



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

**BUSINESS PAPER
EXTRAORDINARY COUNCIL
MEETING
WEDNESDAY, 29 MAY 2019**

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 **Extraordinary Council Meeting** will be held in the Tenterfield Shire Council Chamber, on **Wednesday, 29 May 2019** commencing at **9.30 am**.

Terry Dodds
Chief Executive

COMMUNITY CONSULTATION – PUBLIC ACCESS

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

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

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

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

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

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

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

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

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

CONFLICT OF INTERESTS

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

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

Disclosures to be Recorded (s 453 Act)

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

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## ORDER OF BUSINESS

1. Opening & Welcome
2. Civic Prayer & Acknowledgement of Country
3. Apologies
4. Disclosure & Declarations of Interest
5. Business of the Meeting
6. 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 Jukemba, Kamilaroi and Bundjalung nations and extend that respect to other Aboriginal people present."*

## 3. APOLOGIES

## 4. DISCLOSURES & DECLARATIONS OF INTEREST

## 5. BUSINESS OF THE MEETING

### **OUR GOVERNANCE**

(ITEM GOV31/19) OPERATIONAL PLAN 2019/2020 .....5

## 6. MEETING CLOSED

|                      |                                                |
|----------------------|------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>   |
| <b>Submitted by:</b> | Manager Customer Service, Governance & Records |
| <b>Reference:</b>    | <b>ITEM GOV31/19</b>                           |
| <b>Subject:</b>      | <b>Operational Plan 2019/2020</b>              |

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

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

#### **SUMMARY**

The purpose of this report is for Council to adopt the Tenterfield Shire Council Operational Plan 2019/2020 (circulated under separate cover), as amended to include submissions following public exhibition from 24 April 2019 to 22 May 2019, for inclusion with the current Tenterfield Shire Council Delivery Program 2017/2021.

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

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

**(1) Adopts the Tenterfield Shire Council Operational Plan 2019/2020 with the following amendments:**

- **Waste Fees – The 120-240L General Waste Bin or Bag fee shall be \$12.60;**
- **Section 603 Certificate – the charge shall be \$85.00;**
- **Sewerage Usage Charge – Non Residential shall be \$2.76 per kilolitre;**
- **Waste Vouchers – the value of each of the three (3) waste vouchers will be \$18.80;**
- **Saleyards Truck Wash Fee – the fee to be removed pending confirmation of location;**
- **Cattle Carcass Disposal Fee – the disposal fee at the Saleyards will be \$238.00;**
- **Mount Lindesay Private Line Water line availability - the charge shall be \$608 (being \$488 Residential connection charge plus \$120 to fund maintenance works on the line);**
- **The Waste Management Availability Charge shall be renamed as the Waste Management Facility Charge;**
- **Proposed borrowings be increased by \$830,000 in relation to the Truck Wash (deferred from 2018/19), and**
- **Corrections for minor typographic errors.**

**(2) Adopts the following documents as part of the Tenterfield Shire Council Operational Plan 2019/20:**

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- Tenterfield Shire Council Budget for 2019/2020;
- Tenterfield Shire Council Revenue Policy Statement for 2019/2020, and
- Tenterfield Shire Council Fees and Charges for 2019/2020.

(3) In accordance with the provisions of Section 355 of the Local Government Act 1993, makes, fixes and levies the rates for the year ending 30 June 2020 for the following rating categories:

**Farmland:**

A Farmland rate of 0.002958168 cents in the dollar on the current land values of all rateable land in the Local Government Area being Farmland, with a base rate of \$408.00 per annum (the total revenue collected from this base amount represents 25.38% of the total revenue collected from this category of land);

**Residential – Tenterfield:**

A Residential – Tenterfield rate of 0.007291104 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$321.00 per annum (the total revenue collected from this base amount represents 48.56% of the total revenue collected from this category of land);

**Residential – Tenterfield (Urban):**

A Residential – Tenterfield rate of 0.007289841 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$321.00 per annum (the total revenue collected from this base amount represents 27.01% of the total revenue collected from this category of land);

