



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING WEDNESDAY, 26 OCTOBER 2016

Notice is hereby given in accordance with the provisions of the *Local Government Act 1993,* and pursuant to Clause 7(1) of Council's Code of Meeting Practice that an **Ordinary Council Meeting** will be held in the Tenterfield Shire Council Chambers, on **Wednesday, 26 October 2016** commencing at **9.30 am**.

Damien Connor General Manager

Website: <u>www.tenterfield.nsw.gov.au</u>

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. Nonpecuniary 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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AGENDA

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 that meeting:

- Extraordinary Council Meeting held on Wednesday, 28 September 2016
- Ordinary Council Meeting held on Wednesday, 28 September 2016

6. TABLING OF DOCUMENTS

Disclosure of Interest Returns

Recommendation

In accordance with Section 450A(2) of the *Local Government Act 1993*, that Council note the tabling of the Disclosure of Interest Returns and note that there are no outstanding Returns.

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

Nil.

OUR ECONOMY

(ITEM ECO5/16)	NORTHERN INLAND INVESTMENT PROFILE7
(ITEM ECO6/16)	LOCAL ROADS & TRANSPORT CONGRESS - TOOWOOMBA - 9 TO 11 NOVEMNBER 2016

OUR ENVIRONMENT

(ITEM ENV50/10) PLANNING/DEVELOPMENT OPDATE	(ITEM ENV50/16)	PLANNING/DEVELOPMENT UPDATE	16
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OUR GOVERNANCE

(ITEM GOV14/16)	COMMUNITY ENGAGEMENT - DRAFT POLICY	.22
(ITEM GOV15/16)	LAND USE AND PLANNING: LOCAL ENVIRONMENTAL PLAN: PLANNING PROPOSAL - AMENDMENT NO. 5 TO TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013	25
(ITEM GOV16/16)	AMENDMENT TO TENTERFIELD DEVELOPMENT CONTROL PLAN 2014	29
(ITEM GOV17/16)	UPGRADING COUNCIL MEETING WEBCASTS	.33
(ITEM GOV18/16)	POLICY AMENDMENT - SEWERAGE AVAILABILITY CHARGES	36
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(ITEM GOV21/16)	REPORT ON LOAN BALANCES	.46

12. REPORTS OF DELEGATES & COMMITTEES

13. NOTICES OF MOTION

(ITEM NM12/16)	EXTRA FUNDING FOR STATE ROADS IN COUNCIL'S CARE
(ITEM NM13/16)	SUPPORT FOR REDUCTION OF DAYLIGHT SAVING50

14. RESOLUTION REGISTER

15. CONFIDENTIAL BUSINESS

16. MEETING CLOSED

Department:	Strategic Planning and Environmental Services
Submitted by:	Director Strategic Planning & Environmental Services
Reference:	ITEM ECO5/16
Subject:	Northern Inland Investment Profile

LINKAGE TO I	INTEGRATED PLANNING AND REPORTING FRAMEWORK
Goal:	1.1 Tenterfield Shires economic base is robust, growing and supports the creation of a variety of employment and business opportunities; 1.6 Our places and spaces will be attractive, liveable, sustainable and grow the Shire.
Strategy:	Economic Development Strategy 2013-2017; 1.1a – Provides for and facilitates future economic growth throughout the Shire; 1.6a – Maintain and enhance the livability of the Tenterfield Shire as a place to live, work and find lifestyle choice
Action:	Facilitiate opportunities for industrial and commercial land development and employment generating activity tht can cater for a diverse range of industry and business needs; Market rural lifestyle and commercial/industrial opportunities.

The purpose of this report is to provide information on Economic Development activities in the Tenterfield Shire.

OFFICER'S RECOMMENDATION:

That Council receive and note the "Northern Inland Investment Profile" update report.

BACKGROUND

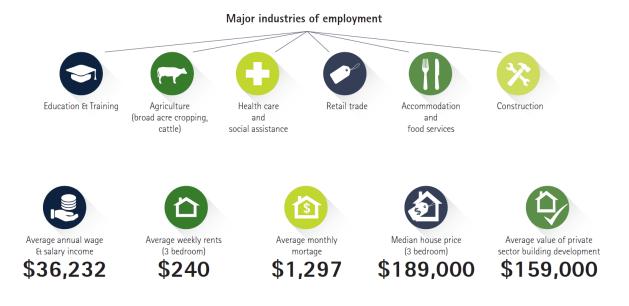
The Senior Economic Development Officer regularly communicates with local businesses, State & Federal business development groups and liaises with prospective new business developers.

REPORT:

Northern Inland Investment Profile

The Northern Inland Investment Profile has been compiled to give a comprehensive insight into our community and is part of an overarching Investment Profile that focuses on Northern Inland NSW. The report covers the following: a current snapshot, investment opportunities, community profile, business activity, housing, construction, property and land, employment, tourism and climate.

Current Snapshot



Industry Trends

Current Projects include Bolivia Hill Highway Realignment, Heavy Vehicle Bypass, Bruxner Park/Town Square, Mt Lindesay Road, and Industrial Land Estate.

Agriculture (cattle and sheep, cropping) have traditionally been the mainstay of the Tenterfield economy.

There is considerable scope for mitigating the risks associated with a heavy dependence on agriculture by diversifying the regional economy. It is important to recognise that logistical pathways are changing in the digital era and that Tenterfield has an opportunity to take advantage of these changes. The opportunity exists to build a more stable income base for this regional economy, to boost resilience, and where possible to compete, and engage in more value adding, to capture a greater share of emerging markets.

There are several investment opportunities of significance in the Tenterfield Shire:

- Agriculture accessing North Asia;
- Transport by upgrading Mt Lindsay Road;
- Export opportunities through Brisbane West Airport;
- Strategic Location;
- Forestry investment in timber processing and renewable energy options;
- Aged Care;
- Tourism.

House Prices

Location	Median Weekly Rent (\$)	Median Monthly Mortgage Repayment (\$)	Median House Price (\$)
Armidale	330	1,585	298,500
Glen Innes	230	1,347	187,500
Gunnedah	300	1,416	270,000
Guyra	275	1,285	220,000
Gwydir	220	1,307	168,000
Inverell	280	1,298	235,000
Liverpool Plains	155	1,364	215,000
Moree	250	1,370	200,000
Narrabri	320	1,470	285,000
Tamworth	310	1,582	300,000
Tenterfield	240	1,297	189,000
Uralla	280	1,537	245,000
Walcha	230	1,585	189,500
Sydney	596	3,300	1,000,000
Brisbane	430	2,200	513,000
Melbourne	452	2,400	707,000

Compared to the same period five years ago, the median house sales price for houses increased 18.3% which equates to a compound annual growth rate of 3.4%. The rental yield for houses in Tenterfield increased 5.7% over the preceding 12 months.

