> | Strategy 6.1c Provide Financial Services for the Council in an accurate, timely, open and honest manner. |
| <b>Action:</b>   | Review monthly reports to Council to ensure that they are easy to read and provide timely information.   |

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**SUMMARY**

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.

**OFFICER'S RECOMMENDATION:**

**That Council receive and note the Report "Finance and Accounts" for the period ended 31 March 2017.**

**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 attached to this report.

(a) Reconciliation of Accounts

Reconciliation of cash books of all funds have been carried out with the appropriate bank statements as at 31 March 2017.

Cash Book Balances on this date were as follows:-

|                        |    |              |        |
|------------------------|----|--------------|--------|
| General (Consolidated) | \$ | 1,174,110.44 | Credit |
| General Trust          | \$ | 321,533.93   | Credit |

(b) Summary of Investments

Attached to this report is a certified schedule of all Council's investments as at 31 March 2017 showing the various invested amounts and applicable interest rates.

Our Governance No. 19 Cont...

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

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

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

Nil.

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

Nil.

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

Nil.

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

Nil.

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

There has been no adjustment to budget expectations.

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

Nil.

**Allan Shorter**  
**Director Corporate Services**

Prepared by staff member: Belinda Savins, GIS Accountant  
Approved/Reviewed by Manager: Allan Shorter, Director Corporate Services  
Department: Corporate Services  
Attachments: **1** Attachment 2 (Booklet 2) - **1**  
Summary of Investments - 31 **Page**  
March 2017

|                      |                                  |
|----------------------|----------------------------------|
| <b>Department:</b>   | <b>Corporate Services</b>        |
| <b>Submitted by:</b> | Director Corporate Services      |
| <b>Reference:</b>    | <b>ITEM GOV20/17</b>             |
| <b>Subject:</b>      | <b>Posted Expenditure Report</b> |

|                                                               |                                                                                                         |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                         |
| <b>Goal:</b>                                                  | Direction 6.1 – Council has a long-term vision based on principles of sustainability.                   |
| <b>Strategy:</b>                                              | Strategy 6.1c Provide Financial Services for the Council in an accurate, timely, open and honest manner |
| <b>Action:</b>                                                | Review monthly reports to Council to ensure that they are easy to read and provide timely information.  |

## SUMMARY

The purpose of this report is to monitor progress on major and critical expenditure items and flag when the expenditure reaches 60% of budget whether the item will meet budgeted targets.

## OFFICER'S RECOMMENDATION:

**That Council receive and note the "Posted Expenditure Report" for the period ended 31 March 2017.**

## BACKGROUND

Council receives a monthly posted expenditure report to monitor the capital projects for the financial year.

The posted expenditure report for the period ended 31 March 2017 provides information on the percentage (%) of the original budget expended.

The posted expenditure report establishes a process of monitoring budget variations more effectively. Where over-expenditure has occurred the quarterly budget review process provides a mechanism for the effect of the over-expenditure to be considered within the context of the overall budget.

The accommodation of over-expenditure will require the allocation for other projects to be reduced or even removed from the budget altogether, or transfer of funds from reserves.

In the attachment to this report comment is provided on all projects where the percentage spent of the approved budget is 60% or higher.

## REPORT:

The "Recommended Changes Next QBR" column incorporates budget amendments that are reflected in the March quarter budget review.

There are three significant items of over-expenditure at 31 March 2017. Any budget adjustments will be reflected in the March QBR which will be presented to Council at the May meeting. The following comments relate to projects where the budget has been exceeded by \$50,000 or more.

Our Governance No. 20 Cont...

- 1. Fixing Country Roads (Wallaby Creek Bridge)** This project has exceeded the budget by \$66,350 as at 31 March 2017. The additional cost is due to higher construction costs as a result of additional works needing to be undertaken prior to the project being publicly advertised for tender. As previously reported to Council at regular times during 2016, the bridge piles were in worse condition than originally anticipated resulting in a revised bridge design needing to be developed. Further, when piling commenced in late 2016, embedment to the underlying rock layer was not achieved thus resulting in the bridge requiring re-design to provide for stiffer piling system at Wallaby Creek. The project is now being delivered by Contract with the project due for completion by May 2017, weather permitting.
- 2. Road Renewal – Gravel Roads** This project has exceeded the budget by \$51,858 as at 31 March 2017. This is due to the recent weather events which have caused Council to carry out additional unscheduled maintenance. Council's Director of Engineering Services is currently working with the State and Commonwealth Governments to seek out natural disaster funding to assist in the reparation of Council's affected assets.
- 3. Dam Wall Project Management Costs** This project has exceeded the budget allocation in 2016/17 by \$96,903 as at 31 March 2017. This amount will need to be brought forward from the 2017/18 allocation for the remainder of the project.