**Residential – Urbenville:**

A Residential – Urbenville rate of 0.011423558 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$286.00 per annum (the total revenue collected from this base amount represents 49.43% of the total revenue collected from this category of land);

**Residential – Jennings:**

A Residential – Jennings rate of 0.008536200 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$286.00 per annum (the total revenue collected from this base amount represents 49.73% of the total revenue collected from this category of land);

**Residential – Drake:**

A Residential – Drake rate of 0.010054603 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$286.00 per annum (the total revenue collected from this base amount represents 49.86% of the total revenue collected from this category of land);

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**Residential – Other:**

**A Residential – Other rate of 0.005170036 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$151.00 per annum (the total revenue collected from this base amount represents 24.68% of the total revenue collected from this category of land);**

**Business – Tenterfield:**

**A Business – Tenterfield rate of 0.014686961cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$550.00 per annum (the total revenue collected from this base amount represents 40.65% of the total revenue collected from this category of land);**

**Business – Urbenville:**

**A Business – Urbenville rate of 0.009937041 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$261.00 per annum (the total revenue collected from this base amount represents 48.76% of the total revenue collected from this category of land);**

**Business – Jennings:**

**A Business – Jennings rate of 0.004982059 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$261.00 per annum (the total revenue collected from this base amount represents 48.76% of the total revenue collected from this category of land);**

**Business – Drake:**

**A Business – Drake rate of 0.006556072 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$261.00 per annum (the total revenue collected from this base amount represents 49.26% of the total revenue collected from this category of land);**

**Business – Other:**

**A Business – Other rate of 0.005649217 cents in the dollar of the current land values of all rateable land within this category, with a base rate of \$278.00 per annum (the total revenue collected from this base amount represents 44.38% of the total revenue collected from this category of land);**

**Mining:**

**A Mining rate of 0.017831898 cents in the dollar on the current land values of all rateable land in the Local Government Area where the dominant use is for a coal mine or metalliferous mine, with a base rate of \$438.00 per annum (the total revenue collected from this base amount represents 47.52% of the total revenue collected from this category of land).**

- (4) In accordance with the provisions of Section 552 of the Local Government Act 1993, Council makes, fixes and levies a Water Supply Availability Charge on all land rateable to the Water Supply**



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**Charge and other water charges for the year ending June 2020, as follows:**

- a. Residential - \$488.00 per connection per annum;
  - b. Residential Strata - \$366.00 per connection per annum;
  - c. Mt Lindesay Private Line – \$608 per connection per annum;
  - d. Rural Other - \$488 per connection per annum;
  - e. Non Residential - Meter connection: 20mm - \$488 per connection per annum;
  - f. Non Residential - Meter connection: 25mm - \$488 per connection per annum;
  - g. Non Residential - Meter connection: 32mm - \$488 per connection per annum;
  - h. Non Residential - Meter connection: 40mm - \$733 per connection per annum;
  - i. Non Residential - Meter connection: 50mm - \$1,145 per connection per annum;
  - j. Non Residential - Meter connection: 80mm - \$2,935 per connection per annum;
  - k. Non Residential - Meter connection: 100mm - \$4,585 per connection per annum;
  - l. Non Residential - Meter connection: 150mm - \$10,315 per connection per annum;
  - m. Voluntary & Charitable Organisations - \$96.00 per connection per annum;
  - n. Services installed solely for the purpose of firefighting – No Charge.
- (5) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by residential customers (to be by measure of metered water consumption) at the rate of \$3.80 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and, and \$6.00 per kilolitre for water consumed over 450 kilolitres per annum.
- (6) In accordance with Section 502 of the Local Government Act, that Council makes, fixes and levies a stepped tariff for the charge for water consumed by Rural/MT Lindesay customers (to be by measure of metered water consumption) at the rate of \$3.80 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and, and \$6.00 per kilolitre for water consumed over 450 kilolitres per annum.
- (7) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Non-Residential customers (to be by measure of metered water consumption) at the rate of \$3.80 per kilolitre for water consumption between nil (0) and 800 kilolitres per annum and, and \$6.00 per kilolitre for water consumed over 800 kilolitres per annum.