Industrial Land

	Total Industrial land (m²)	Vacant industrial land (m²)	Future potential land (m²)	Recent average sale price (\$/m²)
Armidale	1,777,000	524,000	1,891,543	223
Glen Innes		351,510		109
Liverpool Plains	232,708	25,671	207,893	58
Gunnedah	3,160,643	1,893,073	1,655,720	76
Guyra	1,068,733	872,077	210,000	63
Inverell	1,462,500	178,000		119
Moree	7,252,000	5 391 200		76
Narrabri	2,065,122	2,374,304		143
Tamworth	2,753,300	844,800		234
Walcha	336,400	72,410		
Uralla	463,000	308,000	838,960	92
Tenterfield	250,000	50,000	200,000	48
Totals	23,571,406	12,871,827	4,594,116	Range (\$48 - \$234)

Industrial Land in the Northern Inland NSW Region

Regional Development Australia Northern Inland (RDA-NI) is funded by both the Australian and New South Wales State Governments. RDA-NI is a strong advocate for our region and drivers of change and, as such, have a pivotal role in fostering regional economic development.

The RDA network strengthens partnerships across all three tiers of government, regional business and the wider community to boost the economic capability and performance of regions. RDA Committees are active in promoting Australian Government and NSW Government programmes and shepherding communities towards appropriate funding sources that will assist projects that work towards economic development.

RDA-NI is a not-for-profit community based organisation with all committee members and staff having a broad and diverse skills base with extensive networks including local Governments, the private sector, education and health. Using a regional economic development framework to promote long-term regional economic growth helps provide a practical focus to strengthening our region.

RDA-NI work closely with the private sector, local communities and all levels of government to identify opportunities for regional economic development in Northern Inland NSW.

With a growing \$10 billion dollar economy and home to Australia's most productive agricultural areas, the Northern Inland boasts a strong, diverse and progressive economy based around innovation and highly-skilled people who are already competing successfully in the global market place.

Like Tenterfield, the Northern Inland region is open for business and there are tremendous opportunities to be made in many sectors. Opportunities abound in growing industries such as agriculture, agri-business, food processing, aviation, health, mining, information technology and tourism. There are currently over \$6 billion worth of projects underway or proposed for the region across a number of industry sectors.

This information will be a valuable asset assisting with the provision of quality and factual information for those people investigating options for relocating or investing in our Shire and will be included on our council web page under Economic Development.

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

James Ruprai Director Strategic Planning & Environmental Services

Our Economy No. 5 Cont	
Prepared by staff member:	Harry Bolton, Senior Economic Development Officer
Approved/Reviewed by Manager:	James Ruprai, Director Strategic Planning & Environmental Services
Department:	Strategic Planning and Environmental Services
Attachments:	There are no attachments for this report.

Department:	General Managers Office
Submitted by:	General Manager
Reference:	ITEM ECO6/16
Subject:	LOCAL ROADS & TRANSPORT CONGRESS - TOOWOOMBA - 9
	TO 11 NOVEMNBER 2016

LINKAGE TO	INTEGRATED PLANNING AND REPORTING FRAMEWORK
Goal:	2.1 Ensure a safe and efficient road network for all road users
Strategy:	2.1a Mt Lindesay Road (Legume to Woodenbong) – continue to lobby the State & Federal Government for grant funding to upgrade this vital section of road.
Action:	Ongoing – every opportunity

The purpose of this report is for Council to endorse the attendance of relevant Councillors and staff at the 2016 National Local Roads & Transport Congress to be held in Toowoomba, Queensland from Wednesday 9 to Friday, 11 November 2016.

OFFICER'S RECOMMENDATION:

That Council endorse the attendance of Mayor Peter Petty and one other Councillor at the 2016 Local Roads & Transport Congress in Toowoomba.

BACKGROUND

The National Local Roads & Transport Congress is held annually in major centres throughout Australia. In 2015 the Congress was held in Ballarat, Victoria and was attended by the Mayor (Cr Peter Petty) and the Director of Engineering Services, Mr Stephen Bell.

REPORT:

With the Congress being held in Toowoomba in 2016, this has offered Council a unique opportunity to showcase the excellent, collaborative approach which has been achieved through Council's Section 355 Committee, the Legume to Woodenbong Road Alliance, the six (6) Councils which make up the Alliance, Local State and Federal Members, Roads & Maritime Services, transport companies and the local communities.

Council endorsed the attendance of members of the Legume to Woodenbong Road Alliance at the Ordinary Meeting of 16 December 2015 with the following resolution.

"Resolution 401/15

(2) That the Legume to Woodenbong Road Alliance approach the organisers of the 2016 National Local Roads Congress in Toowoomba to allow the Alliance to make a presentation at the 2016 Congress and further, that the Alliance pursue this matter over the next twelve (12) months."

The theme of the Congress in 2016 is *Local Infrastructure – Developing Regions* with a call for case studies on Local Government Regional Cooperation on Regional Transport Plans being made by the Australian Local Government Association (ALGA).

The Legume to Woodenbong Road Alliance has been requested to take part in a Panel Session *Partnerships for Improved Infrastructure: Regional Road Planning Initiatives* with Mayor Peter Petty being the representative on the Panel.

Further, a meeting has been arranged with the Policy Manager for the Minister for Infrastructure & Transport which will be attended by Mayor Peter Petty, General Manager Damien Connor, Chair of the Legume to Woodenbong Road Alliance Cr Neil Meiklejohn and Director Engineering Services Mr Stephen Bell.

An additional place has been booked for the Congress for another Councillor to attend, which will need to be determined by Council.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil.

2. Policy and Regulation

Nil.

3. Financial (Annual Budget & LTFP)

Cost including registration and accommodation is \$1,160 for each attendee however funding is available in the current budget for attendance at Conferences, etc for Councillors.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management Nil.

Damien Connor General Manager

Prepared by staff member:	Noelene Hyde, Executive Assistant & Med	dia;
Approved/Reviewed by Manager:	Damien Connor, General Manager	
Department:	General Managers Office	
Attachments:	 Attachment 1 (Booklet 1) - Program - National Local Roads & Transport Congress 2016 	2 Pages

Department:	Strategic Planning and Environmental Services
Submitted by:	Director Strategic Planning & Environmental Services
Reference:	ITEM ENV50/16
Subject:	Planning/Development Update

LINKAGE TO I	INTEGRATED PLANNING AND REPORTING FRAMEWORK
Goal:	DIRECTION 1.5 – Land use planning strategies and policies
	enhance and support sustainable economic growth.
Strategy:	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.
Action:	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 Applications and
	Complying Development Certificates".
	complying Development certificates .

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" for September 2016.

BACKGROUND

This report provides a review of development applications and processing undertaken by Council for the month of September 2016. The data herein is that provided to the Australian Bureau of Statistics (ABS) for development monitoring purposes.