#### **COUNCIL IMPLICATIONS:**

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

- 2. Policy and Regulation**

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

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

Any amendments that are deemed to be required will be reflected in the March QBR.

- 4. Asset Management (AMS)**

Nil.

- 5. Workforce (WMS)**

Nil.

- 6. Legal and Risk Management**

Nil.

- 7. Performance Measures**

The impact of the change shown in this report are reflected in the performance measures included in the March (QBR).

Our Governance No. 20 Cont...

**8. Project Management**

Nil.

**Allan Shorter**  
**Director Corporate Services**

Prepared by staff member: Belinda Savins, GIS Accountant  
Approved/Reviewed by Manager: Allan Shorter, Director Corporate Services  
Department: Corporate Services  
Attachments: **1** Attachment 3 (Booklet 2) - Capital Expenditure Program 2016/17 - 31 March 2017 3 Pages

|                      |                                |
|----------------------|--------------------------------|
| <b>Department:</b>   | <b>Corporate Services</b>      |
| <b>Submitted by:</b> | Director Corporate Services    |
| <b>Reference:</b>    | <b>ITEM GOV21/17</b>           |
| <b>Subject:</b>      | <b>Report on Loan Balances</b> |

|                                                               |                                                                                                            |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                            |
| <b>Goal:</b>                                                  | Direction 6.1 – Council has a long-term vision based on principles of sustainability.                      |
| <b>Strategy:</b>                                              | Strategy 6.1c – Provide Financial Services for the Council in an accurate, timely, open and honest manner. |
| <b>Action:</b>                                                | Review monthly reports to Council to ensure that they are easy to read and provide timely information.     |

## SUMMARY

The purpose of this report is to inform Council of its loan balances.

## OFFICER'S RECOMMENDATION:

**That Council notes the loan balance as at 31 March 2017 was \$4,808,258.70.**

## BACKGROUND

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

## REPORT:

Loan payments are being made in accordance with the loan agreements. Council's loan balance as at 31 March, 2017 was \$4,808,258.70.

The Debt Service Cover Ratio measures the availability of operating cash to service debt including interest, principal and lease repayments. Council is required to report on this ratio in its financial statements in accordance with the Local Government Code of Accounting Practice and Financial Reporting.

Council's performance against this indicator for the year ended 30 June, 2016 was as follows.

| <b>Debt Service Cover Ratio</b> | <b>2016 Result</b> | <b>2015 Result</b> | <b>2014 Result</b> | <b>Benchmark</b> |
|---------------------------------|--------------------|--------------------|--------------------|------------------|
|                                 | 8.90x              | 7.64x              | 3.85x              | >2.00x           |

The Debt Service Cover Ratio of 8.90 times means that Council has \$8.90 to pay every dollar of interest and principal on current borrowings. The NSW Office of Local Government benchmark for financial sustainability is to have a benchmark greater than 2.0x.

Our Governance No. 21 Cont...

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

N/A.

**2. Policy and Regulation**

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

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

N/A.

**4. Asset Management (AMS)**

N/A.

**5. Workforce (WMS)**

N/A.

**6. Legal and Risk Management**

N/A.

**7. Performance Measures**

N/A.

**8. Project Management**

N/A.

Allan Shorter

Director Corporate Services

Prepared by staff member: Belinda Savins, GIS Accountant  
Approved/Reviewed by Manager: Allan Shorter, Director Corporate Services  
Department: Corporate Services

Attachments: **1** Attachment 4 (Booklet 2) - Loan Summary - 31 March 2017 **1** Page



|                      |                                                                                |
|----------------------|--------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b>                                                 |
| <b>Submitted by:</b> | Mayor Peter Petty                                                              |
| <b>Reference:</b>    | <b>ITEM RC5/17</b>                                                             |
| <b>Subject:</b>      | <b>REPORT OF DELEGATE - COUNTRY MAYORS' ASSOCIATION OF NSW - 24 MARCH 2017</b> |

|                                                               |                                                                                                             |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                             |
| <b>Goal:</b>                                                  | Council achieves excellence in corporate governance.                                                        |
| <b>Strategy:</b>                                              | Develop strategies, policies and practices to enable Council to achieve excellence in corporate governance. |
| <b>Action:</b>                                                | Continue to monitor policies, practices and processes with the aim of continuous improvement.               |

## SUMMARY

Mayor Cr Peter Petty attended the General Meeting of the Country Mayors' Association of NSW in Sydney on Friday, 24 March 2017.

## RECOMMENDATION:

**That Council receives and notes the Report.**

## REPORT:

A summary of the business of the meeting follows:

### Floodplain Management Program

Presentation by Mr Ian Dinham, President of Floodplain Management Australia. (Copy of notes at Attachment 5 (Booklet 2)).