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- (8) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a minimum water consumption account charge of \$25 for each of the six (6) monthly billing periods. Further, that if at the time of reading a water meter it is found to be damaged or has stopped, an account will be issued based on the previous two corresponding water bills.**
- (9) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a Water Infrastructure Charge per assessment connected to the Tenterfield Water Treatment Plant of \$77 to part fund the loan associated with the new Water Treatment Plant).**
- (10) In accordance with the provisions of Section 501(1) and 502 of the Local Government Act 1993, makes, fixes and levies a Sewerage Service Availability Charge of \$1,138.00 on all land assessable in the Tenterfield and Urbenville Town Areas and is:**
- **connected to the Council's sewer main, or**
  - **not connected to the Council's sewer main but any part of the property is no more than 75 metres from the Council's sewer main; and**
  - **land from which sewerage can be discharged into the sewers of Council for the year ending June 2020.**

**Further, that in respect of Residential Flat Buildings a Sewerage Availability Charge will be made equal to the number of residential flats multiplied by the service charge for a single connection.**

- (11) Within three (3) months from the adoption of the Operational Plan 2019/20, Council be provided with a Policy to interpret Section 552 (3) (b) of the Local Government Act 1993.**
- (12) In accordance with the provisions of Sections 501(1) and 552 of the Local Government Act 1993, Council makes, fixes and levies Annual Access Charges for Commercial and Non-Residential Sewerage for the year ending June 2020, as follows:**

**A Sewerage Access Charge will be incurred proportional to the customer's water connection diameter plus a pay for use charge based on the water used, calculated in accordance with the following connection options and the formula following subparagraph "j" below:**

- a. **Non Residential - Meter connection: 20mm - \$1,138 per connection per annum;**
- b. **Non Residential - Meter connection: 25mm - \$1,138 per connection per annum;**
- c. **Non Residential - Meter connection: 32mm - \$1,470 per connection per annum;**
- d. **Non Residential - Meter connection: 40mm - \$2,296 per connection per annum;**

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- e. **Non Residential - Meter connection: 50mm - \$3,589 per connection per annum;**
- f. **Non Residential - Meter connection: 80mm - \$9,189 per connection per annum;**
- g. **Non Residential - Meter connection: 100mm - \$14,358 per connection per annum;**
- h. **Non Residential - Meter connection: 150mm - \$32,322 per connection per annum;**
- i. **Voluntary & Charitable Organisations - \$226.00 per connection per annum;**
- j. **Services installed solely for the purpose of firefighting – No Charge.**

**The formula to calculate Non-Residential Sewerage Charges is:**

$$\text{AC} + \text{SDF} \times (\text{C} + \text{UC})$$

**Where:**

**AC = Access Charge**

**SDF = Sewerage Discharge Factor (determined by type/use)**

**C = Customers Annual Water Consumption in kilolitres**

**UC = Sewerage Usage Charge**

- (13) Makes, fixes and levies a Sewerage Usage Charge of \$2.76 per kilolitre in 2019-20.**
- (14) Makes, fixes and levies Trade Waste and On site Sewerage Management Charges as outlined in the Operational Plan 2019-20.**
- (15) Makes, fixes and levies and charges Waste Management Charges as outlined in the Operational Plan 2019-20.**
- (16) Provides three (3) waste vouchers per annum to be issued with the annual rates notice and that the value of these vouchers be equivalent to the fee for a small box trailer - that is, \$18.80 each**
- (17) Borrows:**
  - a) \$2,350,000 in 2019/20 to part fund the new Water Treatment Facility; and**
  - b) \$1,830,000 for infrastructure projects including the truck Wash, additional Road funding, IT Infrastructure and Depot Facilities.**
- (18) In accordance with the provisions of Section 566(3) of the Local Government Act 1993, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2020.**

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**(19) In accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan 2019/20 on its website within 28 days.**

### **BACKGROUND**

In accordance with the Local Government Act 1993, Council must prepare a number of plans that detail how Council intends to deliver services and infrastructure in the short and long term. These plans are to be based on priorities that have been identified through community engagement in the planning process, and established in a Community Strategic Plan.