REPORT:

APPLICATIONS LODGED WITH COUNCIL IN SEPTEMBER 2016

Арр No.	Lodged	Applicant	Lot/Sec/DP	Location	Development
DA 2016.072	01-Sep-16	Wes Smith Building Pty Ltd (Bartlett)	7/1182844	30 Stoney Ridge Road, Liston	Dwelling
DA 2016.073	02-Sep-16	SULLIVAN Peter	2/814234	Pelham Street, Tenterfield	Dwelling
DA 2016.074	07-Sep-16	HICKS Simon	74/664275	103 Sandy Flat Road, Sandy Flat	Farm Stay (B&B) Accommodation
DA 2016.075	12-Sep-16	Alpha Omega Town Planning (UHRIG)	1/999209	17 Naas Street, Tenterfield	Change of Use - Dwelling to Restaurant/Café & Managers Residence
DA 2016.076	13-Sep-16	SKIPSEY Roul	1/16/758654	404 Thulimbah Road, Maryland	Installation of Previously used Residence
DA 2016.077	14-Sep-16	GROGAN Calvin	384/1213099	287B Mount Speribo Road, Bolivia	Two (2) Lot Subdivision
DA 2016.078	19-Sep-16	Stephen P McElroy & Associates (Goldsworthy)	2/718077	46 Tooloom Street, Urbenville	Dwelling
DA 2016.079	22-Sep-16	WILSON William	4/1192951	299 East Street, Tenterfield	Dwelling & Shed
CDC 2016.080	26-Sep-16	HICKEY Darren	41/1160839	40 Cowper Street, Tenterfield	Garage
DA 2016.081	26-Sep-16	Tenterfield Child Care Centre Inc.	1/159805	132 Manners Street, Tenterfield	Garden Shed
DA 2016.082	26-Sep-16	CROTTY Cole (Crotty)	4/36380	45 High Street, Tenterfield	Garage
DA 2016.083	27-Sep-16	Steel Caves Pty Ltd (Mullins)	23/1207937	Mount Lindesay Road, Liston	Farm/Machinery Shed
DA 2016.084	30-Sep-16	Tenterfield Rotary Club (Tenterfield Station)	2/701936	Rouse Street, Tenterfield	Temporary Event - 29 October 2016

DETERMINATIONS APPROVED THROUGH STAFF DELEGATION IN SEPTEMBER 2016

App No.	Lodged	Date of Approval	Approval Time	Applicant	Lot/ Sec/ DP	Location	Description of Development
DA 2016.062	25-Jul-16	30-Sep-16	48 Days	Tenterfield Surveys (Hurtz & Szymanski)	541 & 542/ 1164300	42 Herding Yard Creek Road & 5471 Mount Lindesay Road, Liston	Two (2) Lot Boundary Adjustment
DA 2016.063	27-Jul-16	14-Sep-16	14 Days	SIMPSON Laura Joanne	3/17/ 758616	5434 Mount Lindesay Road, Liston	Change of Use - Shed to Dwelling
DA 2016.067	12-Aug-16	12-Sep-16	32 Days	GIBBS Peter Michael	4/1199020	Paterson's Road, Legume	Farm Machinery Shed
CDC 2016.071	25-Aug-16	07-Sep-16	14 Days	LEWIS Jamie Stuart & Susan Angela	8/841194	98 McKechnie Road, Liston	In-Ground Swimming Pool
DA 2016.072	01-Sep-16	30-Sep-16	30 Days	Wes Smith Building Pty Ltd (Bartlett)	7/1182844	30 Stoney Ridge Road, Liston	Dwelling

APPLICATIONS CURRENTLY OUTSTANDING

DA No.	Lodged	Status of Application	Applicant	Location	Proposed Development
15.111	4-Nov-15	Additional Information Required from Applicant	Tenterfield Surveys P/L (Graham)	235 Bulwer St, T'field	Two (2) Lot Subdivision
15.139	18-Dec-15	Awaiting Recommendation from NSW RFS	Tenterfield Surveys P/L (Coffman)	436 Sugarbag Rd, Drake	Two (2) Lot Subdivision
16.024	21-Mar-16	Additional Information Required from Applicant	O'MULLANE Ian & Judith	8 Welch St, Urbenville	Change of Use Place of Public Worship into a Dwelling
16.055	30-Jun-16	Additional Information Required from Applicant	SHAW Warwick & Stacey	298 Urbenville Rd, Urbenville	Swimming Pool/Deck & Fence
16.069	17-Aug-16	Additional Information Required from Applicant	MICHEL Janice	Mount Lindesay Rd, T'field	Dwelling & Shed
16.074	07-Sep-16	In Progress	HICKS Simon	103 Sandy Flat Rd, Sandy Flat	Farm Stay (B&B) Accommodation
16.075	12-Sep-16	Report to Council	Alpha Omega Town Planning (Uhrig)	17 Naas St, T'field	Change of Use - Dwelling to Restaurant/Café & Managers Residence
16.077	14-Sep-16	Awaiting Recommendation from NSW RFS	GROGAN Calvin	287B Mt Spirabo Rd, T'field	Two (2) Lot Subdivision
16.078	19-Sep-16	In Progress	Stephen P McElroy & Associates	46 Tooloom St, Urbenville	Dwelling
16.079	22-Sep-16	In Progress	WILSON William	299 East St, T'field	Dwelling & Shed
16.081	26-Sep-16	In Progress	Tenterfield Child Care Centre Inc	132 Manners St, T'field	Garden Shed
16.082	26-Sep-16	In Progress	CROTTY Cole	45 High St, T'field	Garage
16.083	27-Sep-16	In Progress	Steel Caves Pty Ltd (Mullins)	Mount Lindesay Rd, Liston	Farm/Machinery Shed
16.084	30-Sep-16	Neighbour Notification	Tenterfield Rotary Club	Rouse St, T'field	Temporary Event – Saturday 29 October 2016

			FY 16/17 Develo	16/17 Development Statistics	cs			
	Dwellings	Additions/ Renovations to Existing Dwellings	Garages, Carports & Sheds	Commercial or Industrial Works	Subdivision	Recreation/ Tourism	FY 16/17 Monthly Total	FY 15/16 Monthly Total
No.	. 3	0	2	0	2	1	8	6
	Value \$513,000.00	\$0.00	\$178,000.00	\$0.00	\$0.00	\$32,770.00	\$723,770.00	\$496,563.00
No.	0. 2	3	2	0	2	0	6	12
Аид-то Va	Value \$318,000.00	\$63,600.00	\$68,500.00	\$0.00	\$0.00	\$0.00	\$450,100.00	\$814,550.00
Sec. 16	. 5	0	5	2	1	1	14	ω
Sep-10 Va	Value \$1,031,735.00	\$0.00	\$111,786.00	\$95,200.00	\$0.00	\$0.00	\$1,238,721.00	\$613,123.00
00. 00.								14
Act-10	Value							\$1,315,369.00
Nov 16								24
	Value							\$963,350.00
No. 15								6
Vec-10	Value							\$491,650.00
No.								3
	Value							\$82,400.00
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	Value							\$2,632,960.00
No17								15
	Value							\$1,289,999.00
No17								10
	Value							\$630,217.00
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	Value							\$676,127.00
No. (Year to Date)	10	m	6	2	Ŋ	2	31	131
FY 16/17 Total Value (Year to Date)	\$1,862,735.00	\$63,600.00	\$358,286.00	\$95,200.00	\$0.00	\$32,770.00	\$2,412,591.00	
FY 15/16 Total Value	\$7,917,361.10		\$777,052.90	\$1,633,163.00	\$0.00	\$184,999.00		\$11,000,276.00
	_							

COUNCIL

18 October 2016

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

James Ruprai Director Strategic Planning & Environmental Services

Prepared by staff member:	Jenni Pentland, Senior Administration Officer
Approved/Reviewed by Manager:	James Ruprai,Director Strategic Planning & Environmental Services
Department:	Strategic Planning and Environmental Services
Attachments:	There are no attachments for this report.

