

QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING WEDNESDAY, 22 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 **Ordinary Council Meeting** will be held in the Tenterfield Shire Council Chamber, on **Wednesday**, **22 May 2019** commencing at **9.30 am**.

Terry Dodds
Chief Executive

Website: www.tenterfield.nsw.gov.au Email: council@tenterfield.nsw.gov.au

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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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

(ITEM MIN4/19) CONFIRMATION OF PREVIOUS MINUTES7

- 6. TABLING OF DOCUMENTS
- 7. URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS
- 8. COMMUNITY CONSULTATION (PUBLIC ACCESS)
 - Sergeant James Boden Tenterfield Police
- 9. MAYORAL MINUTES
- 10. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

Nil.

11. OPEN COUNCIL REPORTS

OUR COMMUNITY							
(ITEM COM5/19)	CLASSIFICATION OF CROWN LAND RESERVES AS OPERATIONAL						
OUR ECONOMY							
Nil							
OUR ENVIRONME	'NT						
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(ITEM GOV23/19)	MONTHLY OPERATIONAL REPORT - APRIL 201959						
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(ITEM GOV29/19)	CAPITAL EXPENDITURE REPORT AS AT 30 APRIL 2019 101						
(ITEM GOV30/19)	REPORT ON LOAN BALANCES						
12. REPORTS OF	DELEGATES & COMMITTEES						

13. NOTICES OF MOTION

(ITEM RC9/19)

Nil

REPORT OF COMMITTEE & DELEGATES - TENTERFIELD

SHIRE LOCAL TRAFFIC COMMITTEE MEETING - 4 APRIL

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(ITEM RES4/19) COUNCIL RESOLUTION REGISTER - MAY 2019......114

15. CONFIDENTIAL BUSINESS

Nil

16. MEETING CLOSED

(ITEM MIN4/19) CONFIRMATION OF PREVIOUS MINUTES

REPORT BY: Noelene Hyde, Executive Assistant & Media

RECOMMENDATION

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

Ordinary Council Meeting held on Wednesday, 24 April 2019

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

ATTACHMENTS

1 Minutes of Ordinary Council Meeting - 24 April 2019 10 Pages

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 24 APRIL 2019

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday 24 April 2019 commencing at 9.30 am

ATTENDANCE Councillor Peter Petty (Mayor)

Councillor Don Forbes
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Bronwyn Petrie
Councillor Michael Petrie
Councillor Bob Rogan
Councillor Gary Verri

ALSO IN ATTENDANCE Chief Executive (Terry Dodds)

Acting Executive Assistant & Media (Sarah Jarrett)

Chief Corporate Officer (Kylie Smith)

Manager of Asset & Program Planning (David

Counsell)

Clause 254(b) of the Local Government (General) Regulation 2005 requires that the names of the mover and seconder of the motion or amendment are recorded and shown in the Minutes of the meeting.

Website: www.tenterfield.nsw.gov.au Email: council@tenterfield.nsw.gov.au

WEBCASTING OF MEETING

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

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

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

OPENING AND WELCOME

CIVIC PRAYER

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

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

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land that we are meeting on today. I would also like to pay respect to the Elders both past and present of the Jukembal, Kamilaroi and Bundjalung Nations and extend that respect to other Aboriginal people present.

APOLOGIES

Resolved that the apology of Councillor Greg Sauer (Deputy Mayor) be received and noted.

(Brian Murray/Gary Verri)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

Nil.

(ITEM MIN3/19) CONFIRMATION OF PREVIOUS MINUTES

61/19 Resolved that the Minutes of the following Meeting of Tenterfield Shire Council:

Ordinary Council Meeting held on Wednesday, 27 March 2019

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

(Tom Peters/Bob Rogan)

Motion Carried

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TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Resolved the Addendum Agenda containing Mayoral Minute MM5/19 be received and considered accordingly.

(Michael Petrie/Brian Murray)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil.

MAYORAL MINUTE

(ITEM MM3/19) MAYORAL MINUTE - NATIONAL PARKS & STATE FORESTS - REQUEST FOR INCREASED HAZARD REDUCTION AND WATER INFRASTRUCTURE

SUMMARY

I, Mayor Peter Petty intend to move the following Mayoral Minute with respect to hazard reduction and water infrastructure in the NSW National Parks and State Forests.

63/19 Resolved that Council:

- (1) Write to the Federal Member for New England, the State Member for Lismore and relevant Federal and State Department Ministers, requesting that NSW National Parks and Wildlife Service and Forestry Corporation and Local Land Services, as a duty of care, undertake an increased level of park and forest fire management activities, including increased hazard reduction burns and increased numbers of dams and water infrastructure points for firefighting purposes into the future, and
- (2) That Council submit this same request to the NSW Country Mayors' Association as a Motion of Importance.

(Peter Petty/Gary Verri)

Motion Carried

(ITEM MM4/19) MAYORAL MINUTE - REQUEST UPGRADE - INTERSECTION OF OLD BALLANDEAN ROAD/BRUXNER WAY & NEW ENGLAND HIGHWAY

SUMMARY

I, Mayor Peter Petty intend to move the following Mayoral Minute relating to the Federal Government's announcement for funding of \$140 million for upgrading to the New England Highway – Tamworth to the Queensland Border.

Resolved that Council write to the Federal Member for New England, The Honorable Barnaby Joyce MP, to make him aware of the unsafe road intersection of Ballandean Road/Bruxner Way and the New England Highway and request

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23 April 2019

that this section of the New England Highway be included as a priority in the announcement of funding of \$140m allocated to upgrades to the New England Highway from Tamworth to the Queensland Border.

(Peter Petty/Gary Verri)

Motion Carried

(ITEM MM5/19) MAYORAL MINUTE - JOIN ALGA'S CAMPAIGN FOR FAIRER FUNDING

SUMMARY

The Australian Local Government Association (ALGA) has launched a national campaign *A Fairer Share*, to advocate for more funding for local government and our communities. Council received a request to support the campaign on 17 April 2019 and Local Government NSW (LGNSW) have provided the following information to support their request.

FAGs are a vital part of the revenue base of all councils, and this year councils will receive \$2.4 billion from the Australian Government under this important program.

The value of the FAGs has been declining for more than 20 years. In 1996 the level of funding for the FAGs was equal to around 1% of Commonwealth Taxation Revenue but this has steadily fallen since 1996 under successive Federal Governments until it has reached a level now less than 0.55% of Commonwealth Taxation revenue. This decline was exacerbated by a three-year freeze on the indexation of FAGs from 2014-15 to 2016-17 which has cost local government an estimated \$925m in foregone FAGs funding.

FAGs are essential for many councils, particularly those in regional and remote areas of Australia which have very limited access to alternative revenue sources such as rates. These councils are dependent on the FAGs for the provision of infrastructure and services for their communities.

At the national level there has been an increasing level of demand from the community for local services and a growing expectation for a higher standard of services. This comes at the same time as cost shifting by state and territory governments onto local government continues to be a problem and state ad territory governments in several states impose revenue restrictions on councils through rate capping.

The Australian Local Government Association has made the restoration of the FAGs and the provision of a Fairer Share for local communities a key election initiative and ALGA and the state and territory local government associations are seeking the support of Council for the campaign and asking Council to engage directly with local candidates in the Federal Election to seek their support for a Fairer share of Federal funding for our community.

The following Council Resolution has been provided by LGNSW for consideration to show support for the campaign.

65/19 Resolved that Council:

- (1) Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of council services and infrastructure;
- (2) Expresses its concern about the decline in the value of Financial Assistance Grants funding at the national level from an amount equal to around 1% of Commonwealth Taxation Revenue in 1996 to a current figure of around 0.55%.; and
- (3) Calls on all political parties contesting the 2019 Federal Election and their local candidates to support the Australian Local Government Association's call to restore the national value of Financial Assistance Grants funding to an amount equal to at least 1 % of Commonwealth Taxation revenue and therefore to provide a Fairer Share of Federal funding for our local communities.

(Peter Petty/Gary Verri)

Motion Carried

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

- **Resolved** that the following matters be considered in the Confidential Section of the Meeting:
 - (ITEM ECO6/19) Livestock Selling Centre Truckwash and Loading Ramp 12-18/19
 - (ITEM ECO7/19) Purchase of Fabricated Bridge Framework

(Bronwyn Petrie/Tom Peters)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

OUR ECONOMY

(ITEM ECO5/19) TIMBER BRIDGES UPDATE

SUMMARY

The purpose of this report is to advise Council on the outcome of structural inspections and reporting on the balance of Council's timber bridge inventory along with a way forward.

67/19 Resolved that Council:

- (1) Notes out the balance of Council's timber bridge inventory that had no prior level 3 structural inspection, engineers independent of Council suggested the implementation of load limits on 20 bridges across the TSC road network over and above what already is load limited. These recommendations related to current conditions and no long term maintenance; and
- (2) Endorse the non-application of load limits for up to 24 months based on risk management of the impaired bridges via;
 - a. Load testing of structures where load limits of less than 10T have been recommended, to confirm deflections and allowable load.
 - b. Application of 10km/hr speed signage and speed bumps ahead of bridges for which a load limit was recommended in engineering reports as determined safe by Engineering Department.
 - c. Increased frequency of level 2 bridge condition inspections to once every 4 months for all structures for which a load limit was recommended in engineering reports.
 - d. Per the engineering reports, carry out required maintenance over a 2 year period and or equivalent cost effective interim solutions that effectively will strengthen structures to carry envisaged T44 loading for the next 10-15 years until timber bridges can be replaced.
 - e. Redo level 3 inspections after 2 years on any structure having a prior load limit recommendation that has not already been upgraded.

(Bronwyn Petrie/Michael Petrie)

Motion Carried

OUR ENVIRONMENT

Nil

OUR GOVERNANCE

(ITEM GOV19/19) MONTHLY OPERATIONAL REPORT - MARCH 2019

SUMMARY

The purpose of this report is to provide a standing monthly report to the Ordinary Meeting of Council that demonstrates staff accountabilities and actions taken against Council's 2018/2019 Operational Plan.

Resolved that Council receives and notes the status of the Monthly Operational Report for March 2019.

(Gary Verri/Bob Rogan)

Motion Carried

Councillor Michael Petrie, left the meeting, the time being 10.43am

Councillor Michael Petrie, returned to the meeting, the time being 10.45am.

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23 April 2019

SUSPENSION OF STANDING ORDERS

69/19 Resolved that Standing Orders be suspended.

(Gary Verri/Bob Rogan)

Motion Carried

The Meeting adjourned for morning tea, the time being 10.47 am.

The Meeting reconvened with the same members present and with the addition of Erika Bursford, Manager Customer Service, Governance & Records, the time being 11.08 am.

RESUMPTION OF STANDING ORDERS

70/19 Resolved that Standing Orders be resumed.

(Brian Murray/Bob Rogan)

Motion Carried

(ITEM GOV20/19) OPERATIONAL PLAN 2019/2020

SUMMARY

The purpose of this report is for Council to adopt the Tenterfield Shire Council Operational Plan 2019/2020, pending submissions following public exhibition from 24 April 2019 to 22 May 2019, for inclusion with the current Tenterfield Shire Council Delivery Program 2017/2021.

71/19 Resolved that Council:

- (1) Place the draft Tenterfield Shire Council Operational Plan 2019/2020 on public exhibition for 28 days for community review and comment, and
- (2) That a further report be brought back to Council for adoption of the Tenterfield Shire Operational Plan 2019/2020.

(Michael Petrie/Bronwyn Petrie)

Motion Carried

Erika Bursford, Manager Customer Service, Governance & Records, left the meeting the time being 11.44 am.

Paul Della, Manager Finance & Technology entered the meeting, the time being 11.44 am.

(ITEM GOV21/19) FINANCE & ACCOUNTS - MARCH 2019

SUMMARY

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

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72/19 Resolved that Council receive and note the Finance and Accounts Report for the period ended 31 March 2019.

(Gary Verri/Brian Murray)

Motion Carried

(ITEM GOV22/19) CAPITAL EXPENDITURE REPORT AS AT 31 MARCH 2019

SUMMARY

The purpose of this report is to show the progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

Resolved that Council receive and note the Capital Expenditure Report for the period ended 31 March 2019.

(Bronwyn Petrie/Bob Rogan)

Motion Carried

Paul Della, Manager Finance & Technology left the meeting, the time being, 11.46am.

REPORTS OF DELEGATES & COMMITTEES

(ITEM RC6/19) REPORTS OF COMMITTEES & DELEGATES - NEW ENGLAND JOINT ORGANISATION OF COUNCILS (NEJO) - MONDAY, 25 FEBRUARY 2019

Resolved that the report of the New England Joint Organisation of Councils (NEJO) meeting of 25 February 2019 be received and noted.

(Peter Petty/Michael Petrie)

Motion Carried

(ITEM RC7/19) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE MEETING - WEDNESDAY, 6 MARCH 2019

Resolved that the report of the Audit & Risk Committee meeting of 6 March 2019 be received and noted.

(Donald Forbes/Bob Rogan)

Motion Carried

(ITEM RC8/19) REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACE ADVISORY COMMITTEE - THURSDAY, 21 MARCH 2019

Resolved that the report of the Parks, Gardens & Open Space Advisory Committee held on 21 March 2019 be received and noted.

(Brian Murray/Gary Verri)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

(ITEM RES3/19) COUNCIL RESOLUTION REGISTER - APRIL 2019

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.

Resolved that Council notes the status of the Council Resolution Register to April 2019.

(Brian Murray/Bronwyn Petrie)

Motion Carried

CONFIDENTIAL BUSINESS - SUSPENSION OF STANDING ORDERS

78/19 Resolved that Standing Orders be suspended and;

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

(Gary Verri/Brian Murray)

Motion Carried

The doors were closed to the public, the recording device turned off and the Meeting moved into Closed Committee, the time being 12.05 pm.

(ITEM ECO6/19) LIVESTOCK SELLING CENTRE TRUCKWASH AND LOADING RAMP 12-18/19

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

SUMMARY

The purpose of this report is to provide Council with information relating to the Request for Tender (RFT) 12-18/19 for the Construction of Truck Wash and

Loading Ramp at the Tenterfield Livestock Selling Centre and a recommendation with respect to tender submissions.

Resolved that Council resolve not to accept the tender submission received and explore and report on other ways to deliver the project/s.

(Michael Petrie/Bob Rogan)

Motion Carried

(ITEM ECO7/19) PURCHASE OF FABRICATED BRIDGE FRAMEWORK

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

SUMMARY

The purpose of this report is to recommend the purchase of three fabricated bridge frameworks to use in the replacement of existing timber bridge structures.

Resolved that Council resolve to purchase three fabricated bridge framework structures from InQuik for use in replacing existing timber bridges to the value of \$277,500 plus GST.

(Michael Petrie/Bronwyn Petrie)

Motion Carried

RESUMPTION OF STANDING ORDERS

81/19 Resolved that Standing Orders be resumed.

(Brian Murray/Tom Peters)

Motion Carried

The Meeting moved out of Closed Committee, the doors were opened to the public and the recording device switched on, the time being 1.20 pm.

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

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 1.21 $\,$ pm.

Councillor Peter Petty Mayor/Chairperson

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23 April 2019

Department: Office of the Chief Corporate Officer

Submitted by: Property Specialist (P/T) **Reference: ITEM COM5/19**

Subject: Classification of Crown Land Reserves as Operational

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Community - COMM 4 - The community is welcoming, friendly,

and inclusive where diverse backgrounds are respected and

celebrated.

CSP Strategy: Buildings are well designed, safe and accessible and the new is

balanced with the old.

CSP Delivery Ensure that Council buildings and facilities meet the needs of users.