Council must have a Delivery Program, detailing the principal activities it will undertake to achieve the objectives of the Community Strategic Plan. The Operational Plan identifies the individual actions and activities that will be undertaken in a specific year to achieve the commitments made in the Delivery Program.

### **REPORT:**

Section 8C of the Local Government Act 1993 provides the following principles for Integrated Planning and Reporting that apply to Councils:

- a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.*
- b) Councils should identify strategic goals to meet those needs and aspirations.*
- c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.*
- d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.*
- e) Councils should regularly review and evaluate progress towards achieving strategic goals.*
- f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.*
- g) Councils should collaborate with others to maximize achievement of strategic goals.*
- h) Councils should manage risks to the local community or area or to the council effectively and proactively.*
- i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.*

Council's current Delivery Program 2017/2021 incorporates the Community Strategic Plan and an annual Operational Plan that communicates to the residents of Tenterfield Shire the priorities for that year. The draft Operational Plan 2019/2020 details the actions and programs to be undertaken to support the Delivery Program and the Community Strategic Plan.

## Our Governance No. 31 Cont...

Council placed the draft Operational Plan including the budget, Revenue Policy Statement and Fees and Charges for 2019/20 on public exhibition from 24 April 2019 to 22 May 2019. Fourteen (14) community comments were received in total, with submissions from one resident of Tenterfield Shire, the Mingoola Progress Association, Tenterfield RSL Sub Branch and Urbenville Progress Association, as summarised in the following table.

| <b>Submitter</b>   | <b>Submission</b>                                                                        | <b>Amend</b> | <b>Recommendation</b>                                                                                                                                                                                                                      |
|--------------------|------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Resident</b> | Mt Lindesay Rd domestic bin collection survey not received yet.                          | N/A          | Survey mailed 01 May 2019. If budget amendment required following results, this can be done at quarterly budget review in October 2019.                                                                                                    |
| <b>2. Resident</b> | Collection Area Maps - insufficient information for ratepayer re Kew (sic).              | No           | The Collection Area Maps are provided for indication purposes.                                                                                                                                                                             |
| <b>3. Resident</b> | Revenue Policy Waste Vouchers - why is value and conditions missing from revenue policy? | Yes          | The value of each of the three (3) waste vouchers will be inserted, at \$18.80, which is equivalent to a small box trailer.                                                                                                                |
| <b>4. Resident</b> | Disproportionate increase in transfer station charges of collection charge.              | No           | The waste operations have been running at unsustainable losses; increasing the fees and charges in small increases each year will overtime make our operations sustainable. This is not designed as a profit; this is only to break even.  |
| <b>5. Resident</b> | Structure of waste charges seems to encourage more waste not less waste.                 | No           | Structure is designed to provide as near as possible to tonne costs. Space in bins/rubbish voids essentially mean that the 240L bin could never contain more than 200 kg (unless steel or rubble); the 120L bin follows similar procedure. |
| <b>6. Resident</b> | New per kl charge for non-residential sewer.                                             | Yes          | The fee was omitted in 2018/19 in error, and should have been \$2.12. The fee for 2019/20 will be \$2.76.                                                                                                                                  |
| <b>7. Resident</b> | Disposal of livestock. disposal of carcasses variations.                                 | Yes          | Cattle carcass disposal fee at Saleyards will be \$238, the same as horses/cattle at transfer station.                                                                                                                                     |
| <b>8. Resident</b> | TSC Corporate documents to be searchable please.                                         | N/A          | Website version of draft Op Plan is now searchable.                                                                                                                                                                                        |