Department:	General Managers Office		
Submitted by:	General Manager		
Reference:	Reference: ITEM GOV14/16		
Subject:	COMMUNITY ENGAGEMENT - DRAFT POLICY		
LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK			

Goal:	Council achieves excellence in corporate governance.
Strategy:	Implement strategies, policies and practices to achieve excellence
	in corporate governance.
Action:	Undertake all legislative requirements of Local Government

The purpose of this report is to present a draft Community Engagement Policy to Council for adoption and subsequent placing on public exhibition.

OFFICER'S RECOMMENDATION:

That Council adopts the attached draft Community Engagement Policy and places the document on public exhibition for a period of 28 days.

BACKGROUND

A review and gap analysis of Council's Community Engagement practices has recently been undertaken with the intention of ensuring that Council's strategy, documents and procedures reflect the elements of better practice for Community Engagement. The International Association for Public Participation (IAP2) documentation was utilised considerably in this review.

Resulting from this review and associated benchmarking, a number of areas of improvement were identified including the need for an overarching Community Engagement Policy and resultantly a draft policy has now been developed and is at Attachment 2 (Booklet 1).

REPORT:

The Community Engagement Policy, alongside a Community Engagement Strategy and Community Engagement Operational Guide/Toolkit will provide the framework to enable the stakeholders of Tenterfield Shire Community to be aware of, and provide input into the formulation of Council strategy, policy and to inform decision making.

Council's Community Engagement Strategy will also be revised in the coming weeks and be presented to Council for adoption in November 2016.

The Community Engagement Framework provides a consistent and transparent approach to public consultation. Once developed, the associated Community Engagement Operational Guide/Toolkit will provide practical guidance and checklists for staff on engagement processes and identifies consistent methods that can be used to inform, consult or involve the community in a manner appropriate for the situation. Our Governance No. 14 Cont...

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

The Community Engagement Policy is to be placed on public exhibition for a period of 28 days.

2. Policy and Regulation

- Local Government Act 1993;
- Local Government Regulations (General) 2005;
- Social Justice Principles;
- Public Participation Principles;
- Integrated Planning & Reporting Guidelines for Local Government in NSW; and
- International Association for Public Participation (IAP2) Guidelines.

3. Financial (Annual Budget & LTFP)

Nil at this stage, however, there will be costs associated with conducting community engagement programs identified for specific issues. The costs of these individual plans will be identified in separate reports on those issues as and when they arise.

4. Asset Management (AMS)

No changes recommended.

5. Workforce (WMS)

No changes recommended.

6. Legal and Risk Management

The draft Policy addresses Community Engagement practices. By providing direction and consistency to this process the policy assists in mitigating the risk associated with not appropriately engaging with the community on important matters.

7. Performance Measures

N/A

8. Project Management

N/A

Damien Connor General Manager Our Governance No. 14 Cont...

Prepared by staff member:	Damien Connor, General Manager	
Approved/Reviewed by Manager:	Damien Connor, General Manager	
Department:	General Managers Office	
Attachments:	 Attachment 2 (Booklet 1) - Community Engagement - Draft Policy 	7 Pages

Department: Submitted by: Reference: Subject:	Strategic Planning and Environmental Services Director Strategic Planning & Environmental Services ITEM GOV15/16 LAND USE AND PLANNING: LOCAL ENVIRONMENTAL PLAN: PLANNING PROPOSAL - AMENDMENT NO. 5 TO TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013
LINKAGE TO IN	TEGRATED PLANNING AND REPORTING FRAMEWORK
Goal:	<u>DIRECTION 1.8 -</u> Tenterfield shire has a heavy vehicle bypass.
Strategy:	<u>STRATEGY 1.8 (A)</u> - Work with other government bodies to ensure the heavy vehicle bypass stays on target.
Action:	Continue to work with RMS in regards to the design and future

The purpose of this report is to seek Council's resolution to adopt and make Draft Local Environmental Plan Amendment No. 5 (dLEP) to amend *Tenterfield Local Environmental Plan 2013* (LEP). The dLEP seeks to incorporate a SP2 Infrastructure Zone in to the LEP which overlays on to the New England Highway Tenterfield Heavy Vehicle Bypass route as determined by Roads and Maritime Services.

construction of the heavy vehicle bypass of Tenterfield.

OFFICER'S RECOMMENDATION:

That Council adopts and makes Draft Tenterfield Local Environmental Plan Amendment No. 5 without variation and requests the Department of Planning and Environment to notify the Plan on the NSW Government Legislation website.

BACKGROUND

At its meeting of 22 July 2015, Council resolved the following;

"Resolved that:

- (1) The Senior Planner's Report "Planning Proposal Amendment to Tenterfield Local Environmental Plan 2013" be received and noted; and further
- (2) That Council endorses the Planning Proposal and forwards it to the Department of Planning & Environment requesting a Gateway Determination under the provisions of Section 56 of the Environmental Planning & Assessment Act, 1979."

The Planning Proposal proposed an amendment to Council's current planning instrument – *Tenterfield Local Environmental Plan 2013* (LEP) and was the first step in the process to amend the current LEP.

Tenterfield LEP 2013 commenced on 19 April 2013, providing legislative planning provisions for the Tenterfield Local Government Area. The LEP is referred to in legislation as an 'environmental planning instrument'.' In order to carry out any alterations, additions or amendments to the LEP, Council must first prepare a Planning Proposal and seek a Gateway Determination from the NSW Department of Planning and Environment (DPE).

Our Governance No. 15 Cont...

The purpose of the Planning Proposal considered by Council was to create a Land Use Zone (*SP2 Infrastructure*) over the preferred route identified for the New England Highway Tenterfield Heavy Vehicle Bypass (HVB). Creation of the *SP2 Infrastructure* zone will reserve a permanent corridor for the future Tenterfield HVB in order to accommodate the future road and provide planning certainty for the community.

The Draft LEP incorporates amended zoning and land acquisition maps along with additional wording within the written LEP instrument as detailed in Attachment 3 (Booklet 1).

REPORT:

The proposed LEP amendment promotes good planning practice and provides for certainty for the current and future communities of Tenterfield.