- Federal Government has promised a complete review on flood damage and national disaster events in order to review and build things better.
- Flood damage bill exceeds \$400 million in public assets alone.

### Roads, Maritime & Freight

Presentation by The Hon Melinda Pavey MP. (Copy of notes at Attachment 6 (Booklet 2)).

- Road budget is 105% more with the current State Government.
- 65% to Regional NSW – catching up on sixteen (16) years of lack of spending.
- Population growth of 608,000 in NSW in the next decade.
- Allocation of \$200 million to the *Bridges for the Bush* initiative.
- *Fixing Country Roads* – allocation of \$41 million for Round 1 and \$50 million in Round 2. Round 3 to open shortly.
- Allocation of \$10 million to the *Fixing Country Truck Wash* program.
- Additional funds allocated towards Road Safety programs.

## Report of Committee No. 5 Cont...

- Tabulam Bridge replacement to commence in 2017.

**Other**

- NSW Auditor General noted there will be an increase in fees now that the Department is responsible for annual Council Audits – as much as 30 to 50%.
- The Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government and Minister for Heritage – six (6) weeks as Minister. Twenty (20) merged Councils. No more mergers.

**Cr Peter Petty  
Mayor**

Prepared by Mayor:

Peter Petty, Mayor

Attachments:

- |          |                                                                                         |            |
|----------|-----------------------------------------------------------------------------------------|------------|
| <b>1</b> | Attachment 5 (Booklet 2) -<br>Floodplain Management Program -<br>Briefing Paper         | 7<br>Pages |
| <b>2</b> | Attachment 6 (Booklet 2) - Minister<br>for Roads, Maritime & Freight -<br>Briefing Note | 1<br>Page  |

|                      |                                                                                                  |
|----------------------|--------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b>                                                                   |
| <b>Submitted by:</b> | Councillor John Macnish                                                                          |
| <b>Reference:</b>    | <b>ITEM NM4/17</b>                                                                               |
| <b>Subject:</b>      | <b>NOTICE OF MOTION - TRANSFER OF TENTERFIELD HOSPITAL TO NORTHERN NSW LOCAL HEALTH DISTRICT</b> |

|                                                               |                                           |
|---------------------------------------------------------------|-------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                           |
| <b>Goal:</b>                                                  | <a href="#">Click here to enter text.</a> |
| <b>Strategy:</b>                                              | <a href="#">Click here to enter text.</a> |
| <b>Action:</b>                                                | <a href="#">Click here to enter text.</a> |

## SUMMARY

The purpose of this motion is to gain Council's support for the transfer of Tenterfield Hospital from Hunter New England Local Health District to the Northern NSW Local Health District.

## COUNCILLOR'S RECOMMENDATION:

**That Council, on behalf of the community seek, as soon as possible, the transfer of Tenterfield Hospital from Hunter New England Local Health District to the Northern NSW Local Health District to ensure easier and better access to services and management.**

## BACKGROUND

For many years there has been a general disaffection with the administration of Tenterfield Hospital by Hunter New England Local Health District. As a current Councillor and previous Councillor (1999 – 2012), I have had many discussions and fielded many complaints about the current arrangements.

One big concern is that, it appears, the majority of Tenterfield residents who need specialist treatment are referred to Lismore doctors.

Under current arrangements, patients are transferred to Armidale or Inverell and then onto Newcastle, far away from where their specialists are. Another big issue is the distance that has to be travelled by relatives and friends to visit or assist loved ones.

## REPORT:

This Notice of Motion has been submitted after discussions with health professionals, including doctors, members of the Hospital Advisory Board and scores of people in the community.

It appears there is a lack of confidence in the current system.

This motion also has the full support of our Local Member of Parliament, The Hon Thomas George MP.

**John Macnish**  
**Councillor**

Prepared by Councillor: John Macnish, Councillor

|                      |                                                 |
|----------------------|-------------------------------------------------|
| <b>Department:</b>   | <b>General Managers Office</b>                  |
| <b>Submitted by:</b> | General Manager                                 |
| <b>Reference:</b>    | <b>ITEM RES3/17</b>                             |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - APRIL 2017</b> |

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**SUMMARY**

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

**OFFICER'S RECOMMENDATION:**

**That Council notes the Council Resolution Register to April 2017.**

**Damien Connor**  
**General Manager**

Prepared by staff member: Noelene Hyde, Executive Assistant & Media  
Approved/Reviewed by Manager: Damien Connor, General Manager  
Department: General Managers Office  
Attachments: **1** Attachment 7 (Booklet 2) - Council Resolution Register to April 2017 15 Pages