## Our Governance No. 31 Cont...

|                                            |                                                                                                                                                                             |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>9. Resident</b>                         | Plant, Fleet, Equipment - vehicle inspections P&L and risk register copy.                                                                                                   | No | No income from the Fleet budget relates to Vehicle Inspections. Vehicle inspections are undertaken as Private Works and do not fall under the Fleet Section of the Operational Plan. Charges for this service are as per the RMS Schedule. Council is insured for all of the operations of Council including undertaking Vehicle Inspections which our insurer is aware of. There have been no claims against Council in relation to this matter and if there were any issues they would be reported appropriately.        |
| <b>10. Resident</b>                        | No. of assessments in Ordinary Rating Structure table 4,864:<br>No. of waste management availability charge seems to calculate as 4918 assessments. Why are they different? | No | The difference between the number of assessments for the Waste Management Facility Charge and assessments for rating purposes is one of timing; Council won't have the final numbers until after the June supplementary valuation list is provided in July 2019.                                                                                                                                                                                                                                                           |
| <b>11. Resident</b>                        | Operational Plan document versions and draft labelling – where are other versions and why isn't the entire document marked as "draft".                                      | No | Only versions that go to Council are entered into the Version table – working versions aren't listed. Draft on the cover is sufficient for exhibition purposes.                                                                                                                                                                                                                                                                                                                                                            |
| <b>12. Mingoala Progress Association</b>   | Request to limit transfer station fees to CPI.<br>Request to restrict plant hire fees.                                                                                      | No | The waste operations have been running at unsustainable losses; increasing the fees and charges in small increases each year will overtime make our operations sustainable. This is not designed as a profit; this is only to break even. Council have been purposeful in plant hire increases, with due consideration to the private sector in these hard times. Council are focusing availability on the internal operational requirements placed upon its fleet and meet Council's competitive neutrality requirements. |
| <b>13. RSL – Tenterfield Sub Branch</b>    | Request for maintenance funding to sand and repaint RSL Pavilion and clean, repair and reseal the timber verandah.                                                          | No | Council has engaged an organisation to review the maintenance of all Council properties. The outcomes of this will determine maintenance and repair priorities for all Council owned Property to inform future budgets planning.                                                                                                                                                                                                                                                                                           |
| <b>14. Urbenville Progress Association</b> | Request for funding for historic cottage and museum repairs.                                                                                                                | No | This type of request would be considered under Council's Community Grants Program, which opens for applications in June 2019.                                                                                                                                                                                                                                                                                                                                                                                              |

In addition to the above, Council requested that clarity be provided around the interpretation of Section 552 (3) (b) of the Local Government Act 1993 in relation to the levying of a Sewerage Charge on land from which sewage could not be discharged into any sewer of the Council. A report will be provided to Council, with a proposed policy to interpret this section of the Act within three (3) months from the adoption of the Operational Plan 2019/20.

Our Governance No. 31 Cont...

## **COUNCIL IMPLICATIONS:**

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

The draft Operational Plan 2019/2020 has been on public exhibition for a period of 28 days, from 24 April 2019 to 22 May 2019, for community review and comment. Council received fourteen (14) submissions in total, with one resident, the Mingoola Progress Association, Tenterfield RSL Sub Branch and Urbenville Progress Association providing submissions.

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

- Local Government Act 1993 – Sections 8A 1(c), 8C, 405.

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

The draft Operational Plan 2019/2020 includes Council's detailed annual budget, along with the Council's Statement of Revenue Policy, which includes the proposed rates, fees and charges for the financial year 2019/2020.

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

Asset management implications in the delivery of the Operational Plan activities will need to be provided for in the budget for 2019/2020 and subsequent years, where identified.

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

Nil.

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

In accordance with Sections 405(3) and 405(5) of the Local Government Act 1993, Council is required to provide the draft Operational Plan 2019/2020 for public exhibition for a period of at least 28 days, for public review and comments. Following Council's meeting of 24 April 2019, the draft Operational Plan was exhibited from 24 April 2019 to 22 May 2019, to meet this requirement.

### **7. Performance Measures**

Nil.

### **8. Project Management**

Nil.

**Kylie Smith**  
Chief Corporate Officer

## Our Governance No. 31 Cont...

Prepared by staff member: Erika Bursford, Manager Customer Service, Governance & Records; Paul Della, Manager Finance & Technology

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

Department: Office of the Chief Corporate Officer

Attachments: **1** Operational Plan 2019/20 including Financial Summary, Revenue Policy and Fees & Charges together with the current Delivery Program 2017/21 provided under separate cover