At this point, Council may choose from the following options;

1. Proceed to adopt and make the draft LEP

The draft LEP seeks to improve planning certainty for the future development of land on, and in the vicinity of, the identified Tenterfield Heavy Vehicle Bypass. Zoning of the land and identification of land reserved for acquisition allows Council to clearly identify affected land parcels and provides a legal means of notifying affected owners and potential purchasers of the intended HVB route.

This is the recommended approach.

2. Defer the draft LEP

Deferral or of the draft LEP will delay the identification of the HVB route within Council's Strategic Planning document – *Tenterfield LEP 2013* and provide no level of certainty for the community. This approach is not recommended.

3. Cease further action in relation to the Planning Proposal

For the same reasons outlined in relation to deferral, this approach is not recommended.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

The Draft LEP was publicly exhibited from 16th December 2015 to 3 February 2016, after which time no submissions from the public were received. Council also consulted with the Roads and Maritime Services during the process to ensure accuracy in the mapping. Consultation was also undertaken with NSW Rural Fire Service who raised no objection to the draft LEP Amendment.

2. Policy and Regulation

• The proposed amendment to Tenterfield LEP 2013 will assist Council in the administering of its provisions and the orderly and economic

Our Governance No. 15 Cont...

development of land within the LGA and provide certainty for the community in relation to future development.

3. Financial (Annual Budget & LTFP)

Nil

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Current provisions contained within Clause 5.1 of *Tenterfield LEP 2013* identify that any land acquisition required for future construction of the HVB is the responsibility of the Roads and Maritime Services. Clause 5.1 is copied below for reference;

"5.1 Relevant acquisition authority

(1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions).

Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the <u>Land Acquisition</u> (Just Terms Compensation) Act 1991 requires the authority to acquire the land. (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the <u>Land Reservation Acquisition Map</u> (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

Roads and Maritime Services have been working in conjunction with Council in the preparation of the draft LEP amendment and are aware of the implications.

7. Performance Measures

Nil

8. Project Management

Nil

James Ruprai Director Strategic Planning & Environmental Services Our Governance No. 15 Cont...

Prepared by staff member:	Tamai Davidson, Senior Planner
Approved/Reviewed by Manager:	James Ruprai,Director Strategic Planning & Environmental Services
Department:	Strategic Planning and Environmental Services
Attachments:	1Attachment 3 (Booklet 1) -6Parliamentary Counsel Opinion -PagesTenterfield Local EnvironemntalPlan (Amendment No 5) & Maps

Department:	Strategic Planning and Environmental Services
Submitted by:	Director Strategic Planning & Environmental Services
Reference:	ITEM GOV16/16
Subject:	AMENDMENT TO TENTERFIELD DEVELOPMENT CONTROL
_	PLAN 2014

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK					
Goal:	DIRECTION 1.3 - The individual unique qualities and strong sense				
	of local identity of Tenterfield's towns and villages is respected and				
	recognised and promoted.				
Strategy:	STRATEGY 1.3(B) - Use planning and heritage policies and controls				
	to protect and improve the unique built environment.				
Action:	Use planning and heritage policies and controls to protect and				
	improve the unique built environment.				

The purpose of this report is to consider any submissions made during the public exhibition period of the proposed amendments to Tenterfield Development Control Plan 2014 and to approve the amendments to the Plan. The amendments propose additional information in relation to colour schemes which have resulted due to increased community request for further guidance.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Approves the amendments to Tenterfield Development Control Plan 2014 to include more detailed provisions relating to colour schemes for historic buildings and conservation areas;
- (2) Approves amendments to the plan to correct minor errors in numbering and wording contained in the Plan; and
- (3) Gives public notice of its decision.

BACKGROUND

At its meeting of 29 June 2016, Council considered a report in relation to Colour Schemes for Historic Buildings and Conservation Areas and an associated amendment to Tenterfield DCP, after the Heritage Advisory Committee failed to reach a quorum when the report was presented on 3 June 2016.

This report was prepared as a result of increased community request for additional detail and information when choosing appropriate colour schemes for historic buildings. Council resolved the following:

"Resolved that:

(1) The Senior Planner's and Heritage Advisor's report "Colour Schemes for Historic Buildings and Conservation Areas" be received and noted; and further Our Governance No. 16 Cont...

- (2) That Council supports the following provisions and that these provisions are included by amendment to the Tenterfield Development Control Plan 2014 to replace the current section on page 67;
 - a) Repainting a heritage item or a place within a Heritage Conservation Area, like any other works, should be in accordance with the conservation principles of the Icomos Burra Charter;
 - *b)* Cleaning and conservation of original finishes is a preferred conservation option which will retain a historic patina which cannot be achieved through modern paint finishes;
 - c) Only previously painted surfaces may be repainted. Paint may be removed from bricks by trialling gentle methods such as poultice or gentle paint strippers. Sandblasting and high pressure waster blasting must **never** be used. If removal is unsuccessful, the surface should be repainted in a colour similar to the original material, e.g. red brick;
 - d) A colour scheme based on historic evidence and traditional colours for the period and style of the building should be used. Ideally it should be based on a building's original paint colours as they are appropriate to the heritage significance of the place and allow for an understanding of the building in its place. Research of the subject building, including paint scrapes, historic photographs and general references, should be carried out to establish an authentic colour scheme;
 - e) Use of the researched examples of authentic paint colours for three main historical periods in Tenterfield as set out within the Suters Main Street Heritage Study 1997 is strongly encouraged;
 - f) Alternative colour schemes to the building's original colours will be considered provided that the proposal utilises the traditional heritage colour palette on appropriate elements of the building, which are in keeping with the significance and historic context of the item or Conservation Area. Traditional colour schemes are generally based upon a medium based body colour with contrasting joinery and trims in a range of dark, medium and light traditional colours;
 - g) Reverse colour schemes of dark walls and light trims will only be considered if there is historic evidence to support the proposed colour scheme;
 - *h)* Paint finishes should be matched to existing finishes where appropriate, such as tinted lime wash for previously painted masonry, gloss enamel for joinery, and flat or low sheen acrylics for timber weatherboards;
 - *i)* Where a property contains a number of separate shops or frontages under a common façade, a consistent colour scheme should be used to maintain or enhance unity of the building.
- (3) Council commences the process to amend Tenterfield Development Control Plan 2014 in accordance with the provisions of Section 3 of the Environmental Planning & Assessment Regulation 2000, to incorporate the above provisions."

Our Governance No. 16 Cont...

In accordance with the resolution the proposed amendments were publicly exhibited and submissions invited. One (1) submission was received and is addressed below.

REPORT:

The key issue is about protecting the heritage values of a place for current and future communities. This is reflected in the NSW standard heritage clauses in the *Tenterfield LEP 2013* which require Council to consider the impact that any works will have on the heritage significance and setting of the item or Conservation Area.

The adopted conservation principles in Australia are set out in the 'ICOMOS Burra Charter', which must be read as a whole as many articles are interdependent. It states that conservation should be based upon an understanding of the significance of the item, and that any new works or changes that could affect that significance are not appropriate. There are no conservation articles which just state that if work is reversible that it is acceptable.