Program

SUMMARY

Due to the enactment of the Crown Lands Management Act 2016 Council are required to consider and classify Crown Land Reserves, which have been appointed to Council's management, as either 'Operational' or 'Community'.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Request the Minister administering the Crown Land Management Act 2016 to approve the classification of the following Crown reserves as Operational for the purposes of the Local Government Act 1993: Lot 29 DP 752399, Lot 124 DP 751490, Lot 2 Section 12 DP 758616, Lot 491 DP 751540, Lot 80 DP 751057; and
- (2) Accept the Minister's classification of the following Crown Reserves as Community for the purposes of the Local Government Act 1993: Lot 12 Section 45 DP 758359, Lot 7027 DP 1050644, Lots 10-11 Section 41 DP 758359, Lots 21-22 DP 45988, Lots 7025-7026 DP 1050643, Lots 7032-7033 DP 1057381, Lot 7 DP 721134, Lot 128 DP 47529, Lot 253 DP 751039, Lot 7308 DP 1151684, Lot 41 DP 751076, Lot 221 DP 729072, Lot 7034 DP 1127231, Lot 1 Section 28 DP 758959, Lot 7320 DP 1143501, Lots B, C DP 346443, Lots 10-14 Section 29 DP 758959, Lot 7318 DP 1141108, Lot 599 DP 704008, Lot 701 DP 1125705, Lot 7011 DP 1108193, Lot 73 DP 751057, Lot 7004 DP 1055390.

BACKGROUND

On 1 July 2018 the Crown Land Management Act 2016 commenced which governs the management of certain Crown Land reserves within each Local Government Area. New South Wales Department of Industry appointed Tenterfield Shire Council as Crown Land Manager of 22 Reserves.

The Reserves are automatically classified as 'Community'.

Council has the opportunity to request suitable reserves to be classified as 'Operational' land, although they are still not held by Council as freehold.

Our Community No. 5 Cont...

The reserves managed as 'Community' classified land will require a Plan of Management to be prepared pursuant to the Local Government Act 1993 including consideration to the Native Title Act 1993.

REPORT:

Of the 22 Reserves appointed to Council, it is proposed to accept the classification of 17 Reserves as 'Community' and the remaining five Reserves to be requested to be classified as 'Operational'. Please see Attachments 1 and 2 to this report which set out details of each of the Reserves.

The guidelines for classification of Crown Land by Councils sets out the types of land which can be classified as Operational. These include land used for 'urban services', 'sanitary purposes', 'emergency services' and land which need not be made available to the public. The 5 Reserves to be classified as Operational are rubbish depots and one Rural Fire Service shed.

COUNCIL IMPLICATIONS:

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

2. Policy and Regulation

- Crown Land Management Act 2016 (NSW)
- Native Title Act 1993 (Cth)
- Local Government Act 1993

3. Financial (Annual Budget & LTFP)

There will be no change to the operational budget given that Council already manages the lands and the activities carried out thereon.

4. Asset Management (AMS)

There will be no change given that Council already manages the lands and the activities carried out thereon.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Ni

7. Performance Measures

Nil

8. Project Management

Nil

Kylie Smith Chief Corporate Officer

Our Community No. 5 Cont...

Jennifer Donadel, Property Specialist (P/T); Heidi Prepared by staff member:

K Ford, Manager Property & Buildings (P/T)

Kylie Smith, Chief Corporate Officer

Approved/Reviewed by Manager:

Department:

Office of the Chief Corporate Officer Attachments:

as "Community"

1 Schedule of Land to be Classified 2 Pages

2 Schedule of Land to be Classified 1 Page

as "Operational"

CLASSIFIED COMMUNITY

	Boconio						
OBJECTID		Reserve Name	Gazetted Date	Manager	Purpose	Lots	Suburb
1978		540103 DRAKE RECREATION GROUND	December 28, 1895	Drake Public Recreation Trust	Public Recreation	Lot 12 Section 45 DP 758359, Lot 7027 DP 1050644 Parish West Fairfield County Drake	DRAKE VILLAGE
3352		77166 WOODWARD PARK	October 15, 1954	Drake Park (R.77166) Reserve Trust	Public Recreation	Lots 10-11 Section 41 DP 758359 Parish West Fairfield County Drake	DRAKE VILLAGE
4031		84128 DRAKE RESERVE TRUST	December 28, 1962	Drake (R.84128) Reserve Trust	Public Recreation	Lots 21-22 DP 45988, Lots 7025-7026 DP 1050643, Lots 7032-7033 DP 1057381 Parish West Fairfield County	DRAKE VILLAGE
6035		97908 DRAKE COMMUNITY HALL	September 6, 1985	Drake Hall (R.97908) Reserve Trust	Community Purposes	Lot 7 DP 721134 Parish West Fairfield County Drake	DRAKE VILLAGE
262	1002844 JENNIN	JENNINGS BORDER PARK RESERVE	July 30, 1999	Jennings Border Park Reserve Trust	Public Recreation	Lot 128 DP 47529 Parish Ballandean County Clive	JENNINGS
2923		700012 LEGUME COMMUNITY RESERVE	April 24, 1997	Legume Community Purposes (R.700012) Reserve Trust	Community Purposes	Lot 253 DP 751039 Parish Acacia County Buller	LEGUME
587		110109 LISTON RECREATION RESERVE	December 31, 1992	Liston Recreation Reserve (R110109) Reserve Trust	Public Recreation	Lot 7308 DP 1151684 Parish Wylie County Buller	LISTON
2058		55832 RIVER TREE RECREATION RESERVE	November 17, 1922	River Tree Recreation Reserve (R55832)Reserve Trust	Public Recreation	Lot 41 DP 751076 Parish Reid County Buller	RIVERTREE
586		110108 SANDY HILL RECREATION RESERVE	August 14, 1992	Sandy Hill Recreation Reserve (R110108) Reserve Trust	Public Recreation	Lot 221 DP 729072 Parish Timbarra County Clive	SANDY HILL
1776		S10013 TENTERFIELD PARK	May 13, 1887	Tenterfield Park (D510013) Reserve Trust	Public Park	Lot 7034 DP 1127231 Parish Tenterfield County Clive	TENTERFIELD
2196		57957 JUBILEE PARK	May 1, 1925	Tenterfield Public Recreation (R57957) Reserve Trust	Public Recreation	Lot 1 Section 28 DP 758959, Lot 7320 DP 1143501 Parish Tenterfield County Clive	TENTERFIELD
3300		76526 SHIRLEY PARK	January 29, 1954	Shirley Park (R76526) Reserve Trust	Public Recreation	Lots B, C DP 346443, Lots 10-14 Section 29 DP 758959, Lot 7318 DP 1141108 Parish Tenterfield County Clive	TENTERFIELD
3955		83670 RUGBY LEAGUE PARK	January 5, 1962	Rugby League Park (R83670) Reserve Trust	Public Recreation	Lot 599 DP 704008 Parish Tenterfield County Clive	TENTERFIELD
9909		98007 MARKET SQUARE	December 6, 1985	Market Square (R98007) Reserve Trust	Public Recreation	Lot 701 DP 1125705 Parish Tenterfield County Clive	TENTERFIELD
4376		86219 WALLABY CREEK RESERVE	March 23, 1967	Wallaby Creek Recreation (R86219) Reserve Trust	Public Recreation	Lot 7011 DP 1108193 Parish Kangaroo County Buller	UPPER TOOLOOM
1790	51297	51297 TOLOOM CREEK	February 4, 1916	Urbenville Public Recreation (R51297) Reserve Trust	Public Recreation	Lot 73 DP 751057 Parish Coutts County Buller	URBENVILLE

URBENVILLE Lat 7004 DP 1055390 Parish Coutts County Buller Urbenville Museum (R.91056) Reserve Trust March 17, 1978 91056 URBENVILLE MUSEUM 5322

TO BE CLASSIFIED OPERATIONAL

	900		Sanitary Purposes Lot 124 DP 751490 Parish Ballandean County Clive	Lot 2 Section 12 DP 758616 Parish Wylie County Buller	Lot 491 DP 751540 Parish Tenterfield County Clive	Lot 80 DP 751057 Parish Coutts County Buller
	Pirroce	Rubbish Depot; Sanitary Purposes	Sanitary Purposes	Bush Fire Brigade Purposes	Night Soil Depot	Sanitary Purposes
	Manager	Drake Rubbish Depot And Sanitary Purposes (R80238) Rubbish Depot; Reserve Trust Sanitary Purpose	Jennings Sanitary Purposes (R72784) Reserve Trust	Liston Bush Fire Brigade (R110010) Reserve Trust	TENTERHELD Tenterfield Night Soil Depot (R35388) Reserve Trust	URBENVILLE Urbenville Sanitary Purposes (R655333) Reserve Trust Sanitary Purposes Lot 80 DP 751057 Parish Coutts County Buller
	Suburb	DRAKE	JENNINGS	LISTON	TENTERFIELD	URBENVILLE
	Gazetted Date	December 20, 1957	July 16, 1948	December 24, 1987	November 22, 1902	October 18, 1935
	Reserve Type	80238 RESERVE	72784 RESERVE	110010 RESERVE	35388 RESERVE	65533 RESERVE
L	Reserve OBJECTI Number			J		
L	OBJECT	3585	3124	578	1207	2728

Department: Office of the Chief Corporate Officer **Submitted by:** Manager Planning & Development Services

Reference: ITEM ENV6/19

Subject: DA 2019.026 Dwelling

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Environment - ENVO 9 - Our natural environment will be

protected, enhanced and promoted for future generations.

CSP Strategy: Land use planning provisions support and promote sustainable land

use and management in the Shire.

CSP Delivery Provision of advice and guidance on legislative compliance for the

Program construction of dwellings and commercial/industrial buildings.

SUMMARY

The purpose of this report is to make recommendation to Council in relation to a Development Application which proposes the construction of a dwelling on 508 Rouse Street Tenterfield. The application was notified to adjoining and adjacent residents and six (6) submissions by way of objection were received by Council. An assessment of the proposal and consideration of the submissions has been made and it is recommended to Council that the application be approved subject to conditions.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Approve Development Application 2019.026 for the construction of a dwelling on Lot 3 DP 802874, 508 Rouse Street, Tenterfield subject to conditions contained in Attachment 1 of this report; and
- (2) Notify those persons who made submissions of Council's determination.

BACKGROUND

On 18 February 2019 Council staff were made aware that two (2) portable buildings had been placed on the site at 508 Rouse Street, Tenterfield. Council's relevant records indicated that no prior development consent had been issued for the installation of these buildings. On 20 February Council issued a Penalty Infringement Notice to the owner of the property for carrying out development without consent.

In accordance with Council's Policy 'Enforcement Policy for Unlawful Activities' Council can issue a PIN and then seek the applicant to gain consent for the activity if it is permissible in the zone. In this instance, the construction of a dwelling on the site, which is zoned RU5 Village pursuant to Tenterfield Local Environmental Plan 2013, is permissible with Council consent.

Development Application 2019.026 was lodged with Council on 20 March 2019 and was notified to adjoining and adjacent residents for fourteen (14) days, after which time six (6) submissions were received raising objections to the proposal.

The applicant was afforded an opportunity to address the matters raised in the submissions and has subsequently lodged modified plans indicating an alternative exterior cladding to that which was originally proposed.

Our Environment No. 6 Cont...

The original plans proposed an exterior cladding comprising horizontal colorbond cladding, while the new plans propose a hardiplank weatherboard product.

The two (2) buildings placed on the site comprise former transportable buildings and are intended to be used in conjunction with a third transportable building yet to be placed on the site.

REPORT:

The Site and Surrounding Development

- 1. The site is located at the northern end of Rouse Street, Tenterfield with an area of 9951sq.m and contains an existing shed, water tanks, solar panels and recently planted landscaping, irrigated by an on-site bore. The site has frontage to Rouse Street of 82.6m and boundary length of 121m (north) and 153m (south), see Figure 1.
- 2. Immediately surrounding land uses comprise residential dwellings on larger lifestyle lots.
- 3. The site is not a heritage item and is not located in a heritage conservation area.
- 4. Select plans of the proposed development are provided at Figures 2 and 3.

Our Environment No. 6 Cont...



Figure 1: Aerial image of subject site and surrounds

Proposal

The application seeks consent for the erection of a residential dwelling, utilizing three (3) demountable buildings to be remodeled internally and externally, construction of a roof structure and deck. The application also proposes the installation of an on-site sewage management system as the site is not connected to reticulated sewer.

The dwelling is proposed to be located 121.95m back from the Rouse Street frontage, 19.48m from the northern boundary, 10m from the southern boundary and 16m from the rear boundary.

Our Environment No. 6 Cont...

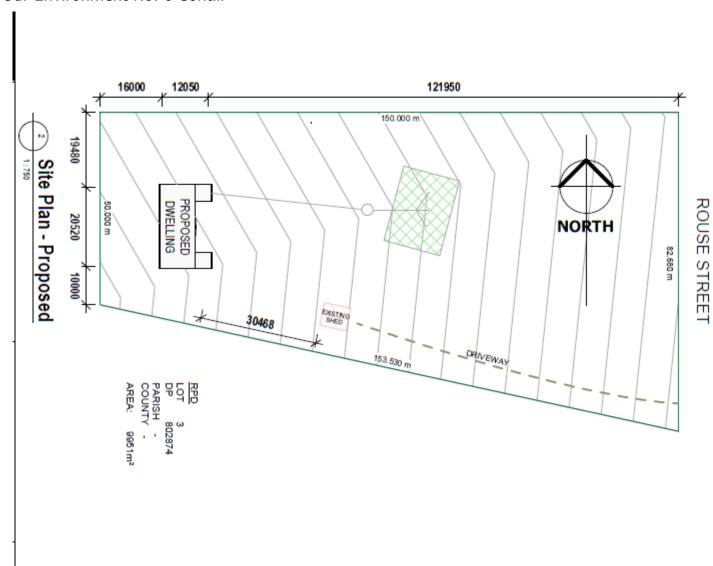


Figure 2: Site Plan & Effluent Disposal application area



Figure 3 - 3D Elevation

Our Environment No. 6 Cont...

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

(a) the provisions of:

(i) any environmental planning instrument

Tenterfield Local Environmental Plan 2013 (LEP)

The subject site is known as Lot 3 DP 802874, 508 Rouse Street, Tenterfield and is subject to the provisions of *Tenterfield Local Environmental Plan 2013*. The land lies within the RU5 Village zone, where the proposed development of a dwelling is permitted with consent in the zone. Tenterfield LEP defines the use as;

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing only one dwelling.

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

Zone RU5 Village

1 Objectives of zone

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

2 Permitted without consent

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

3 Permitted with consent

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

4 Prohibited

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

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

Our Environment No. 6 Cont...

The development is of such a scale that is compatible with the general residential character of the Tenterfield village area and the general locality within which it is proposed.

(iii) any development control plan,

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

Chapter 3 - Residential Development

Chapter 3 is a guide to applicants seeking to construct dwellings and multi-unit development in the RU5 Village zones across the LGA and seeks to provide design guidelines which will enhance the overall character and amenity of neighbourhoods.

Site Planning and Layout & Building Design and Appearance

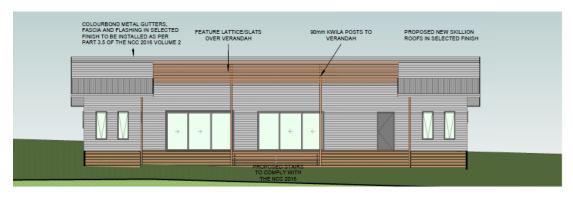
Applicants are required to demonstrate compliance with and consideration of the following issues:

- Appropriateness of built form and landscape in relation to the site context, topography and urban character;
- Building arrangement and their relationship to streets and open spaces;
- Location, function and opportunities for casual surveillance of open space;
- Personal privacy and security;
- Energy efficiency in building design;
- Heritage and conservation opportunities and constraints;
- Opportunity for future subdivision into individual allotments and communal spaces, including service arrangements.

The proposed dwelling is of single storey construction and it is proposed to externally clad the building in hardiplank weatherboard 170mm, construct a roof structure with a 15 degree pitch over the building and construct a deck. The building is proposed to be constructed on piers and the underside semi-enclosed as per the below elevations. The original external cladding proposed was of colorbond, however, the applicant has now altered this to a weatherboard product in the following profile, in a shale grey with a light grey roof;



Our Environment No. 6 Cont...