Consistent application of adopted and accepted conservation principles will ensure the sustainability of Tenterfield's quality heritage for current and future generations.

In addition to the insertion of the colour scheme information, it is also recommended that minor errors and incorrect references within the plan be corrected at this time. A summary of all amendments can be found in the Attachment along with the exhibited copy of the DCP identifying the proposed amendments.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

In accordance with Council's resolution, the proposed amendments were publicly exhibited from 18 July 2016 to 15 August 2016, after which time one (1) submission was received. The submission raised the following matters for Council's consideration;

"Roof colour on residential housing – the preponderance of black is concerning not only aesthetically (stark, ugly against vegetation background) but environmentally (heat absorption, increased cooling costs during summer). Signage quality indicates shire and community standards – town entrances (currently a dog's breakfast) are so important to visitors, potential new investors. Development in bush fire prone areas should also be highlighted (flood areas are mapped)."

The submission acknowledges the inappropriateness of non-traditional roofing, not only in aesthetic terms but climate control and residential comfort which is a reflection of the current passing fashion for black and monochrome colour palettes.

Comments in relation to the possible inclusion of bushfire provisions within the document, may be considered when any future reviews of the DCP are undertaken. These areas are currently mapped, and available to view in Council's offices and through the NSW Planning Portal.

Our Governance No. 16 Cont...

2. Policy and Regulation

• Amendment to Tenterfield DCP 2014 by the inclusion of additional information and guidance in relation to colour schemes for historic buildings and conservation areas guides property owners and developers in appropriate choices.

3. Financial (Annual Budget & LTFP)

Nil

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

While the DCP is a non statutory document, it can be used as legal backing in planning development assessment matters.

The risk of not adopting strong heritage controls may result in the loss of heritage fabric locally, and recognition as a "Heritage Town".

7. Performance Measures

Nil

8. Project Management

Nil

James Ruprai Director Strategic Planning & Environmental Services

Prepared by staff member:		Tamai Davidson, Senior Planner				
Approved/Reviewed by Manager:	Jan Env	nes Ruprai,Director Strategic Pla vironmental Services	nning &			
Department:	Str	ategic Planning and Environmental Se	ervices			
Attachments:		Attachment 4 (Booklet 1) - Summary of Amendments Proposed - Development Control Plan 2014.	1 Page			
	2	Attachment 5 (Booklet 1) - Amended Pages - Tenterfield Development Control Plan 2014.	6 Pages			

Department:	General Managers Office
Submitted by:	General Manager
Reference:	ITEM GOV17/16
Subject:	UPGRADING COUNCIL MEETING WEBCASTS
LINKAGE TO IN	TEGRATED PLANNING AND REPORTING FRAMEWORK
Goal:	Council achieves a high standard in information technology and knowledge management
Strategy:	6.6b – Implement software applications and procedures that provide the Council and community with ready access to information
Action:	Upgrades to Corporate Business Software installed as required.

The purpose of this report is to provide an update regarding options for systems to upgrade the quality of current live webcasting of Council meetings as per Council Resolution 227/16 of 24 August 2016.

OFFICER'S RECOMMENDATION:

That Council considers the options for webcasting of Council meetings before determining the approach moving forward.

BACKGROUND

Council, at the Ordinary Meeting of 24 August 2016 resolved the following:

"Resolution 227/16

That Council staff be requested to provide to Council at the next Ordinary Council Meeting a report detailing options for systems to upgrade the quality of current live webcasting of council meetings; and further, that costs be provided for all options."

REPORT:

Council commenced live webcasts of Council Meetings in February 2016 with the exception of the March 2016 meeting which was held at Steinbrook Hall where no internet was available.

Currently, meetings are broadcast live and are then unavailable until the Minutes are published to the website (the Monday following the Council Meeting) and are then available on the website for a period of six (6) months.

Several complaints have been received regarding the quality of the live broadcast and subsequent website link which staff and Council's Information Technology provider (sideEffekt) have attempted to resolve.

As per the advice received from sideEffect (Attachment 6, Booklet 1), Council utilizes Google "Live Events - YouTube" at a cost of \$5.00 per month to provide the service but the problem is the quality of current internet available not only to Council, but to the majority of residents in the Tenterfield Shire Local Government Area.

Our Governance No. 17 Cont...

The hardware currently used for the webcasting is adequate and does not require upgrading, however until the current ADSL internet is upgraded to the NBN, there is little that can be done to improve the quality of the broadcast for all viewers. However, a greater problem arises at the village Council meetings (two (2) per year) as Council does not currently have an appropriate and transportable PA system which could be used for a Council meeting and the webcam may not provide adequate sound recording.

As suggested by sideEffekt, connection to a fibre service could solve the immediate problem however it becomes expensive for the amount of viewers who access the webcast and would only be available for nine (9) Ordinary Council meetings per year.

Numbers viewing the webcast are as follows:

• Average per Council meeting (with the exception of the Extraordinary Meeting) is seven (7) persons with at least two (2) of these being staff members monitoring the webcast.

As requested by Council, options for the webcasting of Council meetings are as follows:

Note that for all options webcasting cannot be undertaken at meetings outside the Chamber as Council currently does not have the equipment to do this and quite often there is no, or limited, internet connection.

Option 1

Continue the current arrangement until NBN is available in Tenterfield

NBN installation is currently not scheduled for Tenterfield, however NBN is proposing installation in all areas by 2020. Current costing is approminately \$1,000 per annum for this approach.

Option 2

Council to upgrade to fibre service

Discussions have been ongoing with Telstra but to date no timeline or cost has been provided. Estimated cost for installation is estimated at between \$2,000 - \$20,000 (depending on specific conditions) with an ongoing cost of \$24,000 per annum.

Option 3

Video recording of Council Meetings

Make a video recording of Council Meetings in the Council Chamber utilizing current webcam and PA system and make this available on Council's website on the following day. The webcam recording would need to be reformatted to provide good quality picture and sound so would not be available immediately. No additional cost.

Option 4

Remove webcasting of Council meetings

Due to:

- Poor quality of the broadcast to the majority of viewers due to ADSL internet;
- Not economical due to the small number of persons who utilize the service;
- Potential risk factors.

Our Governance No. 17 Cont...

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Webcasting of Council meetings is not a requirement of Council's Community Engagement Strategy or Communication policy.

2. Policy and Regulation

Nil.

3. Financial (Annual Budget & LTFP)

As outlined in the body of the report for each "option" but will ultimately depend on which option is chosen.

4. Asset Management (AMS)

N/A

5. Workforce (WMS)

N/A

6. Legal and Risk Management

Very few Council's in NSW provide webcasting of Council meetings due to the potential risks and costs involved.

7. Performance Measures

N/A

8. Project Management Nil.

Damien Connor General Manager

Prepared by staff member:	Noelene Hyde, Executive Assistant & Media	а
Approved/Reviewed by Manager:	Damien Connor, General Manager	
Department:	General Managers Office	
Attachments:	 Attachment 6 (Booklet 1) - Report from sideEffekt - Quality of Web Casting of Council Meetings 	1 Page

Department: Submitted by: Reference: Subject:	Corporate Services Director Corporate Services ITEM GOV18/16 POLICY AMENDMENT – SEWERAGE AVAILABILITY CHARGES
LINKAGE TO IN	TEGRATED PLANNING AND REPORTING FRAMEWORK
Goal:	Direction 6.1 – Council has a long-term vision based on principles of sustainability.
Strategy:	Strategy 6.1c – Implement accounting and financial management policies and practices that provide for the ongoing sustainable operations of Council's facilities and services.

Action:	Implement financial processes and systems to control and manage
	operating budgets.

The purpose of this report is to consider amending Council's Revenue Policy in respect of the application of Sewerage Availability Charges where Council issues an Order to connect under Clause 124 of the Local Government Act and Clause 96 of the Local Government (General) Regulation 2005.

OFFICER'S RECOMMENDATION:

That Council:

(1) Amend the Revenue Policy 2016-17 Section 3.1 (paragraph no 3) to read:

"The Sewerage Availability Charge is levied as a charge per sewerage connection to each rates assessment, or if no sewerage connection is provided then a Sewerage Availability Charge will be levied on all sewered land in the Tenterfield and Urbenville Town areas within 75 metres of Council's main and physically able to be connected to Councils main (in accordance with Section 552 of the Local Government Act 1993), the Sewerage Availability Charge will then apply to the number of parcels of rateable land separately valued as at 1 July in each rating year, except where Council issues an order to connect to the local sewer main in accordance with Clause 124 (Chapter 7, Part 2, Division 1) of the Local Government Act 1993 and Clause 96 (Part 3, Division 3) of the Local Government (General) Regulation 2005, the Sewerage Availability Charge shall not apply until the date of completion of the connection"; and

- (2) Advertise the proposed amendment for consultation purposes for a period of 28 days, and if no material submissions are received, the Policy amendment be adopted; and
- (3) Approve the amendment to the Revenue Policy 2016-17 to apply retrospectively from 1 July 2016.

Our Governance No. 18 Cont...

BACKGROUND

When Sewerage mains are extended, any land within 75 meters of the main that is able to be connected to the sewer main becomes rateable if sewerage is able to be discharged into a main.

The Sewerage Availability Charge in 2016/17 is \$921.00.

When an extension is completed an Order is issued to owners of occupied properties to connect their properties to the sewerage.

REPORT:

When a sewerage mains extension is completed a Sewerage Availability Charge applies to the properties serviced by the extension from the time the service is available (in accordance with Section 552 of the Local Government Act).

Following the extension of the main along Scott Street there have been complaints that it is unfair to levy a charge where an Order to connect has been issued because it does not consider that the affected property owners will additionally incur a considerable expense to connect to the sewerage network (connection fees and plumbing costs) and will also lose a large investment in their existing septic systems.

The following cases are examples arising from the recent extension of the main along Scott Street –

Property 1

The property owner invested a very substantial amount in a new Septic System (approx. 8 years ago) when their dwelling was constructed. The landholder objected on the grounds of the considerable cost that would be involved in both connecting and extracting the existing filtration septic system from the ground (noting also the considerable initial investment). Council agreed to an extension until May 2017 to allow the landholder to comply. In accordance with the current policy they have been levied a sewerage availability charge.

Property 2

This property became rateable when the sewerage main was extended along Scott Street (Traill Lane runs parallel to Scott Street). The residence is however situated adjacent to the Traill Lane boundary, a significant distance away. The cost to connect to the main in Scott Street would have been expensive for the property owner. The property owner also objected because some of the pipe-work would have been above ground as the land has large gullies. Council has agreed to not require the ratepayer to connect to Councils sewerage mains until the Traill Lane extension is completed however the land remains rateable in accordance with current Policy in the interim.

The owners of these properties feel it is unfair to be levied a sewerage connection charge until they are able to connect and have asked Council to be more reasonable in its application of the regulations.

The proposed solution to the problem is to amend the Revenue Policy so that where Council issues an Order under Clause 124 (Chapter 7, Part 2, Division 1) of the Local Government Act, 1993 and Clause 96 (Part 3, Division 3) of the Local Government (General) Regulation 2005 to require the owner of an occupied property to connect to the sewerage network, the Sewerage Availability Charge does not apply until the Our Governance No. 18 Cont...

connection is completed, and that any amendment be applied retrospectively to 1 July 2016. This revision remains consistent with Section 552 of the Local Government Act, 1993.

The amendment is shown in red below as per (1) of the Officer's Recommendation.

(1) Amend the Revenue Policy 2016-17 Section 3.1 (paragraph no 3) to read:

"The Sewerage Availability Charge is levied as a charge per sewerage connection to each rates assessment, or if no sewerage connection is provided then a Sewerage Availability Charge will be levied on all sewered land in the Tenterfield and Urbenville Town areas within 75 metres of Council's main and physically able to be connected to Councils main (in accordance with Section 552 of the Local Government Act 1993), the Sewerage Availability Charge will then apply to the number of parcels of rateable land separately valued as at 1 July in each rating year, except where Council issues an order to connect to the local sewer main in accordance with Clause 124 (Chapter 7, Part 2, Division 1) of the Local Government Act 1993 and Clause 96 (Part 3, Division 3) of the Local Government (General) Regulation 2005, the Sewerage Availability Charge shall not apply until the date of completion of the connection".

The proposed solution is considered to be fair to landholders while not incurring any significant financial cost to Council as it only affects occupied properties and except in exceptional circumstances (such as described above) connection normally occurs within about 12 months.

The current practice is perceived to be unfair and unreasonable in view of the costs imposed and Council has incurred a loss of goodwill as a consequence.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil.

2. Policy and Regulation

- Revenue Policy
- Local Government Act 1993
- Local Government (General) Regulation 2005

3. Financial (Annual Budget & LTFP)

Minimal. Most occupied property owners connect within 12 months of the Order to connect. Extensions beyond this are only given in very limited circumstances such as described above.

4. Asset Management (AMS)

Nil.

Our Governance No. 18 Cont...

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

The impact on any financial performance indicators would be negligible.

8. Project Management Nil.

Prepared by staff member:	Paul Chawner, Finance Manager
Approved/Reviewed by Manager:	Allan Shorter, Director Corporate Services
Department:	Corporate Services
Attachments:	There are no attachments for this report.

Department:	Corporate Services
Submitted by:	Director Corporate Services
Reference:	ITEM GOV19/16
Subject:	Finance and Accounts

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

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 Manager Finance's Report "Finance and Accounts" for the period ended 30 September 2016.

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) <u>Reconciliation of Accounts</u>

Reconciliation of cash books of all funds have been carried out with the appropriate bank statements as at 30 September 2016.