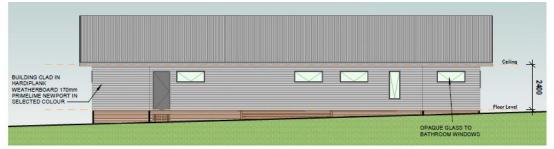




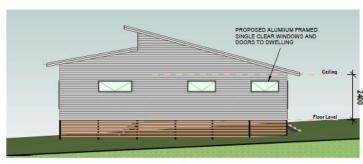


ELEVATION 2

Figure 4 - Elevation 1 - East Elevation - visible from Rouse Street Elevation 2 - South Elevation







ELEVATION 4

Figure 5 - Elevation 3 - West Elevation - visible from rear Elevation 4 - North Elevation

Our Environment No. 6 Cont...

The location of the building is set back from Rouse Street (121.95m) and will sit comfortably in the existing rural residential character of the locality, which is characterised by single storey dwellings set back from Rouse Street (refer Figure 1- Aerial Image). A dwelling with similar form and structure, having lower pitch roof lines and similarly proportioned windows in located to the north of the site - refer Photo 1.



Photo 1 - Nearby Residence

The objectives of the DCP state that;

- To encourage well-designed development which will provide a good living place for residents and will relate sympathetically in scale and form to the surrounding area; and
- To provide for good design which provides continuity of character between the local building forms and new development by using a selection and/or combination of characteristic elements.

Roof pitches are generally required to meet a 20 degree minimum, with flat roofs over the whole building to be avoided. In this proposal a 15 degree roof pitch is proposed, which is considered acceptable given the proposed design and principle street elevation will not view the pitch of the roof.

It is acknowledged that the base structures which are proposed to be used, being of a transportable nature, are aesthetically unacceptable without any cosmetic and architectural alterations. However, the proposed completed dwelling house is not dissimilar to dwellings Council has approved over recent years within Tenterfield and across the Shire and is considered to be consistent with the requirements set out in Chapter 3 of *Tenterfield Development Control Plan 2014*.

Our Environment No. 6 Cont...

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

Consistent with the regulations.

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

Context and Settings

The site contains an existing garage, water tanks, solar panels and extensive landscaping - refer below photos;



Photo 2 - View from Rouse Street

Our Environment No. 6 Cont...



Photo 3 - View from proposed dwelling site looking toward Rouse Street and neighboring dwelling to north



Photo 4 - View from proposed dwelling site looking westward - existing boundary landscaping

Our Environment No. 6 Cont...



Photo 5 - View from proposed dwelling site looking northward toward Tenterfield Station - landscaping on the site recently planted replicates landscaping on adjoining lot to the north

The proposal is for a single residential dwelling which is typical and an expected form of development in this zone and this locality.

(c) the suitability of the site for the development

The site adjoins and is adjacent to existing residential development, the site is considered suitable for the proposal.

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

The application was notified in writing to adjoining and adjacent owners in the vicinity of the proposed development, with six (6) submissions received. A copy of the submissions is contained in Attachment 2 of this report. Matters raised in the submissions are summarized below;

1. Restriction on the Use/Covenant on the land/Visually Unappealing

- When the land was subdivided, the original developer created a 'Restriction as to User' on this lot, and others in the subdivision, which states;
 - "(a) No building including any garage or other outbuilding appurtenant thereto shall be erected upon the land hereby sold having exterior walls constructed of flat asbestos cement sheeting, unless covered by cement rendering stucco, granositing or other similar material.
 - (b) No building shall be erected other than a detached dwelling house either with or without stables and garages greenhouses conservatories and necessary outbuildings.
 - (c) Not to use or permit to be used any building erected upon the land or any part thereof for any other purpose than that of a private dwelling house only (but so that the profession of a Doctor, Solicitor, Public Accountant, Architect or Surveyor may be carried out therein and Paying Guests not more than four in number may be received therein.)
 - (d) No residential building shall be affected unless provided with a septic system or connected to a sewerage system.

Our Environment No. 6 Cont...

(e) No building which has been preciously erected on any other land shall be moved on to the land hereby sold or any part thereof.

- (f) No building shall be erected of materials other than new materials.
- (g) No signs or hoarding of any nature whatsoever shall be erected upon the land herby sold whilst Graham George Rossington and Leeayne Carol Rossington remain the owners of any Lot or any part thereof without the consent of the said Graham George Rossington and Leeayne Carol Rossington in writing first being obtained.
- (h) There shall be no subdivision of any lot while any other Lot or part thereof is owned by Graham George Rossington and Leeayne Carol Rossington in writing first being obtained."

Whilst private developers are entitled to create restrictions as to user, they are not enforceable by Council by virtue of the standard clause contained in *Tenterfield LEP 2013* which states;

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
 - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
 - (b) to any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or
 - (c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or
 - (d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or
 - (e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or
 - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

The only circumstances where a covenant or similar is enforced by Council is where Council has imposed the covenant or has required a developer to impose it. The standard clause contained in the LEP allows for development that is permitted to be able to proceed subject to lodgment of a DA. There is nothing preventing the original developer of the covenant or anyone else subject to the covenant taking their own civil action against a person who does not comply with the covenant.

As discussed, it is agreed that the existing aesthetics of the structures located on site are visually unappealing, however when the plans are reviewed and taking in to consideration the proposed additional structural and architectural modifications, the

Our Environment No. 6 Cont...

building will be in keeping with single residential dwellings in the locality and within the Tenterfield village zone. In addition, the extensive existing landscaping and the increased setback for the dwelling will aid in filtering and providing visual relief for the structure.

2. Works already carried out on the property

- Reference to the existing shed and extension. The shed was approved under Complying Development Certificate No. 2012.11 on 22 March 2012 and the extension is classified as 'exempt development' pursuant to the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- Installation of buildings on the site without prior consent as discussed above, Council has taken regulatory action and issued a PIN for the unauthorized works. Should works not commence or be carried out in accordance with the recommended consent conditions, or should Council resolve to refuse the application, Council will then commence action to have the buildings removed from the site.

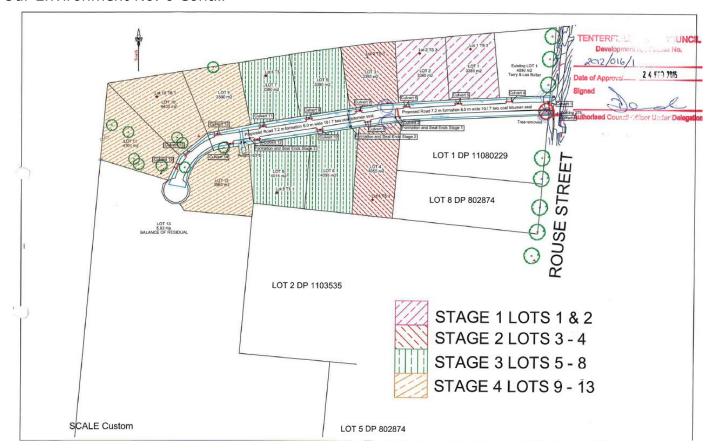
3. On Site Sewage Management

Council has been in contact with the owner in relation to the management
of waste on the site and is monitoring the matter. An On Site Sewage
Management System application has been lodged in conjunction with the
Development Application for assessment and is recommended for
approval if Council resolves to issue consent for the dwelling.

4. Further subdivision proposed in this area

DA 2012.016/1 (Amendment) for a 13 lot subdivision was approved by Council on 24 February 2015 subject to conditions. Below is the approved subdivision layout. Note, the land being the subject of the development for the proposed dwelling is incorrectly identified as Lot 8 DP 802874 -assumedly a typographical error. The proposed subdivision creates one lot (Lot 4 in Stage 2) which will border the subject land and the adjoining lot to the north. It is recommended as a condition of consent that additional landscaping be provided along the western boundary of the site to provide for additional filtered screening. It is likely that any future residential development on proposed Lot 4 will be located more central to the lot, however in the event that a dwelling is proposed toward the rear, the additional landscaping will aid in the visibility of the rear of the dwelling.

Our Environment No. 6 Cont...



COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)
The application was notified to adjoining and adjacent residents as a number of verbal and written complaints had been received by Council when the buildings

were observed being transported and placed on to the site. Matters raised in the submission have been addressed above.

2. Policy and Regulation

- Tenterfield Development Control Plan 2014 as addressed above.
- Council Policy 'Limit of Delegated Authority in Dealing with Development Applications and Complying Development Certificates' applies to the development, where the development has been identified under part 3 as an 'Application of public interest,' whereby three (3) or more submissions are received objecting to the development.

3. Financial (Annual Budget & LTFP)

No financial implications.

4. Asset Management (AMS)

No implications.

5. Workforce (WMS)

No implications.

Our Environment No. 6 Cont...

6. Legal and Risk Management

Should Council resolve to refuse the application, the applicant has a right of appeal to the Land and Environment Court. Persons who made submissions do not have a right of appeal if the application is approved.

7. Performance Measures

No implications.

8. Project Management

No implications.

Kylie Smith Chief Corporate Officer

Prepared by staff member: Tamai Davidson, Manager Planning &

Development Services

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

Department: Office of the Chief Corporate Officer

Attachments: **1** Prescribed Conditions for DA 12 2019.026 Dwelling as per Council Pages

Resolution

2 Submissions Received relating to 8

DA 2019.026 Dwelling Pages

PRESCRIBED CONDITIONS

 All work must be carried out in accordance with the requirements of the National Construction Code.

Reason: To comply with the provisions of Clause 98 of the Environmental Planning & Assessment Regulation 2000.

In the case of residential building work for which the Home Building Act 1989
requires there to be a contract of insurance in force in accordance with Part 6 of
that Act, that such a contract of insurance is in force before any building work
authorised to be carried out by the consent commences.

Reason: To comply with the provisions of Clause 98 of the Environmental Planning & Assessment Regulation 2000.

- 3. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed. The sign must include the following:
 - Showing the name, address and telephone number of the principal certifying authority for the work, and
 - Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - Stating that unauthorised entry to the work site is prohibited.

Reason: To comply with the provisions of Clause 98A of the Environmental Planning & Assessment Regulation 2000.

4. Residential building work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice in accordance with clause 98B Environmental Planning & Assessment Regulation 2000.

Reason: To comply with the provisions of Clause 98B of the Environmental Planning & Assessment Regulation 2000.

Development Application No. 2019.026

Page 4 of 9

GENERAL CONDITIONS

5. The development must be undertaken strictly in accordance with the details set out on the application form, any information submitted with the application and the following plans submitted, as amended in red by Council, or as modified by the conditions of this Notice of Determination.

Plan No/s.:

 Plans Provided by Efficient Building Design Services (EBDS) dated 26/02/2019 (Client Changes 01/05/2019), Project No. 18-033, described as 'Initial Concept 508 Rouse Street TENTERFIELD Mark Hansen & Leah Rossi'

3 000 - Cover Page	3 001 - Site Plan
3 100 - Floor Plan	3 101 - Area Plan
3 200 - Elevations 1 & 2	3 201 - Elevations 3 & 4
3 300 - Sections	3 403 - Roof Plan
3 801-A - OSSM Design	

Note: Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 96 of the Environmental Planning and Assessment Act 1979 for Council's consideration. If amendments to the design result in the development not remaining substantially the same s that approved by this consent, a new Development Application will have to be submitted to Council.

Reason: To confirm and clarify the terms of Council's approval.

6. All storm water (or water from tank overflow when rainwater is collected) must be diverted to the satisfaction of Council and clear of any structures and property boundaries. Gutter and downpipes are to be provided.

Reason: To comply with Council requirements.

7. Prior to installation of any solid fuel heating appliances the owner/applicant is to provide specifications to Council.

Reason: To comply with the National Construction Code.

Development Application No. 2019.026

Page 5 of 9

8. Finished floor levels must be adequate to allow overflow relief gully compliance with AS3500 and Plumbing & Drainage Code of practice. The overflow point of an overflow relief gully must protrude a minimum of 75mm above ground level to prevent stormwater ingress. It must also be a minimum 150mm below finished floor level to ensure sewage remains outside the dwelling in the event of a blocked main.

Reason: To comply with AS3500 and enable sewerage surcharge outside the building in case of a blockage in the sewer main.

9. Any earthworks associated with the construction of the building must comply with part 3.1 and 3.2 of the BCA if they are to be maintained by means of an unprotected embankment. Alternatively a retaining wall is required to be installed to the earthworks, if you opt to use this method details of the retaining walls construction are to be provided to Council prior to its installation.

Reason: To comply with the Environmental Planning and Assessment Act and the National Construction Code.

10. Finished ground levels are to slope away from the building at a minimum rate of 50mm in the first 1m from the building. Surface water must be prevented from entering neighbouring properties or escaping across the footpath (where applicable). This may be achieved by the use of landscaping, grated drains and sumps or other means to the satisfaction of Council.

Reason: To keep water clear of building foundations and comply with the Environmental Planning and Assessment Act 1979 and Regulations.

11. A complete landscaping plan, indicating existing and proposed landscaping is to be submitted to Council. Such plan, once approve by Council, is to be maintained in perpetuity for the life of the development.

Reason: To ensure landscaping is maintained for the life of the development.

Development Application No. 2019.026

Page 6 of 9

PRIOR TO COMMENCEMENT OF CONSTRUCTION

12. Prior to the transportation of the manufactured dwelling a NHVR (National Heavy Vehicle Regulation) Permit is required to be provided to Council. All heavy vehicle & oversize/overmass load permits need to be submitted via the National Heavy Vehicle Register portal. https://www.service.nhvr.gov.au/# Please be advised that Council has resolved to implement bridge load limits, please view Council's web site for further details.

Reason: To comply with recommendations of the National Heavy Vehicle Regulator

13. Prior to commencing construction works, the applicant is required to provide Council with a copy of either an Owner Builder Permit or a Certificate of Insurance issued under the Home Building Compensation Fund. Council is to be notified at least two (2) days in advance of the intention to commence building works.

Reason: To comply with the National Construction Code, Local Government Act 1993 and the provisions of the Environmental Planning & Assessment Act, 1979.

- 14. Prior to commencing any construction works
 - 1. A Construction Certificate is to be obtained.
 - Council is to be notified at least two (2) days in advance of the intention to commence building works.

Once a Construction Certificate is issued, building works must commence within three (3) months and construction work is to be completed within twelve (12) months of commencement. Delays in construction due to weather or extenuating circumstances will be reviewed by Council's Chief Executive prior to any extension being granted.

Should construction not be carried out in accordance with the above, Council will proceed with actions to have the transportable buildings currently on site removed.

Reason: To comply with the National Construction Code.

Development Application No. 2019.026

Page 7 of 9

15. The applicant may apply to the Council or an Accredited Certifier for the issuing of a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and issue any relevant documentary evidence or certificate/s.

Reason: To comply with Environmental Planning and Assessment Act.

DURING CONSTRUCTION

16. The Construction site shall be suitably protected from the entry of unauthorised persons at all times prior to the completion of the works.

Reason: To protect the health and safety of the community.

17. Toilet facilities are to be provided, at or in the vicinity of the work site.

Reason: To comply with the Environmental Planning and Assessment Act.

18. All building materials, plant and equipment is to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves etc.

Reason: To ensure pedestrian and vehicular access is not restricted in public places.

19. Construction, demolition and associated work shall be carried out only between the times stated as follows:-

Mondays to Fridays

7.00am to 6.00pm

Saturdays

8.00am to 1.00pm

No construction work to take place On Sundays & Public Holidays

Reason: To ensure that the environmental quality of adjoining land is not adversely affected, such as by the generation of excessive noise levels.

Development Application No. 2019.026

Page 8 of 9

PRIOR TO OCCUPATION

20. Additional landscaping is to be provided along the full extent of the western boundary of the lot. Such landscaping is to provide additional screening and filtering. A landscaping plan is to be provided to Council prior to installation of the landscaping for approval.

Reason: To provide additional screening and filtering to the development.

21. A complete 'Notice of Work', 'Certificate of Compliance' and 'Works as Executed Sewer Services Diagram', including all measurements and distances from the boundaries, dwelling and inspection openings, and must include all on-site detention facilities, surface and roof water drainage, this is to be submitted in detail to Council by a licensed plumber at the time of the external drainage/stormwater inspection.

Reason: To ensure the internal and external drainage and the stormwater systems as constructed, are recorded accurately.

22. Damage caused to Council infrastructure as a result of the building activities shall be rectified by the applicant at their full expense. The adjustment of any existing utility services or installation of new services is to be at the full cost of the developer.

Reason: To ensure infrastructure is not damaged as a result of the development and because the nature of the proposed development may have an impact on the operation of utility services.

23. A minimum of 22,000 litre rainwater tank shall be provided to the development.

Reason: To ensure alternate water supply to alleviate the local water supply.

24. The construction of a vehicular access point must be completed in accordance with S138 Approval No. 2018-30 prior to the issue of an 'Occupation Certificate' for the development.

Reason: To ensure adequate access is available to the development.

Development Application No. 2019.026

Page 9 of 9

Ordinary Council - 22 May 2019 DA 2019.026 Dwelling

Attachment 1
Prescribed Conditions
for DA 2019.026
Dwelling as per Council
Resolution

25. Upon the installation building/s on site please complete the attached request for Refund of the Road Bond to arrange for an inspection to be undertaken by Council. Providing there is no damage to Council's road infrastructure the bond can be refunded.

Reason: To ensure there is no damage to Council's road infrastructure.

26. Upon completion of all works please complete the attached request for Refund of Bond Application (\$6,935.00) to arrange for the bond to be refunded.

Reason: To ensure all works are completed to the satisfaction of Council.

27. Occupation or use of premises for the purposes approved by this consent shall not commence until all conditions of this consent have been complied with and the Occupation Certificate has been issued.

Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979, and Council's terms of consent.

Signed on behalf of the consent authority

Kylie Smith Chief Corporate Officer 22 May 2019 **Date**

Note This approval does not guarantee compliance with any Act, Regulation or Standard (other than the Environmental Planning and Assessment Act, 1979, as amended) and builders/developers should make their own enquiry as to their legal responsibilities in this regard. Without limiting the generality of the above, approval does not guarantee compliance with the Disability Discrimination Act 1992 to which builders/developers are specifically referred.

Development Application No. 2019.026

Page 10 of 9



Application for an Occupation Certificate

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		and the second s
		cupation certificate (this is required to authorise the ng as approved by the Consent Authority)
		approved by the consent shall not commence until al
		een complied with and the Occupation Certificate has
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DA No.		Approval Date
2019.026		22 May 2019
ECTION B. Applie	aget Dataila	
ECTION B. Applic	cant Details	SHELD THE THE SHELD SHE
Mr Ms Mrs	Dr Other:	
First name		Family name
Company (if applicable)		ABN (if applicable)
	Street/Road Name	
Unit/Street No.	Succentration	
Unit/Street No.	Sileevroad Name	
Unit/Street No. Suburb or town	State	Postcode
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Development Application No. 2019.026

Page 1 of 2



Application for an Occupation Certificate

application relates to a new use of the building	r part of building to which the applicat gor pert of the building, also describe the new use.	Total Telates
9000000 at 100 a		and the state of t
CTION D. Attachments	relating to the proposed development	
Applicants must provide the do	cuments/certificates listed below (where relevate attached by placing a cross in the appropri	int). Please confirm that documents relating ate box(s).
Termite certificate	Fire safety certificate	Smoke Detector installation certificate
Glazing Certificate	Compliance certificates	Roof Truss certificate
BASIX Compliance Statement	Sewer Services Diagram, Notice of	Other
	Work, & Compliance Certificate from Plumber	
Marketon San Market		
CTION E. Delivery of the a	application	
lications for accumption contification		planteniasily to the principal office of the south
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Development Application No. 2019.026

Page 2 of 2



Application for an Occupation Certificate

SECTION A. The Application		
1. Details of the Applicant		
Name HANSEN Mark Roger Henning		
Address 9A Bellara Street ASHMORE QLD 4214		
2. Details of the property		
Street Address No. Street Name 502-508 Rouse Street	et	
Town/Village TENTERFIELD		Postcode 2372
Lot No. Section N/A		
DP No.	Volume/folio	
2. Description of the proposed development	nent	
Installation of Previously Used Bo	uilding/s for the use of a Dwell	ng
4. Development consent	REAL PROPERTY.	
Date of development consent	22 May 2019	
Development consent reference No. 2018.064		
Name of Council	Tenterfield Shire Council	
5. Date of the application for construction certificate & Received by the Certifying Authority		

Development Application No. 2019.026

Page 1 of 2



Application for an Occupation Certificate

SECTION B. C	ertifying authority	
Name of Council Address	Tenterfield Shire	Council
	PO Box 214	
	TENTERFIELD N	NSW 2372
Name of accredited	CONTROL OF THE CONTRO	Jamie Murphy
Accreditation number		BPB – 1174
SECTION C. C	lass of building	
	sed building under the Building	
SECTION D. C		
SECTION D. C	onditions	
This certificate	is subject to the conditions se	et out in the attached Schedule of Conditions (tick if applicable)
SECTION E. A	ttachments (Tick as ap	ppropriate)
Fire safety sch	edule	Fire link conversion schedule Conditions schedule
SECTION F. D	ate	
Date of this certification	ate	
SECTION G. C	ertification	
modifications, if any Planning & Assess The documents list	y, verified by me as may be st	
SECTION F.	Signature of accredite	ed certifier
lame of accredited	certifier issuing	
he certificate on be	and of Godinar	

Development Application No. 2019.026

Page 2 of 2

TENTERFIELD SHIRE COUNCIL

PO Box 214, Tenterfield, 2372 Ph: 02 6736 6000

CONSTRUCTION CERTIFICATE No.: 2019.026

DEVELOPMENT CONSENT No.: 2019.026

LOCATION: 502 – 508 Rouse Street, Tenterfield

DESCRIPTION OF WORKS: Installation of Previously Used Building/s

for the use of a Dwelling

Class 1a

ADVISORY NOTES

The following matters will need to be complied with to enable the occupation/use of premises for the purposes approved by this consent otherwise an **Occupation Certificate** may **not be issued:**

- 1. Compliance with any conditions of Development Consent No. 2019.026
- 2. Completion of the following schedule of inspections.

SCHEDULE OF MANDATORY CRITICAL STAGE INSPECTIONS

IT IS THE RESPONSIBILITY OF THE HEAD CONTRACTOR/OWNER BUILDER TO ENSURE THAT THE FOLLOWING MANDATORY INSPECTIONS ARE CARRIED OUT BY COUNCIL.

	Inspection
1	After excavation for, and prior to the placement of, any footings.
2	Prior to covering any stormwater drainage connections.
3	After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Inspections can be arranged by contacting council's office by phone on (02) 6736 6002.

48 HOURS NOTICE SHOULD BE GIVEN FOR INSPECTIONS.

FAILURE TO ARRANGE FOR THESE INSPECTIONS TO BE CARRIED OUT WILL JEOPARDISE THE ISSUE OF AN OCCUPATION CERTIFICATE FOR THE BUILDING.

- NOTE: 1. Inspections by persons other than the Principal Certifier (i.e. Council's Building Surveyor) are not to be arranged.
- NOTE: 2. Occupation or use of a building prior to the issue of an Occupation Certificate is an offence with fines of \$550 to \$110,000 applicable.
- NOTE: 3. Additional inspections required, over and above those paid for at lodgement of application, will be charged to the applicant and <u>must be paid for prior</u> to release of the Occupation Certificate.

Construction Certificate No. 2019.026



- Since there is a legal and binding covenant on the land above, the council should respect this and issue an order of removal of these buildings to Mr Mark Hansen and Ms Leah Rossi ASAP.
- 2. I take it that work that has been carried out on the property above since being purchased by Mr Mark Hansen and Ms Leah Rossi has the necessary DA and approvals (if applicable) such as extension (carport) on the pre-existing shed?
- 3. Is there a working septic system on the land which complies to the covenant, as the owners stay on site for extended periods? If not where is the effluent disposed of? If this is just buried on site, this could cause groundwater contamination..

Ordinary Council - 22 May 2019 DA 2019.026 Dwelling

Attachment 2 Submissions Received relating to DA 2019.026 Dwelling

(2)

Dear Mrs Davidson.

We submitted an objection today regarding the above DA.

One of our objections was that this is in breach of an existing covenant and that these structures should be removed ASAP

However, after reading the Tenterfield Shire Council Fact sheet "Guide to relocating a previously used residence" we became aware that in section headed "what approvals do I need"

It clearly states that a DA approval is required **before** an established building is moved to a different lot, which in the case of the buildings 508 did not occur.

I quote your statement "Relocation of a previously used residence and establishment of the building on a different lot cannot occur until Development consent has been obtained and Construction Certificate issued".

Therefore I cannot understand why the Council has not issued a notice of removal of the two remaining buildings and only then a DA submitted. This appears to us as breach of the Council's own guidelines.

Can you please advise how the buildings are still on 508 Rouse St, as these clearly breach Council guidelines above irrespective of the Covenant issue

I would appreciate your kind input in this matter.



Your Ref: DB/578 ODA 2019 491



3 April 2019



Mrs T Davidson
Manager Planning & Development Services
Tenterfield Shire Council
247 Rouse Street
TENTERFIELD NSW 2372

Dear Mrs Davidson,

RE: DEVELOPMENT APPLICATION NO. 2019.026

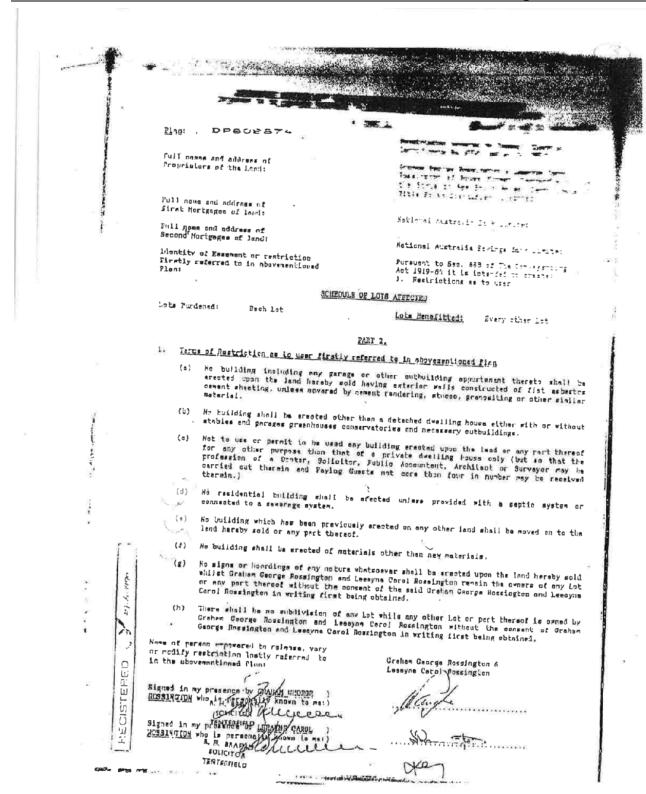
LOT 3 DP802874 BEING 502-508 ROUSE STREET, TENTERFIELD

We refer to the above development application submitted by Mr Hansen for 'Installation of a Previously Used Building for the use of a dwelling'.

We wish to object strongly to the development of this dwelling on the land situated at 502-508 Rouse Street, Tenterfield as it directly breaches the terms of Restriction on the Use of Land registered on Lot 3 DP802874, a copy of which is attached.

It is our further belief that the design appearance and materials proposed for the construction of this dwelling are not cohesive with a prestige housing area such as North Rouse Street, Tenterfield. The current state of the site and a dwelling constructed as is proposed would be visually unappealing and not respectful to the historical significance of the area.

Our objections are supported by fellow North Rouse Street residents which attest to this objection. Please see attached names and signatures.



TENTERFIELD SHIRE COUNCIL

9 APR 2019 IPA 2019 592

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SMARIEN.

Your reference: DB/578 ODA 2019 491

7 April 2019

Mrs T Davidson

Manager Planning and Development Services
Tenterfield Shire Council
247 Rouse St

Tenterfield NSW 2372

Dear Mrs Davidson,

RE: Development Application No. 2019.026

Lot 3 DP802874 502 - 508 Rouse St, Tenterfield NSW 2372

We refer to the development application submitted by Mr Mark Hansen for 'Installation of a Previously Used Building for the use of a dwelling.'

We wish to object strongly to the development of this dwelling on the land situated at 502-508 Rouse St, Tenterfield as it directly breaches the terms of Restriction on the Use of Land registered on Lot 3 DP802874.

We believe that the design appearance and materials proposed for the construction of this dwelling are not cohesive with a prestige housing area such as North Rouse Street. Tenterfield. The current state of the site and a dwelling constructed as is proposed would be visually unappealing and not respectful to the historical significance of the area.

Regards

Attachment 2 Submissions Received relating to DA 2019.026 Dwelling



8 April 2019

Mrs T Davidson
Manager, Planning & Development Services
Tenterfield Shire Council
247 Rouse Street
TENTERFIELD NSW 2372

Dear Mrs Davidson

Re: Development Application No. 2019.026

Lot 3 DP802874 being 502-508 Rouse Street Tenterfield

We refer to the above development application submitted by Mr Hansen for "Installation of a Previously Used Building for the use of a dwelling".

We wish to object to the development of this dwelling on the land situated at 502-508 Rouse Street Tenterfield as we feel that the design appearance and materials proposed for the construction of this dwelling are not cohesive with a housing area such as North Rouse Street. The current state of the site and a dwelling constructed as is proposed is visually unappealing and would not be respectful to the historical significance of the area. We feel this proposed development would also have a negative impact on the value of our property and the others around us.

We note our objections are supported by other North Rouse Street residents which attest to this objection.

Your Ref: DB/578 ODA 2019 491

3 April 2019

Mrs T Davidson
Manager Planning & Development Services
Tenterfield Shire Council
247 Rouse Street
TENTERFIELD NSW 2372



DB|578 DA 2017-026 1-3-802874 A 51417

Dear Mrs Davidson,

RE: DEVELOPMENT APPLICATION NO. 2019.026

LOT 3 DP802874 BEING 502-508 ROUSE STREET, TENTERFIELD

We refer to the above development application submitted by Mr Hansen for 'Installation of a Previously Used Building for the use of a dwelling' and your letter dated 20 March 2019.

We wish to object strongly to the development of this dwelling on the land situated at 502-508 Rouse Street, Tenterfield on the following grounds:

RESTRICTIONS ON THE USE OF LAND

Lot 3 in DP802874 is burdened by Restrictions on the Use of Land noted on the second schedule of the title in accordance with registered Section 88B DP802874. A copy of the Registered Section 88B instrument is attached for your attention.

It is clear in our opinion that erection of a previously used building of this nature is in direct contravention of the terms of restriction as to user which were created. At the time of registration of the plan of subdivision back in 1990. The reasor these restrictions was to expressly prohibit future development such as this and also attempt to ensure that the land would not have erected upon it outbuildings and shipping containers in which people are residing on a regular basis. The protect visual amenity and that of North Rouse Street residents.

Attachment 2
Submissions Received
relating to DA 2019.026
Dwelling

TENTERFIELD HERITAGE PROGRAM

- Within the vicinity of this development is the historic Tenterfield Station and associated outbuildings and nearby former manager's cottage.
- Proposed development will damage visual amenity of the area and the main street of Tenterfield
- Tenterfield Shire Council has actively operated a heritage program for 17 years and should be considering the impact of a building like this on Tenterfield's appeal to tourists and prospective residents.