Cash Book Balances on this date were as follows:-

General (Consolidated)	\$ 1,020,450.44 Credit
General Trust	\$ 321,533.93 Credit

(b) <u>Summary of Investments</u>

Attached to this report is a certified schedule of all Council's investments as at 30 September 2016 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)

The Reserve Bank reduced the cash rate (the market interest rate on over-night funds) to 1.50% on 2 August after previously reducing it to 1.75% on 3 May 2016. Lower interest rates will affect Councils capacity to meet projected investment returns.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

While a reduction in projected investment returns will have a negative impact on the operating performance ratio, the settlement proceeds from the class action against Lehman Brothers Australia will more than offset this. The impact of these changes will be reflected in the performance measures included in the next Quarterly Budget Review (QBR).

8. Project Management

Nil.

Our Governance No. 19 Cont...

Prepared by staff member:	Paul Chawner, Finance Manager	
Approved/Reviewed by Manager:	Allan Shorter, Director Corporate Services	
Department:	Corporate Services	
Attachments:	 Attachment 7 (Booklet 2) - Summary of Investments - 30 September 2016 	1 Page

Department:	Corporate Services
Submitted by:	Director Corporate Services
Reference:	ITEM GOV20/16
Subject:	Posted Expenditure Report
	•

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

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 August 2016.

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 30 September 2016 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:

There is no major over-expenditure to report.

Budget revotes approved by Council at its July meeting have been included in the "Approved Changes – Other" column.

Budget carry forwards from 2015/16 for projects in progress have also been included in the "Approved Changes - Other" column. The carry forward of these budgets is authorised by Clause 211 of the Local Government (General) Regulation 2005. Our Governance No. 20 Cont...

The expenditure budget for the Roads to Recovery Program will be reduced by a net amount of \$478,713 being an additional \$454,639 shown in the "Approved Changes - Other" column representing unspent grant funds from projects in the 2015/16 program, less \$933,352 shown in the "Recommended Changes Next QBR" column. This amount represents a \$733,352 reduction in 2016/17 funding (which has been reallocated to 2017/18 by the Commonwealth Government), and a \$200,000 transfer to the Fixing Country Roads Program.

Any other proposed budget amendments are included in the "Recommended Changes Next QBR" column.

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)

All amendments noted in this report will be included in the September QBR.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

The impact of the changes shown in this report will be reflected in the performance measures included in the next Quarterly Budget Review (QBR).

8. Project Management

Nil.

Our Governance No. 20 Cont...

Prepared by staff member:	Paul Chawner, Finance Manager
Approved/Reviewed by Manager:	Allan Shorter, Director Corporate Services
Department:	Corporate Services
Attachments:	 Attachment 8 (Booklet 2) - Capital 3 Expenditure Program 2016/17 - 30 Pages September 2016

Department:	Corporate Services
Submitted by:	Director Corporate Services
Reference:	ITEM GOV21/16
Subject:	Report on Loan Balances

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

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

OFFICER'S RECOMMENDATION:

That Council notes the loan balance as at 30 September 2016 was \$5,003,524.47.

BACKGROUND

Council resolved at its meeting on 24 August, 2011 (Resolution 380/11) that a report be provided every three (3) months summarizing Councils 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 30 September, 2016 was \$5,003,524.47.

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.

Debt Service Cover Ratio	2016	2015	2014	Benchmark
	Result	Result	Result	
	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 & 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.

Prepared by staff member:	Paul Chawner, Finance Manager	
Approved/Reviewed by Manager:	Allan Shorter, Director Corporate Services	
Department:	Corporate Services	
Attachments:	 Attachment 9 (Booklet 2) - Loan Summary - 30 September 2016 	1 Page

Department:	Notice of Motion
Submitted by:	Councillor Gary Verri
Reference:	ITEM NM12/16
Subject:	EXTRA FUNDING FOR STATE ROADS IN COUNCIL'S CARE

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK Goal: Strategy: Action:

SUMMARY

The purpose of this Notice of Motion is to seek increased block grants for the Mt Lindesay Road.

NOTICE OF MOTION:

That Tenterfield Shire Council ask Hon Thomas George MP to ask the appropriate Ministers for an increase in the Block Grant allocated for the State Roads under Council's care.

BACKGROUND

When the gravel section of the Mt Lindesay Road is graded, it is only a matter of weeks before it deteriorates to the stage it should be graded again and well before the next schedule grading is due.

There is a large section of this road which needs re-sheeting.

Numerous sections of State Roads in Council's control are in need of heavy patching as well as large sections of road shoulders which need rebuilding.

REPORT:

The block grant is not sufficient to cover the amount of work required on the State Roads, eg Mt Lindesay Road, Bruxner Way, Amosfield Road, Killarney Road, in the Shire's care.

COUNCIL IMPLICATIONS:

- 1. Community Engagement / Communication (per engagement strategy)
- 2. Policy and Regulation
- 3. Financial (Annual Budget & LTFP)
- 4. Asset Management (AMS)
- 5. Workforce (WMS)
- 6. Legal and Risk Management
- **7. Performance Measures**

Notice of Motion No. 12 Cont...

8. Project Management

Damien Connor General Manager

Prepared by Councillor: Attachments: Gary Verri, Councillor There are no attachments for this report.

Department:	Notice of Motion
Submitted by:	Councillor Gary Verri
Reference:	ITEM NM13/16
Subject:	SUPPORT FOR REDUCTION OF DAYLIGHT SAVING

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK Goal: Strategy: Action:

SUMMARY

The purpose of this Notice of Motion is to support Hon Thomas George MP in his bid to reduce Daylight Saving.

NOTICE OF MOTION:

That Tenterfield Shire Council offer its support to Hon Thomas George MP in his bid to reduce the duration of Daylight Savings by one (1) month to conclude on the first Sunday of March 2017.

BACKGROUND

Various communities that live along the border do not use daylight saving at all. These communities are Queensland oriented, ie work, school, social media, health care etc.

Even by reducing the period by one (1) month is a bonus to these communities. The further north you travel the less effective Daylight Saving is.

REPORT:

Hon Thomas George MP is circulating a Petition with the idea of gaining support to reduce Daylight Saving by one (1) month. Council, in supporting this motion, would show it is in accordance with the Hon Thomas George's Petition.

COUNCIL IMPLICATIONS:

- 1. Community Engagement / Communication (per engagement strategy)
- 2. Policy and Regulation
- 3. Financial (Annual Budget & LTFP)
- 4. Asset Management (AMS)
- 5. Workforce (WMS)
- 6. Legal and Risk Management
- 7. Performance Measures

8. Project Management

Damien Connor General Manager Notice of Motion No. 13 Cont...

Prepared by Councillor: Attachments: Gary Verri, Councillor There are no attachments for this report.

Department:General Managers OfficeSubmitted by:General ManagerReference:ITEM RES3/16Subject:COUNCIL RESOLUTION REGISTER - OCTOBER 2016

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 the Council Resolution Register to October 2016 be received and noted.

Damien Connor General Manager

Prepared by staff member:	Noelene Hyde, Executive Assistant & Media	а
Approved/Reviewed by Manager:	Damien Connor, General Manager	
Department:	General Managers Office	
Attachments:		26 Pages