IMPACT ON FUTURE DEVELOPMENT NORTH ROUSE STREET

- Further subdivision has been approved in this vicinity which will incorporate restrictions on users which are more comprehensive than those applied to Lot 3.
- Subdivision is aimed at prestige development targeting the higher end of real estate market the proposed building is not in keeping with this intention and will affect the ambience in the
 subdivision and north Rouse Street generally.
- Land values will likely be affected
- Proposed future subdivision will create a visually attractive area that supports, protects and
 maintains the historical significance of Tenterfield not only as a destination to tourists, but also
 to encourage people to purchase land, build and make Tenterfield their home with ongoing
 economic benefits for the wider community.
- No disrespect is intended to Mr Hansen or his choice of residence, it is simply to outline that it is in breach of the terms of restriction on use noted on the title to Lot 3 and that the design appearance and materials proposed are not cohesive with a prestige area of development.

Office of the Chief Executive **Department:** Submitted by: Executive Assistant & Media

Reference: **ITEM GOV23/19**

Monthly Operational Report - April 2019 Subject:

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: **Leadership** - LEAD 12 - We are a well engaged community that is

actively involved in decision making processes and informed about

services and activities.

Council's decision making processes are open, accountable and **CSP Strategy:**

based on sound integrated planning.

CSP Delivery Promote and support community involvement in Council decision

making process. **Program**

SUMMARY

The purpose of this report is to provide a standing monthly report to the Ordinary Meeting of Council that demonstrates staff accountabilities and actions taken against Council's 2018/2019 Operational Plan.

OFFICER'S RECOMMENDATION:

That Council receives and notes the status of the Monthly Operational Report for April 2019.

Terry Dodds Chief Executive

Prepared by staff member: Noelene Hyde, Executive Assistant & Media

Approved/Reviewed by Manager: Terry Dodds, Chief Executive Office of the Chief Executive Department:

Attachments: 1 Attachment 1 (Booklet 1) -171

Monthly Operational Report - April Pages

2019

Department: Office of the Chief Executive Submitted by: Executive Assistant & Media

Reference: ITEM GOV24/19

Subject: EXECUTIVE POSITIONS - MURRAY DARLING ASSOCIATION

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 13 - Council recognises the diversity of the

communities that make up the Tenterfield Shire Council Local

Government Area.

CSP Strategy: Council recognises the diversity of the communities that make up

the Tenterfield Shire Council Local Government Area.

CSP Delivery Identify, represent, advocate and lobby for inclusion of the Shire's

Program needs in regional and state planning.

SUMMARY

The purpose of this report is to seek Council endorsement for Council delegates on the Murray Darling Association to nominate for the positions of Chair or as an Executive Committee member.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Endorse the nomination of Council delegates Deputy Mayor Cr Greg Sauer and Cr Donald Forbes for the positions of Chair or Executive Committee member of the Murray Darling Association, Region 11;
- (2) Note nominations to be lodged with the Returning Officer on the appropriate nomination form by 5.00 pm on Friday, 3 June 2019 for determination at the Annual General Meeting to be held on Friday, 14 June 2019 at the Moree Plains Shire Council.

BACKGROUND

Mayor Peter Petty, Deputy Mayor Greg Sauer and Councillor Donald Forbes currently represent Tenterfield Shire Council on the Murray Darling Association, Region 11 with Deputy Mayor Greg Sauer and Councillor Donald Forbes currently holding Executive positions.

REPORT:

Guidelines and Notice of Annual General Meeting (attached) have been received inviting interested parties to nominate for the positions of Chair or Executive Committee member.

The Guidelines require a copy of the extract of Council Minutes including the resolution of Council to be included in the nomination.

COUNCIL IMPLICATIONS:

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

Our Governance No. 24 Cont...

2. Policy and Regulation

- 2018/2019 Committee Register
- Council Policy 1.160 Councillor Expenses & Facilities

3. Financial (Annual Budget & LTFP)

Travel and accommodation amounts for delegate attendance have been budgeted in the 2019/2020 Operational Budget.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Terry Dodds Chief Executive

Prepared by staff member: Noelene Hyde, Executive Assistant & Media

Approved/Reviewed by Manager: Terry Dodds, Chief Executive Department: Office of the Chief Executive

Attachments: **1** Region AGM Guidelines 1 Page

2 Nomination Form 1 Page



Murray Darling Association Inc.

admin@mda.asn. au www.mda.asn.au T (03) 5480 3805 ABN: 64 636 490 493

463 High Street P.O. Box 1268 Echuca, Vic 3564

Region AGM guidelines

- The date for the AGM should be no less than 6 weeks and no more than 9 weeks from the
 date on which the Chairman or his/her delegate forwards the Notice of AGM, to allow
 adequate time for councils to prepare and endorse their nominations.
- The Notice of AGM must include the information contained in the passage below, and sent to all members and councils within the region.
- When a suitable date for the AGM has been determined, the Chairman will notify the MDA
 national executive to ensure the date can be posted on our website, and that the returning
 officer is properly prepared. (It may be helpful for the committee to liaise with Angus or
 myself in determining a date).
- Regions are encouraged to use this process to invite all councils from across your region to engage and participate in the MDA.
- The passage below should be cut and pasted into your Notice of AGM. This is now a standard inclusion in the regional Notices of AGM. Please ensure that the hyperlinks remain live and connected as they are essential to the process, and that you provide the appropriate details and edit back to black any text currently shown in red.

NOTICE OF AGM

The Murray Darling Association Region 11 Annual General Meeting will be held on Friday 14 June at 11:00am at Moree Plains Shire Council.

Nominations are now invited for the position of Chair and executive committee members for those wishing to serve on the Region 11 executive committee.

Nominations should include

- a) a completed Nomination Form:
- b) a copy of the extract of council minutes including the resolution of council acknowledging their commitment to and endorsement of their delegate's nomination;
- c) a brief biography or CV of the nominating delegate;
- d) a statement of commitment from council acknowledging the obligations of the Region Chair under Part 5, 16 (5) of the MDA Constitution (for nominations to Regional Chair).

Nominations must be lodged with the Returning Officer by email to ceo@mda.asn.au no later than 5.00pm on Friday 3 June.

All nominations will be distributed to member councils with the meeting papers and agenda on Tuesday 7 June for your consideration in advance of the election at the AGM.

All councils within MDA Region 11 are warmly invited and encouraged to consider the importance of your council's active participation.

For further information, please contact the Emma Bradbury on 03 5480 3805 or e.bradbury@mda.asn.au, or your Region Chair Cr John Campbell, Gunnedah Shire Council, johncampbell@infogunnedah.com.au or visit www.mda.asn.au.



NOMINATION FORM FOR POSITION ON the MURRAY DARLING ASSOCIATION INC. REGIONAL EXECUTIVE

I, (name of nominee of: (postal address)	
(poola: add: 650)	
	Ph:
	Email:
Hereby nominate indicate the region for	e for the following position on the executive of Region (please for which you are standing)
Region Chair	Committee member
* I am aware that u Region, and as suc	nder the Constitution, the Board of the MDA comprises the Chairs of each ch a Regional Chair becomes a Board Member by extension.
Proposed by	Name
	Signed
Seconded by	Name
occorded by	Signed
All nominations to the member counc delegate's nominations	the chair by serving councilors must be accompanied by a resolution of ill for which the nominee is a delegate. The resolution must reflect that the tion has been endorsed by the council they represent.
attributes you reel	ef bio and statement (not more than 500 words) addressing the skills and you have that will make a positive contribution to your region and to the tion will be distributed to members and posted on the MDA website.
DECLARATION	
	(the nominee) accept this
the Murray Darling	Clare that if elected I accept the responsibilities and obligations of Association Inc. I declare that I have read and understood the egion Chair/ Board Member Duty Statement and the Board
	Date:
NOMINATION FOR	MS must be forwarded seven days prior to the date set down for
the AGM TO:	The Returning Officer
	Murray Darling Association
	PO Box 1268, Echuca. 3564
	Or email: ceo@mda.asn.au

Department: Office of the Chief Executive
Submitted by: Human Resources Co-Ordinator

Reference: ITEM GOV25/19

Subject: Amended Human Resources Policies

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 14 - Resources and advocacy of Council are

aligned support the delivery of the community vision outlined in the

Community Strategic Plan.

CSP Strategy: Council fosters a strong organisational culture which strives for

best practice in all operations with a supportive corporate

governance framework.

Delivery Plan

Action:

Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available

to decision makers.

SUMMARY

The purpose of this report is to seek Council's adoption of amended Human Resources Policies to reflect the current organisation design and best practice.

OFFICER'S RECOMMENDATION:

That Council:

(1) Revoke the following policies:

- a. Annual Leave Policy 4.010
- b. First Aid Policy 4.156
- c. Leave/Picnic Day Policy 4.121
- d. Flood & Disaster Leave for Staff Policy 4.060
- e. Leave Emergency Services Duty Policy 4.120
- f. Interview Expenses Policy 4.090
- g. New Employee Induction & Probation Policy 4.140
- h. Removal Expenses Policy 4.182
- i. Employment Screening Policy 4.052
- j. Personnel Files Policy 4.160
- k. Protective Clothing & Equipment - Policy 4.159
- I. Child Protection Policy 4.033
- m. Bullying and Harassment Policy 4.020
- n. Fraud and Corruption Prevention Policy 4.164
- o. Workplace Surveillance Policy 4.195
- p. Grievances and Disputes Policy 4.070
- q. Social Media Policy 1.196
- r. Gifts and Benefits Policy 1.071
- s. Internet, Email and Computer Usage Policy 1.092
- t. Education Support/Training Expenses Policy 4.050
- u. Home Based Work/Flexible Working Policy 4.080
- v. Immunisation Policy 4.200
- w. Outdoor Staff Clothing Policy 4.153
- x. Corporate Uniform and Dress Code Policy 4.032
- y. Recognition of Services Policy 4.180

Our Governance No. 25 Cont...

z. Secondary Employment - Policy 4.194

aa. Nine Day Fortnight - Policy 4.184

bb. Work Closedown (Christmas) - Policy 4.231

cc. Exit Interview - Policy 4.053

(2) Adopt the following amended policies:

- a. Leave Policy (which now includes Family & Domestic Violence Leave) Policy 4.010
- b. Employee Relations Policy New Policy (number to be allocated)
- c. Recruitment & Selection Policy Policy 4.193
- d. Volunteers Policy Policy 1.220
- e. Salary System Policy (including Performance Review) Policy 4.190
- f. Succession Planning Policy Policy 4.196
- g. Workforce Development Policy Policy 4.154
- h. Light Motor Vehicle Policy Policy 4.123

BACKGROUND

Council policies are instruments that communicate decisions and directions for pursuing Council's specific goals. Regular reviews of Council policies are required, to maintain currency of these decisions and directions, and to ensure policies are delivering the outcomes desired from such policies.

Many of the Human Resources policies contained position titles no longer in use, are procedures rather than policies and use outdated terminology and practices. These policies have been extensively reviewed and updated. Several policies simply address circumstances that are covered by Legislation and the Award and to that extent the content is unnecessary.

Predominantly Council needs to reaffirm that it will comply with these requirements that is the Law and the Award.

REPORT:

Policies have been amended and reviewed for currency and adapted for insertion into the current policy template.

These policies are:

- Leave Policy (which now includes Family & Domestic Violence Leave)
- Employee Relations Policy
- Recruitment & Selection Policy
- Volunteers Policy
- Salary System Policy
- Succession Planning Policy
- Workforce Development Policy
- Light Motor Vehicle Policy

As the proposed amended Leave Policy will replace 4 (four) policies that now form the basis of the various types of traditional Award, Legislated and locally developed standards as well as newly developed terminology for compassionate leave i.e. Domestic violence and family leave, the following policies must be revoked upon adoption of the proposed amended Leave policy:

Our Governance No. 25 Cont...

- Annual Leave Policy
- Leave/Picnic Day
- Flood & Disaster Leave for Staff
- Leave Emergency Services Duty

As the proposed Employee Relations Policy will replace 24 (twenty four) policies that now form the basis of the various types of employee benefits or conditions of employment, the following policies must be revoked upon adoption of the proposed amended Employee Relations Policy:

- Interview Expenses
- New Employee Induction & Probation Policy
- Removal Expenses
- Employment Screening
- Personnel Files
- Protective Clothing & Equipment
- Child Protection
- Bullying and Harassment
- Fraud and Corruption Prevention
- Workplace Surveillance
- Grievances and Disputes
- Social Media
- Gifts and Benefits
- Internet, Email and Computer Usage
- Education Support/Training Expenses
- Home Based Work/Flexible Working
- Immunisation
- Outdoor Staff Clothing
- Corporate Uniform and Dress Code
- Recognition of Services
- Secondary Employment
- Nine Day Fortnight
- Work Closedown (Christmas)
- Exit Interview

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)
Employees will need to be advised of the amendment, renaming and refreshing of these policies.

2. Policy and Regulation

The following policies have been amended (Attachment 2 Booklet 2):

- Leave Policy (which now includes Family & Domestic Violence Leave)
- Employee Relations Policy
- Recruitment & Selection Policy
- Volunteers Policy
- Salary System Policy
- Succession Planning Policy
- Workforce Development Policy
- Light Motor Vehicle Policy

Our Governance No. 25 Cont...

The following policies will be revoked (Attachment 3 Booklet 3):

- Annual Leave Policy
- Leave/Picnic Day
- Flood & Disaster Leave for Staff
- Leave Emergency Services Duty
- Interview Expenses
- New Employee Induction & Probation Policy
- Removal Expenses
- Employment Screening
- Personnel Files
- Protective Clothing & Equipment
- Child Protection
- Bullying and Harassment
- Fraud and Corruption Prevention
- Workplace Surveillance
- Grievances and Disputes
- Social Media
- Gifts and Benefits
- Internet, Email and Computer Usage
- Education Support/Training Expenses
- Home Based Work/Flexible Working
- Immunisation
- Outdoor Staff Clothing
- Corporate Uniform and Dress Code
- Recognition of Services
- Secondary Employment
- Nine Day Fortnight
- Work Closedown (Christmas)
- Exit Interview

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Employees will need to be advised of the amendment, renaming and refreshing of these policies.

Benefits will flow from the clarification involved.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Our Governance No. 25 Cont...

Terry Dodds Chief Executive

Prepared by staff member:

Approved/Reviewed by Manager:

Department:

Attachments:

1 Attachment 2 (Booklet 2) Council Policies to be amended

Advances Co-Ordinator

Terry Dodds, Chief Executive

Office of the Chief Executive

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Council Policies to be amended

2 Attachment 3 (Booklet 3) -Council Policies to be revoked

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Pages

Amendment

Department: Office of the Chief Corporate Officer

Submitted by: Barry Frew, Local Emergency Management Officer

Reference: **ITEM GOV26/19**

Revenue NSW Invoices with Significant Increase to the Subject:

2019/20 Emergency Services Levy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 14 - Resources and advocacy of Council are

aligned support the delivery of the community vision outlined in the

Community Strategic Plan.

Council is a financially sustainable organisation, delivering value **CSP Strategy:**

services to the Community.

Collaborate and deliver resources with other organisations to **CSP Delivery Program**

ensure a variety of cost effective services across the service area.

SUMMARY

Council received a letter dated 6 May 2019 from the Office of Local Government regarding the Emergency Services Levy increase for 2019. The letter informed Council that the usual cost sharing arrangement for the Emergency Services Levy (NSW Fire Service, Rural Fire Service and SES) of 11.7% contributed from the Local Government sector would apply in the current year. The increase to Council contributions this year is 24% or \$69,783 above our previous year's contribution and has been attributed to the legislative changes made in November 2018 regarding workers compensation entitlements for emergency service workers. Council was not previously advised of this increase prior to the completion of the budget process.

OFFICER'S RECOMMENDATION:

That Council:

- **(1)** Pay the 2018/2019 Emergency Services Levy of \$290,499 plus 2.7% (\$7,844) with a total maximum payment of \$298,343 for the 2019/20 year, equivalent to the State Government imposed Rates Cap on local government, via quarterly installment unless the NSW Government Fund the shortfall as a result of advocacy efforts by the sector;
- **(2) Supports Local Government NSW's calls for:**
 - a. The NSW Government to cover the initial additional \$19m increase to local governments for the first year, and
 - b. The NSW Government to work with NSW local councils to redesign the funding mechanism for the scheme to ensure fairness into the future.
- Requests that the Chief Executive liaise with Local Government NSW (3) to provide information on:
 - a. The impact on council budgets especially in light of the current drought, and

Our Governance No. 26 Cont...

- b. Council advocacy actions undertaken.
- (4) Writes to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local State Member/s to:
 - a. Call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated;
 - b. Explain how this sudden increase will impact council services / the local community;
 - c. Highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018;
 - d. Explain that the poor planning and implementation of the increase is inconsistent with the State Government's commitment to work in partnership with the local government sector;
 - e. Ask the State Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future, and
 - f. Copy the above letter to Local Government NSW.

BACKGROUND

Council makes an annual Emergency Services Levy payment. This payment is assessed in three parts, namely NSW Rural Fire Service Levy, NSW State Emergency Service Levy and Fire and Rescue NSW Levy. Emergency services levy contributions go towards funding new vehicles and equipment for Fire and Rescue NSW and the NSW Rural Fire Service, as well as ongoing operational costs for these critical agencies.

In the year 2018/19 Council paid a total of \$290,499 in combined Emergency Service annual contributions. The current invoice forwarded to Council on 7 May 2019 has a combined annual premium of \$360,281. This represents an increase of 24% and a dollar increase of \$69,783 for the current year.

REPORT:

The legislation has been introduced to make it easier for firefighters diagnosed with one of 12 specific work-related cancers to access workers compensation entitlements. The new entitlements for firefighters will result in a \$160 million increase in the cost of services from 1 July 2019. This forecast is only for the current year and it is expected that overtime the use of the scheme will see this number grow.

Council supports the commitment that career and volunteer firefighters make in NSW and overall emergency services workers and volunteers, acknowledging that many NSW council staff and councillors are volunteers and also support the Bill passed in November 2018 to address what is a workers' compensation shortfall. Council formally objects to the size of the increase, the late notice post budget process of Council and the burden that it places on Drought impacted communities.

Our Governance No. 26 Cont...

Council was at no point advised that it would be required to cover the cost via significant increases to the emergency services levy, or what this cost would be. Council objects to the cost shifting and believe that the additional cost should be absorbed by the principal service provider, in this instance, the State Government.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Given the late notice Council has not been able to engage with the community around this issue and the necessary changes to the budget, which seems at odds with the State Government mandate to actively consult and engage with the community. Whilst many will support the legislative changes, little Council and Community understanding existed to inform decision making.

2. Policy and Regulation

- Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018
- Fire Brigades Act 1989
- Fire Brigades Regulation 2014
- Freedom of Information Act 1989
- Privacy and Personal Information Protection Act 1998
- Rural Fires Act 1997
- State Emergency and Rescue Management Act 1989
- State Emergency Service Act 1989

3. Financial (Annual Budget & LTFP)

The current proposed Operational Plan on public exhibition allows for a forecast increase of 2.5% for the 2019/20 year. The proposed payment of 2.7% in the recommendation will not have any impact on the projected budget position in the Draft Operational Plan. The increase of 24% however will necessitate Council reducing expenditure to the value of \$62,000 in another service area to fund the shortfall.

4. Asset Management (AMS)

The Asset Management of Council may be impacted depending on where the requested contribution budgeted shortfall is allocated in the 2019/20 Operational Plan. The initial increase may have ongoing implications as one would expect that following the large increase to the contribution in the coming year, subsequent years will also be subject to some type of annual increase or indexing.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

This request for additional funding may also impact insurance premiums.

7. Performance Measures

Nil

8. Project Management

Nil

Our Governance No. 26 Cont...

Terry Dodds Chief Executive

Prepared by staff member: Barry Frew, Local Emergency Management

Officer

Approved/Reviewed by Manager: Terry Dodds, Chief Executive

Department: Office of the Chief Corporate Officer

Attachments: **1** Letter - Office of Local Government 2

dated 6 May 2019 Pages

2 Workers Compensation 7

(Firefighters' Presumptive Rights to Pages

Compensation) Bill 2018



5 O'Keefe Avenue NOWRA NSW 2541 Locked Bag 3015 NOWRA NSW 2541 Our Reference: Your Reference: Contact: A644248

Contact:

Policy (02) 4428 4100

Mr Terry Dodds General Manager Tenterfield Shire Council PO Box 214 TENTERFIELD NSW 2372 Email: council@tenterfield.nsw.gov.au

6 May 2019

Dear Mr Dodds

I am writing to advise you of important changes to the laws that protect volunteer and career firefighters in NSW, and to explain how communities throughout NSW can support these reforms.

Those in the Rural Fire Service and Fire and Rescue NSW play a vital role in protecting families, farms and homes in times of civic emergencies such as bushfire. Unfortunately, this service sometimes comes at a personal cost to the health and safety of our frontline emergency workers.

In November 2018, the NSW Government made legislative changes to reform workers' compensation entitlements for firefighters, recognising that those with extended service in this field may be more susceptible to certain types of cancers. The reforms make it easier for firefighters diagnosed with these cancers to receive immediate medical care, and vital support for their families. This is an important protection for those who have given service to our communities in the past, as well as for our present and future emergency services workers.

The cost of the workers' compensation reforms will be shared, as per the usual cost sharing arrangements. Under these arrangements, emergency services costs are divided between insurance providers, the NSW Government and local councils, with local councils providing 11.7% of the total funding. The additional costs associated with the compensation reforms will result in an increase in the annual emergency services levy for councils from 1 July 2019. The increase will vary, depending on the funding formula for each local government area and councils will shortly be advised of the amount by Revenue NSW.

This additional cost will present some challenges for councils, particularly those currently affected by the drought. However, state and local governments must acknowledge the importance of providing support for those workers who have given so much to protect communities.

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209 E olg@olg.nsw.gov.au **W** www.olg.nsw.gov.au **ABN** 44 913 630 046



2

Should you have any queries about the new legislative provisions, please contact the State Insurance Regulatory Authority on 02 9289 1352. Information on the changes is also available on the Revenue NSW website.

Yours sincerely

Tim Hurst

Chief Executive

Office of Local Government

Introduced by Mr Guy Zangari, MP

First print



Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to establish presumptive rights to workers compensation under the Workers Compensation Act 1987 and the Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987 for firefighters suffering from certain kinds of cancer.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 provides that the proposed Act is to be construed with, and as if it formed part of, the Workers Compensation Act 1987 (the 1987 Act), the Workplace Injury Management and Workers Compensation Act 1998 (the 1998 Act) and the Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987 (the volunteer firefighters compensation Act). The proposed Act prevails to the extent of any inconsistency with those Acts.

Clause 4 defines certain words and expressions used in the proposed Act, including occupational disease (which is defined to mean certain kinds of cancer).

Clause 5 defines *eligible firefighter* to mean a worker (within the meaning of the 1987 Act) who is employed as a firefighter or performs firefighting duties as a substantial part of the worker's employment (an *employed firefighter*) or an official fire fighter within the meaning of Part 2 of the volunteer firefighters compensation Act (a *volunteer firefighter*). The clause also defines *service period*.

b2017-132.d10

Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018 [NSW] Explanatory note

Clause 6 provides for a rebuttable presumption that an occupational disease contracted by an employed firefighter was contracted in the course of the firefighter's employment and that the employment was the main contributing factor to contracting the disease. The presumption operates for the purposes of claims for compensation under the 1987 Act. That Act limits compensation for disease injuries to diseases that are contracted, aggravated, accelerated or exacerbated, or that deteriorate, in the course of employment (where the employment is the main contributing factor).

Clause 7 provides for a rebuttable presumption that an occupational disease contracted by a volunteer firefighter was contracted in the course of fighting a bush fire and that the fighting of the bush fire was the main contributing factor to contracting the disease. The presumption operates for the purposes of claims for compensation under the volunteer firefighters compensation Act. That Act limits compensation for disease injuries generally to diseases that are contracted, aggravated, accelerated or exacerbated, or that deteriorate, in the course of fighting a bush fire (where the fighting of a bush fire is a contributing factor).

Clause 8 limits the presumptions to occupational diseases contracted during, or within 10 years after, the service period for the firefighter concerned. For that purpose, a disease is taken to have been contracted when it is first diagnosed by a medical practitioner or when the firefighter dies as a result of the disease (whichever occurs first).

Clause 9 further limits the presumptions to firefighters whose service period is not less than the minimum period specified for the occupational disease concerned. For example, the minimum service period is specified as 5 years for primary site brain cancer, 10 years for primary site breast cancer, 15 years for primary site bladder cancer and 25 years for primary site oesophageal cancer.

Clause 10 removes a restriction relating to the time for commencing a claim in relation to an occupational disease.

Clause 11 contains a transitional provision that extends the proposed Act to occupational diseases contracted before the commencement of the provision. The clause also removes a restriction on the making of a further claim or medical assessment under the 1987 Act or the 1998 Act in respect of a disease to which a presumption under the proposed Act applies.

Schedule 1 Occupational diseases

Schedule 1 contains a list of occupational diseases for the purposes of the proposed Act.

Introduced by Mr Guy Zangari, MP

First print



Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018

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b2017-132.d10



Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018

No , 2018

A Bill for

An Act to establish presumptive rights to workers compensation for firefighters suffering from certain kinds of cancer.

Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018 [NSW]

Γhe	Legis	ature of New South Wales enacts:	1
1	Nam	e of Act	2
		This Act is the Workers Compensation (Firefighters' Presumptive Rights to Compensation) Act 2018.	3
2	Com	mencement	5
		This Act commences on the date of assent to this Act.	6
3	Rela	tionship to workers compensation Acts	7
	(1)	This Act is to be construed with, and as if it formed part of, the following Acts:	8
	` '	(a) the 1987 Act,	9
		(b) the 1998 Act,	10
		(c) the volunteer firefighters compensation Act.	11
	(2)	In the event of an inconsistency between this Act and the 1987 Act, the 1998 Act or the volunteer firefighters compensation Act, this Act prevails to the extent of the inconsistency.	12 13 14
4	Defi	nitions	15
	(1)	In this Act:	16
	` ′	eligible firefighter—see section 5.	17
		employed firefighter—see section 5.	18
		occupational disease means a disease specified in Schedule 1.	19
		service period—see section 5.	20
		the 1987 Act means the Workers Compensation Act 1987.	21
		the 1998 Act means the Workplace Injury Management and Workers Compensation Act 1998.	22 23
		the volunteer firefighters compensation Act means the Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987.	24 25
		volunteer firefighter—see section 5.	26
		Note. The <i>Interpretation Act 1987</i> contains definitions and other provisions that affect the interpretation and application of this Act.	27 28
	(2)	Notes included in this Act do not form part of this Act.	29
5	Firef	ighters	30
	(1)	An <i>eligible firefighter</i> is a person who is an employed firefighter or a volunteer firefighter.	31 32
	(2)	An employed firefighter is a worker who:	33
		(a) is employed as a firefighter, or	34
		(b) performs firefighting duties as a substantial part of his or her employment.	35
	(3)	Volunteer firefighter has the same meaning as official fire fighter has in Part 2 of the volunteer firefighters compensation Act.	36 37
	(4)	The service period for an eligible firefighter is the total period during which the firefighter is employed as a firefighter (including where the employment involves the performance of firefighting duties as a substantial part of the employment) or is engaged as a volunteer firefighter (or both).	38 39 40 41

Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018 [NSW]

6	Dise	ses presumed to be work related—employed firefighters	1
		For the purposes of the 1987 Act, it is presumed (unless the contrary is established) that:	2 3
		(a) an occupational disease contracted by an employed firefighter was contracted in the course of the firefighter's employment, and	4 5
		(b) the employment was a substantial contributing factor to contracting the disease.	6 7
7	Dise	ses presumed to be work related—volunteer firefighters	8
		For the purposes of the volunteer firefighters compensation Act, it is presumed (unless the contrary is established) that:	9 10
		(a) an occupational disease contracted by a volunteer firefighter was contracted in the course of fighting a bush fire, and	11 12
		(b) the fighting of a bush fire was a contributing factor to contracting the disease.	13
8	Dise	se must be contracted during or within 10 years after service	14
	(1)	A presumption under this Act does not apply to an occupational disease contracted by an eligible firefighter before the start of, or more than 10 years after the end of, the service period of the firefighter.	15 16 17
	(2)	For the purposes of this section, an occupational disease is taken to have been contracted by an eligible firefighter when the earlier of the following occurs:	18 19
		(a) the disease is first diagnosed by a medical practitioner,	20
		(b) the firefighter dies as a result of the disease.	21
9	Firef	ghters must have minimum service period	22
		Λ presumption under this Act does not apply to an occupational disease contracted by an eligible firefighter whose service period is less than the period specified for the disease in Column 2 of the table in Schedule 1.	23 24 25
10	No t	me limit for making claim	26
		Section 261 of the 1998 Act does not apply in relation to a claim for compensation in respect of an occupational disease made on the basis of a presumption under this Act.	27 28 29
11	Tran	sitional provision for existing occupational diseases	30
	(1)	This Act extends to existing occupational diseases.	31
	(2)	An <i>existing occupational disease</i> is an occupational disease contracted by a firefighter before the commencement of this section.	32 33
	(3)	A further claim for compensation may be made under the Workers Compensation Acts or the volunteer firefighters compensation Act in respect of an existing occupational disease if:	34 35 36
		 (a) a claim for compensation has been made under those Acts and rejected or withdrawn before the commencement of this section (whether or not the claim has also been the subject of proceedings in the Commission or a court), and 	37 38 39
		(b) a presumption under this Act applies to the disease	40

2

Workers Compensation (Firefighters' Presumptive Rights to Compensation) Bill 2018 [NSW] Schedule 1 Occupational diseases

Schedule 1 Occupational diseases

Column 1	Column 2		
Disease	Minimum service period		
Primary site brain cancer	5 years		
Primary leukaemia	5 years		
Primary site breast cancer	10 years		
Primary site testicular cancer	10 years		
Primary site bladder cancer	15 years		
Primary site kidney cancer	15 years		
Primary non-Hodgkins lymphoma	15 years		
Myeloma	15 years		
Primary site prostate cancer	15 years		
Primary site ureter cancer	15 years		
Primary site colorectal cancer	15 years		
Primary site oesophageal cancer	25 years		

Ordinary Council - 22 May 2019
Revenue NSW Invoices with Significant Increase to the 2019/20 Emergency Services Levy

Attachment 2
Workers Compensation
(Firefighters'
Presumptive Rights to
Compensation) Bill 2018

Department: Office of the Chief Corporate Officer

Submitted by: Manager Finance & Technology

Reference: ITEM GOV27/19

Subject: Quarterly Budget Review Statement - March 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 14 - Resources and advocacy of Council are

aligned support the delivery of the community vision outlined in the

Community Strategic Plan.

CSP Strategy: Council is a financially sustainable organisation, delivering value

services to the Community.

Delivery Plan Ensure that financial sustainability and the community's capacity to

Action: pay inform adopted community service levels.

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council adopts the March 2019 Quarterly Budget Review Statement.

BACKGROUND

Regulation 203 of the Regulation states that:

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

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

Our Governance No. 27 Cont...

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

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

REPORT

The original budget adopted by Council indicated that the Net Operating Surplus at the end of the 2018/19 financial year was expected to be \$5,277,643 (including Capital Grants and Contributions). This was based on budgeted total operating revenue of \$26,217,558 and budgeted total operating expenditure of \$20,939,915.

The effect of the changes for the September quarter of (-\$1,371,874) resulted in a reduction to the bottom line projected Net Operating Surplus of \$3,905,769. After excluding Capital Income the surplus was anticipated to be \$422,110.

The December 2018 Quarterly Budget Review indicated that Council was still in a good position in respect of actual expenditure to budgeted expenditure. The net operating result after excluding Capital Income showed an estimated decrease surplus of \$40K to \$382K. This was mainly due to the reduction in swimming pool income which now goes to the contractor and a review of RFS budgets.

The March 2019 Quarterly Budget review shows an improvement in Councils anticipated budget position mainly due to additional operating grants for example the Drought Funding, income from the sale of the Petrol Station over the amount originally budgeted for in the second QBR and the Crown Lands Plans of Management Grant. This additional income was offset slightly by some minor operational costs as outlined in the attachment. Some carry forwards for the Transport Networks were also included in this review which were funded from previous years R2R restricted funds and it should also be noted that Council spent \$154K on the two fire events in the Shire and Council should be reimbursed for the majority of these costs.

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

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

Total Continuing Operating Revenue (excluding Capital grants and contributions) – Operating Expenses

Total Continuing Operating Revenue

Council originally budgeted for a positive Operating Ratio (surplus) both including and excluding Capital income of 20.13% percent and .27% percent respectively. This changed in the September Quarterly Budget Review to 15.46% and 1.94% respectively. As a result of the December Quarterly Budget Review, there was a significant increase to the projected Operating Ratio when capital income was included and the projection became 30.27%. With capital income excluded the ratio was 1.76%.

Our Governance No. 27 Cont...

As at the March 2019 Quarterly Budget Review, the operating ratio excluding Capital Income has increased to 37.90% and excluding Capital income it has increased to 6.85%

Council continues to make positive progress in this area of operating surpluses and is budgeting for surplus again next year.

The adjustments recommended for the March quarterly budget review are outlined in the attachment.

Cash and Investment Review:

The cash and investment review provides an estimate of the current internal and external restrictions on Council's invested funds. These are not fully determined until the end of the Financial Year.

Council requested a review of restricted cash and the first area of review was that of Developer Contributions. As a result of this review, Council has been able to unrestrict \$651,000 which represent projects completed but for which cash had not been unrestricted.

On the topic of restricted cash, Councillors may recall a discussion on funds held in relation to an ongoing legal matter re Council's past investments with Lehmann Brothers. Unfortunately there had been a further appeal in this matter in the United States and at this point in time Council is not in a position to unrestrict these funds totaling some \$703,000

The report also includes a reconciliation of Council's cash and investments on hand as at 31 March 2019.

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

Further, a declaration as to the preparation of bank reconciliations is also required. Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the March 2019 quarter occurred on 10 April 2019.

Capital Budget Review:

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

This review proposes to increase Capital Works Expenditure from \$25.345M to \$28.049M an increase of \$2.704M. This increase mainly relates to Mount Lindesay road funding and expenditure and Stronger Country Community grant expenditure.

Contracts:

The Reporting Framework requires the identification of contracts entered into in the preceding quarter which exceed specified expenditure limits.

Our Governance No. 27 Cont...

The limit for reporting contracts in the QBRS is one percent (1%) of revenue from continuing operations, or \$50,000, whichever is less. No contracts have met the relevant criteria for the December quarter of 2018/19.

Consultancy and Legal Expenses:

The current expenditure to 31 March 2019 on qualifying consultancies and legal fees are identified in the QBRS and this expenditure is budgeted for and, given the size and nature of Council's operations, is considered reasonable.

COUNCIL IMPLICATIONS:

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

2. Policy and Regulation

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

3. Financial (Annual Budget & LTFP)

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

The original estimated Operating Surplus for the 2018/19 financial year was \$5,277,643. The September Quarterly Budget Review approved revisions resulted in a projected Operating Surplus of \$3,905,769. The December Quarterly Budget Review saw this surplus revised upwards to \$9,270,780. The March Review has seen an improvement in the Total Surplus to \$11,898,000 (including capital grants) and \$1,630,339 (excluding capital grants).

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

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

7. Performance Measures

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

8. Project Management

Nil.

Our Governance No. 27 Cont...

Kylie Smith Chief Corporate Officer

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

Jessica Wild, Management Accountant

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

Department: Office of the Chief Corporate Officer
Attachments: 1 March 2019 Quarterly Budget

Attachments: **1** March 2019 Quarterly Budget 9
Review Pages

Tenterfield Shire Council

Budget review for the quarter ended - 31 March 2019

Report by Responsible Accounting Officer

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

It is my opinion that the Quarterly Budget Review Statement for the Tenterfield Shire Council for the quarter ended 31 March 2019 indicates that Council's projected financial positon at 30 June 2019 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: Fall

Date: 15/5/19

Responsible Accounting Officer

Budget Statement for the year ended - 31 March 2019

Income and Expenditure Review by Function

	xpenditure Revi	APPROVED		PROJECTED	ACTUAL
	Budget	Changes	31 1 1 1 1 1 1	year end	YTD
	2018/19	March	REVISED	Result	110
	20.00.0	Review	Budget	2018/19	
	\$'000	\$'000	\$'000	\$'000	\$'000
Income					
Civic Office					-
Organisation and Leadership	10		10	10	99
Community Development	1	2	3	3	3
Economic Growth and Tourism	51	500	551	551	518
Theatre and Museum Complex	145	11	156	156	117
Finance and Technology	9,180	1.01	9,180	9,180	6,586
Corporate and Governance	486	(484)	2	2	2
Workforce Development	71	56	127	127	91
Library Services	44	*	44	44	39
Emergency Services	219	142	361	361	207
Asset Management and Resourcing Commercial Works	126		4 126	126	102
Environmental Management	74	9	83	83	42
Planning and Regulation	231	242	473	473	481
Plant, Fleet and Equipment	38	2.12	38	38	59
Building and Amenities	589	791	1,380	1,380	1,347
Livestock Saleyards	837		837	837	359
Parks, Gardens and Open Space	98	161	259	259	233
Swimming Complex		250	NS	(#)	
Transport Network	11,490	3,637	15,127	15,127	8,376
Stormwater and Drainage	63	101	63	63	62
Sewerage Services Waste Management	2,270	190	2,270	2,270	2,159
Water Supply	2,473	3 5 0	2,473	2,473	2,372
Total Income including Capital Grants & Contributions	2,131 30,631	5,067	2,131 35,698	2,131 35,698	1,578 24,832
Total income including capital chants & contributions	30,631	5,067	35,696	35,696	24,032
Expenses					
Civic Office	282		282	282	259
Organisation and Leadership	31	120	31	31	27
Community Development Economic Growth and Tourism	167 300	2	169 392	169 392	53 257
Theatre and Museum Complex	264	92	264	264	209
Finance and Technology	993	300	1,293	1,293	1,010
Corporate and Governance	(180)	5	(175)	(175)	(158)
Workforce Development	905	(500)	405	405	(23)
Library Services	504	(7)	504	504	340
Emergency Services	618	154	772	772	492
Asset Management and Resourcing	520	75	520	520	375
Commercial Works	180	(a)	180	180	173
Environmental Management	334	8 5 5	334	334	238
Planning and Regulation Plant, Fleet and Equipment	377 (356)	120	377 (356)	377 (356)	133
Building and Amenities	1,024	56	1,080	1,080	659
Livestock Saleyards	243		243	243	177
Parks, Gardens and Open Space	687	200	887	887	695
Swimming Complex	234	153	234	234	154
Transport Network	6,815	498	7,313	7,313	5,612
Stormwater and Drainage	140	120	140	140	106
Sewerage Services	3,065	240	3,065		1,518
Waste Management	2,108	12)	2,108	2,108	1,382
Water Supply	2,105		2,105	2,105	1,676
Total Expenses	21,360	807	22,167	22,167	15,161
Total Surplus/ (Deficit)	9,271	4,260	13,531	13,531	9,671
Capital Grants and Contributions	8,889	3,009	11,898	11,898	6,934
[1] The state of t			1,633		
Net Operating Result excluding Capital Grants and Contributions	382	1,251	1,033	1,633	2,737
acres savira and \$ 100					
Operating Ratio (including Capital Income)	30.27%		37.90%	37.90%	38.95%
Operating Ratio (excluding Capital Income)	1.76%		6.86%	6.86%	15.29%

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

	nded changes to origin Variations - Explar	A CONTRACTOR OF THE CONTRACTOR
Recommended Income Variations this Quarter	(000's)	Explanation:
Community Development	(2)	Seniors Grant Income addition \$1,275 & Youth Week income \$436
Economic Growth and Tourism	(500)	Drought Communities Program Operating Grant Income
Theatre and Museum Complex	(11)	Heritage Division Grant Funding Income
Corporate and Governance	484	Grant administration costs removed
Workforce Development	(56)	Workers comp rebate 28,182, hindsight performance payment 29,133
Emergency Services	(142)	Reduction in Bush Fire Council Subsidy -11,397, plus Reimbursement for 2019 Tenterfield Fire Event 153,616
Environmental Management	(9)	Noxious plants subsidy came in at 38,734
Planning and Regulation	(242)	\$245,507 SCCF grant, \$3,500 reduction in Heritage Grants
Building and Amenities	(791)	\$313,088 Increase Service Station sale price, \$55,508 Crown Lands grant, SCCF funding \$421,908
Parks, Gardens and Open Space	(161)	SCCF funding
Transport Network	(3,637)	Special Grant Mt Lindesay Road
Total Recommended Income Variations this Quarter	(5,067)	
Recommended Expenditure Variations this Quarter	(000's)	Explanation:
Community Development	2	Council co-contribution to match Youth Week funding
Economic Growth & Tourism	92	Drought Communities Funding Expenditure
Finance and Technology	300	Additional technology & contractor costs
Corporate and Governance	5	Increased telephone expenses
Workforce Development	(500)	Reduction in original budget due to more accurate salary & wages allocations
Emergency Services	154	Tenterfield Fire Event to be reimbursed
Building and Amenities	56	\$55,506 Crown Lands Funding grant + \$900 Legume Hall painting
Parks, Gardens and Open Space	200	Additional operational costs required to meet demand
Transport Network	498	Increase to Regional Roads Block Grant Maintenance - carryover from previous year
Total Recommended Expenditure Variations this Quarter	807	nom pravious year

This document forms part of Tentarfield Shire Council's Quarterly Budget Review Statement for the quarter ended 31 March 2019 and should be read in conjunction with other documents in the QBRS.

Capital Budget Review

	apital Budget Review			
	QBR 2 Budget	RECOMMENDED Changes	REVISED Budget	ACTUAL YTD
	2018/19	March Review \$'000	\$'000	March \$'00
Capital Funding	\$000	\$ 000	\$ 000	\$00
Rates and other unlied funding	6,381	283	6,664	9,753
Capital Grants & Contributions	9,037	2,861	11,898	6,934
Restrictions	3,546	(S)	3,546	3
	,,,,,,		,,,,,	1
Other Capital Funding Sources e.g Loans	3,893	- 842	3,051	Ι.
Income from sale of assets	2,123	766	2,889	2,889
Total Capital Funding	24,980	3,068	28,048	19,579
Capital Expenditure				
New Assets				l .
CHIEF EXECUTIVE OFFICE	I			l
- Clvic Office	(#)			
- Organisational Leadership	41		41	13
- Community Development			-	
- Economic Growth and Tourism	18			19
- Theatre and Museum Complex - Workforce Development	10	1	10	100
- Library Services	65	7	72	14
CHIEF CORPORATE OFFICE		1	/ <u>'</u>	"
- Finance and Technology	208	200	408	217
- Corporate and Governance	47		47	
- Environmental Management				
- Planning and Regulation		50	50	l
- Building and Amenities	4.40	2	4 407	28
- Livestock Saleyards - Parks, Gardens and Open Spaces	1,407 103	్	1,407 103	
- Swimming Complex	103	1 3	103	
CHIEF OPERATING OFFICE				
- Emergency Services				
- Asset Management and Resourcing	226		226	188
- Commercial Work			*	94
- Plant, Fleet and Equipment	3,868		3,868	2,895
- Transportation Network	800	(00)	700	20
WASTE MANAGEMENT WATER NETWORK	820 2,229	(60)	760 2,251	26 2,153
SEWERAGE NETWORK	363		363	2,103
STORMWATER NETWORK	5		5	
Renewals (Replacement)				5,508
CHIEF EXECUTIVE OFFICE	- 1			
- Civic Office	,			19
- Organisational Leadership			-	7.9
- Community Development	4		4	19
- Economic Growth and Tourism	278		278	10
- Theatre and Museum Complex - Workforce Development	10	12	10	17
- Workforce Development - Library Services	35		35	
CHIEF CORPORATE OFFICE	33		35	- 5
- Finance and Technology		1	· · · · · · · · · · · · · · · · · · ·	1
- Corporate and Governance	4		4	
- Environmental Management				
- Planning and Regulation		195	195	3
- Building and Amenities	281	55	336	72
- Livestock Saleyards	100	400	100	14
- Parks, Gardens and Open Spaces - Swimming Complex	272	126	398	155
CHIEF OPERATING OFFICE	· · · ·			
- Emergency Services				
- Asset Management and Resourcing		5	327	
- Commercial Work				
- Plant, Fleet and Equipment				
- Transportation Network	12,742	2,522	15,264	8,991
WASTE MANAGEMENT	0	(395)	395	
WATER NETWORK SEWERAGE NETWORK	665 678		665 678	75
STORMWATER NETWORK	210		210	405 34
Loan Repayments (principal)	656		656	438
Fotal Capital Expenditure	25,345	2,722	28,049	21,220

Recommended changes to revised budget

Incuses:
- an explanation for recommended changes and any impact on Council's original management / operational plan, delivery program or LTFP,
- any impacts of YTD expenditure on recommended changes to the budget
- Any impacts of YTD expenditure on recommended changes to the budget
- NOTE: Explanations are to be in plain English and in a style easily understood by readers of non-financial information. This narrative is important in understanding why budget changes are necessary.

	-	WTS
- Water	22	Additional Dam Wall Expanditure
Total New Asset Budget Adjustments	219	Additional Dam Wall Expenditure
Total Herr Asset Budget Adjustinefits	213	_
Renewal Assets		
- Planning and Regulation	195	SCCF Projects
- Building and Amenities	55	•
	-	Legume Hall reclad
	126	SCCF Projects
- Parks, Gardens and Open Spaces		
- Parks, Gardens and Open Spaces - Transportation Network	2,522	\$850,000 Drought Communities Timber Bridges, \$1,168,817 Special Grant Mt Lindsey Road, \$563,138 MR290 Amosfield road repair, deduct \$60,000 Footpaths (carryover to next year)
,	2,522 (395)	\$850,000 Drought Communities Timber Bridges, \$1,168,817 Special Grant Mt Lindsey Road, \$563,138 MR290 Amosfield road repair, deduct \$60,000 Footpaths (carryover to next year) \$75,000 Torrington capping cell, \$70,000 Torrigton convert to transfer, \$250,000
- Transportation Network		\$850,000 Drought Communities Timber Bridges, \$1,168,817 Special Grant Mt Lindsey Road, \$563,138 MR290 Amosfield road repair, deduct \$60,000 Footpaths (carryover to next year)

This document forms part of Tanterfield Shire Council's Quarterly Budget Review Statement for the quarter ended 31 March 2019 and should be read in conjunction with other documents in the QBRS.

Tenterfie	Tenterfield Shire Council					
Budget Statement for	Budget Statement for the year ended - 31 March 2019	119				Т
Cash and	Cash and Investment Review					
	Opening Balance 30/06/2018 from Audited Financial Statements \$'000	RECOMMENDED changes (March) for Council Resolution \$1000	REVISED Balance \$1000	PROJECTED year end Result 2018/19 \$1000	ACTUAL	000.5
Externally restricted						
NWPS Advance (included in liabilities)	181	_ v	٠			
Developer Contributions General PMS Contributions	651	651	. 8	. 8		2
Specific Purpose Unexpended Grants	242		242	242	22	45
Water Supplies Sewerage Servies	2,222	***	2,222	2,222	2,222	22 8
Domestic Waste Management	474	J# 1	474	474	4	74
Stutimater management Bruxner Way Rewidening (RMS)	465	* *	465 694	465 694	4 %	465
Total Externally restricted	778,7	1,326	6,551	6,551	6,551	150
Internally restricted						
Plant & Vehicle Replacement	3,542	*	3,542	3,542	3,542	42
Employees Leave Entitlements Ceatal Commitments	300	76.2	300	300	36	00
Gravel Quarry Rehabilitation	233		233	233		33
International Town Partnerships	10	ile.	0	9		10
Land or Burdings Local Main Street	3 5	(A. 14	2 5	50		2 2
Office Equipment	200	(6)	200	200		00
Poeds & Bridges Special Projects	158	164	158	158		158
Operation Commitments	1,300	1,300	£ x	£ 30		2
Carry Forward Bridges from 2017/18	400	*T	400	400	40	400
Historical Reserves	2,628	108	792	192	792	192
Petrol Station Income		813	813	813	813	3
Total internally restricted	10,950	- 1,413	9,537	9,537	8,724	54
						П
Total Restricted	18,827	2,739	16,088	16,088	15,275	22
Available Cash (Unrestricted Funds)	175		175	175	2,270	0,
Total Cash and Investments	19,002	2,739	16,263	16,263	17,545	15
Notice						1

Restricted cash still needs to be put onto the Finance System. Restricted Cash is finalsied as part of the end of year Financial Statement Process.

Council's Cash and Investments are performing within anticipated parameters

nariges required are in respect of the variations detailed in both the Capital budget and the Income and Expenditure Review inded changes and any impact on Council's original manage

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

Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the March quarter occurred on 10 April 2019.

Frust Account Cash balance as at 31 March 2019 Fotal Cash (Not invested) as at 31 March 2019 Operating Cash balance as at 31 March 2019

313,266,50 5,257,161.41

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

Financial Institution		Interest
National Australia Bank	2,000,000,00	2.57%
Commonwealth Bank	1,000,000.00 AA-	8.11%
Commonwealth Bank	3,500,000,00 AA-	28,39%
Commonwealth Bank (At Call)	828,260,39 AA-	6.72%
Bankwest	5,000,000,000,000	40,56%
TOTAL INVESTMENTS	12,328,260.39	
TOTAL CASH ON HAND	5,257,161.41	
TOTAL CASH AND INVESTMENTS	17,585,421.80	

Tenterfield Shire Council

Budget review for the quarter ended - 31 March 2019

Consultancy and Legal Fees

Expense	Expenditure YTD \$'000	Budgeted (Y/N)	
Consultancies		Y*	
Legal Fees	23_	ΥΥ	

Definition of consultant:

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

NOTES:

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

	Tenterfie	eld Shire Counc	il		
	Budget review for the	e quarter ended - 31	March 2019		
		Contracts			
Contractor	Contract detail & purpose	Contract value	Commencement date	Duration of contract	Budgete (Y/N)
					Y
					Y
					Y

Notes

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

This document forms part of Tenterfield Shire Council's Quarterly Budget Review Statement for the quarter ended 31 Merch 2019 and should be read in conjunction with other documents in the QBRS.

Department: Office of the Chief Corporate Officer

Submitted by: Manager Finance & Technology

Reference: ITEM GOV28/19

Subject: Finance & Accounts - April 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 14 - Resources and advocacy of Council are

aligned support the delivery of the community vision outlined in the

Community Strategic Plan.

CSP Strategy: Council is a financially sustainable organisation, delivering value

services to the Community.

CSP Delivery Ensure that financial sustainability and the community's capacity to

Program pay inform adopted community service levels.

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council receive and note the Finance and Accounts Report for the period ended 30 April 2019.

BACKGROUND

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

REPORT:

A reconciliation of cash books of all funds has been carried out with the appropriate bank statements. A certified schedule of all Council's investments showing the various amounts invested is shown as an attachment to this report.

(a) Reconciliation of Accounts

A reconciliation of the cash books of all funds have been carried out with the appropriate bank statements as at 30 April 2019.

Cash Book Balances on this date were as follows:-

General (Consolidated) \$ 3,504,428.41 Credit General Trust \$ 313,266.50 Credit

Our Governance No. 28 Cont...

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 30 April 2019 showing the various invested amounts and applicable interest rates.

All investments comply with Council's Investment Policy.

Concealed Water Leakage Concession Policy Update

As per Council's request when the Concealed Water Leakage Concession Policy was adopted at the November Ordinary Council Meeting, an update will be provided in this section of the Finance Report on any Concessions granted under this new Policy.

For the month of April 2019 no concessions were granted.

COUNCIL IMPLICATIONS:

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

2. Policy and Regulation

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

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Kylie Smith Chief Corporate Officer

Our Governance No. 28 Cont...

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

Jessica Wild, Management Accountant

Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer Department: Office of the Chief Corporate Officer

Attachments: **1** Investment Summary as at 30 1

April 2019 Page

P. Della

By:

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 30 APRIL 2019

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
National Australia Bank	AA-	30 Days	30/May/19	2.57%	2,000,000.00	16.22%
TOTAL NAB INVESTMENTS					2,000,000.00	16.22%
Commonwealth Bank	AA-	At Call		1.50%	831,327.59	6.74%
Commonwealth Bank	AA-	365 Days	25/Sep/19	2.72%	1,000,000.00	8.11%
Commonwealth Bank	AA-	90 Days	01/Jul/19	2.56%	3,500,000.00	28.38%
TOTAL CBA INVESTMENTS					5,331,327.59	43.23%
Bankwest	AA-	90 Days	01/Jul/19	2.50%	5,000,000.00	40.55%
TOTAL BANKWEST INVESTMENTS					5,000,000.00	40.55%
INVESTMENTS TOTAL					12,331,327.59	100.00%
Summary						

I hereby certify that the investments as shown herein, have been invested in accordance with Section 625 of the Local Government Act 1993, and associated Regulations, and in accordance with Council policy and procedures.*

Responsible Accounting Officer

* Except as highlighted in the associated Council Report.

Department: Office of the Chief Corporate Officer

Submitted by: Manager Finance & Technology

Reference: ITEM GOV29/19

Subject: Capital Expenditure Report as at 30 April 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 14 - Resources and advocacy of Council are

aligned support the delivery of the community vision outlined in the

Community Strategic Plan.

CSP Strategy: Council is a financially sustainable organisation, delivering value

services to the Community.

CSP Delivery Collaborate and deliver resources with other organisations to

Program ensure a variety of cost effective services across the service area.

SUMMARY

The purpose of this report is to show the progress of Capital Works projects against the Year to Date (YTD) budget each month. This report outlines Council's financial progress against each project.

OFFICER'S RECOMMENDATION:

That Council receive and note the Capital Expenditure Report for the period ended 30 April 2019.

BACKGROUND

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

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

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

REPORT:

The Capital Expenditure report indicates to Council the financial progress of each project against the forecast expenditure for that project. The information has also been set out to show which Council service the expenditure relates to.

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

The Dam Wall Project was discussed separately at the November Ordinary Council Meeting and Council approved up to \$1.03M additional loan funds for the project subject to the outcome of a request for additional grant funding from NSW DPI Water. No further funds for this purpose were approved by the Department, hence Council needs to proceed with this borrowing plus an additional \$21,598.41 as per the Loan Report.

Our Governance No. 29 Cont...

COUNCIL IMPLICATIONS:

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

2. Policy and Regulation

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

3. Financial (Annual Budget & LTFP)

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

Council will need to increase its loans on the dam project by the amount of \$1.051M.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Kylie Smith

Chief Corporate Officer

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

Jessica Wild, Management Accountant

Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer Department: Office of the Chief Corporate Officer

Attachments: **1** Attachment 4 (Booklet 4) - Capital 4

Expenditure for Period April 2019 Pages

Department: Office of the Chief Corporate Officer

Submitted by: Manager Finance & Technology

Reference: ITEM GOV30/19

Subject: Report on Loan Balances

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 14 - Resources and advocacy of Council are

aligned support the delivery of the community vision outlined in the

Community Strategic Plan.

CSP Strategy: Council is a financially sustainable organisation, delivering value

services to the Community.

CSP Delivery Ensure that financial sustainability and the community's capacity to

Program pay inform adopted community service levels.

SUMMARY

The purpose of this report is to inform Council of its loan balances as at 31 March 2019.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Notes the loan balance as at 31 March 2019 was \$7,209,272.39 (\$7,304,239.55 as at 31 December 2018); and
- (2) Approves an additional \$21,595.41 in borrowings in relation to the Dam Wall Project.

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 31 March 2019 was \$7,209,272.39 (7,304,239.55 as at 31 December 2018.)

Council intended to take out loans to the value of \$2.830M in 2018-19 as per the adopted Operational Plan and the Office of Local Government were advised of this as is required via the Proposed Borrowings Return for 2018/19.

Quotations for the additional \$2,000,000 Dam Wall project loan were sought however Council held off proceeding with taking out this loan pending a response to a request to the Minister for Local Government for Tenterfield Shire Council to be able to access TCORP borrowings at lower interest rates than is available from Commercial Financial Institutions.

Our Governance No. 30 Cont...

Council has received a response to its request for access to TCORP borrowings and has been invited to demonstrate how it will meet the benchmarks associated with the reassessment process, however this process is not expected to be completed until early in the new Financial Year and Council needs to borrow these funds before the end of this Financial Year.

In addition, Council approved additional borrowings of \$1,029,534.58 at the November 2018 Council Meeting in relation to the Dam Wall Project. As it has turned out, the final amount that needs to be borrowed for this project is \$1,051,132.99 which is an additional \$21,595.41. Therefore there is a recommendation in this report that an additional \$21,595.41 be borrowed for this purpose.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)
Council's projected loan borrowings are included in the 2018/19 Operational Plan.

2. Policy and Regulation

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

3. Financial (Annual Budget & LTFP)

An additional \$21,595.41 in borrowings would result in slightly increased interest and principal payments on top of the figures already included in the LTFP.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Kylie Smith Chief Corporate Officer

Our Governance No. 30 Cont...

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

Jessica Wild, Management Accountant

Approved/Reviewed by Manager: Kylie Smith, Chief Corporate Officer Department: Office of the Chief Corporate Officer

Attachments: **1** Loan Schedule as at 31 March 2019

Tenterfield Shire Council Loans Schedule 31-March-2019

Loans Details							Principal	
FUND	PURPOSE	AMOUNT	OBTAINED FROM	DATE OBTAINED	DUE D a te	RATE OF INTEREST	INTERVALS AT WHICH PAYABLE	Principal Balance as at 31 March 2019
General Fund	Urbenville Medical Centre	150,000	National Australia Bank	14/05/2010	14/05/2020	9.20%	Half Yearly	31,671.41
General Fund	Construction of two bridges on Mt Lindsay Road	1,000,000	Commonwealth Bank of Australia	30/06/2010	30/06/2020	8.02%	Half Yearly	204,463.84
General Fund	Main Street Upgrade	1,200,000	National Australia Bank	25/02/2015	25/02/2025	3.70%	Half Yearly	772,050.62
Sewer	New Sewerage Treatment Plant	2,500,000	National Australia Bank	30/05/2008	30/05/2033	7.81%	Half Yearly	1,965,836.91
Water	Dam Wall Construction	3,450,000	ANZ	25/05/2018	25/05/2038	3.95%	Half Yearly	3,392,525.61
Water	Urbenville Water Treatment Plant	375,000	National Australia Bank	5/02/2009	5/02/2033	6.47%	Half Yearly	293,458.59
Waste	Rehabilitation	1,250,000	National Australia Bank	21/12/2012	21/12/2022	5.45%	Quarterly	549,265.41
TOTAL							•	7,209,272.39

(ITEM RC9/19) REPORT OF COMMITTEE & DELEGATES - TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING - 4 APRIL 2019

REPORT BY: Peter Petty, Chairperson, Mayor

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 4 April 2019. Minutes of the meeting are attached.

RECOMMENDATION

That the report of the Tenterfield Shire Local Traffic Committee meeting of 4 April 2019 be received and noted.

ATTACHMENTS

1 Minutes of meeting 6 Pages



MINUTES OF

TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING

THURSDAY 4 APRIL 2019

MINUTES OF THE **Tenterfield Shire Local Traffic Committee Meeting** OF TENTERFIELD SHIRE held at the Council Chambers on Thursday 4 April 2019 commencing at 10.10 am.

ATTENDANCE Councillor Peter Petty (Mayor - TSC)

Councillor Gary Verri (TSC) Councillor Tom Peters (TSC) Paul Caldwell (NSW Police) Stefan Wielebinski (RMS)

ALSO IN ATTENDANCE James Paynter (TSC Works Manager)

Jess Gibbins (TSC Engineering Officer)

Clause 254(b) of the Local Government (General) Regulation 2005 requires that the names of the mover and seconder of the motion or amendment are recorded and shown in the Minutes of the meeting.

This is page 1 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 4 April 2019

MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING 4 APRIL 2019

DISCLOSURE OF INTERESTS

Nil.

APOLOGIES:

Glen Lamb (Representative for The Hon Thomas George)
Andre Kompler (TSC Chief Operating Officer)
Rob Clarke (NSW Police)

GV/TP

CONFIRMATION OF MINUTES

Resolved that the Minutes of the Tenterfield Shire Local Traffic Committee held on 7 February 2019, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

GV/TP

BUSINESS ARISING FROM PREVIOUS MINUTES

1. DISABLED PAKING. ROUSE STREET TENTERFIELD

Council's Disability, Inclusion & Access Advisory Committee undertook a walk in March 2019 to raise any issues with access in Rouse Street. Feedback from the Optometrist was that a large percentage of their patients are elderly and have to park at rear of shops and by the time they walk uphill they are exhausted. The question from the Committee was: We wonder what the options may be as to the allocation of parking spaces to enhance accessibility for these customers?

Discussion was held about 15 min parking (Optometrist issue) and relocating disabled parking in particular in High Street? SW mentioned the different rules for parking in a standard park if eligible for disabled parking. Perhaps people weren't aware of these rules.

ACTION:

A drawing of map of the whole CBD area showing all parks including disabled parking, no standing, 15 minute parking be tabled for consideration at the next meeting.

2. LINEMARKING NEW ENGLAND HIGHWAY/BRUXNER WAY INTERSECTION

PP indicated announcement from Federal member of \$140M to be spent from Tamworth to QLD Border on the New England Highway with some allocation to this Intersection.

PP, through the Alliance Group with Southern Downs will pursue this with them and PP & GV, through a Mayoral Minute. Barnaby hasn't pin pointed the specific area of allocation of funding. SW advised the Committee that the faded line marking is getting re-line marked by RMS. There has been no recorded crashes through the crash data reporting.

SW advised there were three (3) other concept design options being:

This is page 2 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 4 April 2019

MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING 4 APRIL 2019

- 1. Closing of Old Ballandean Road
- 2. Vertical alignment cutting of the hill
- 3. Relocating the intersection to the south

Each option had other cost issues associated such as land acquisition and railway.

3. ROUSE STREET - NORTHERN END

SW commented this matter is still unresolved so he will investigate after the meeting.

4. PADDYS FLAT ROAD/BRUXNER HIGHWAY INTERSECTION

Sight board signage has been arranged by RMS. It was suggested to ask Chantel from RMS about if there were any pamphlets available for driver awareness at Intersections and in particular if they were available in different languages.

ACTION:

It was suggested that Council staff meet with businesses affected such as the Blueberry Farm and Tomato Farm to make aware of the issues occurring at these intersections and to reiterate the road rules.

5. SANDY FLAT ROAD/NEW ENGLAND HIGHWAY INTERSECTION Same as Item 4 above.

6. SPEED LIMIT/ZONE IN AMOSFIELD

SW will take a drive after the meeting. Roadside development may trigger speed zone review.

Ongoing

7. LIGHTING REQUEST IN ROUSE STREET (NEW ENGLAND HIGHWAY) JG to follow up with RMS.

Ongoing.

8. ROUSE STREET, ZIG ZAG LINEMARKING REQUEST

SW advised that the hold up has been due to RMS having to use a Contractor from Sydney. A new line marking machine is used to complete small jobs. This job should be completed by end of June 2019

9. EVENT REQUEST - ANZAC DAY MARCH, TENTERFIELD- 25 APRIL 2019

ACTION:

JG advised the Committee that Council has received the NSW Police approval for the event and is currently in the process of issuing Council's consent for the temporary closure of roads such as Manners Street, Rouse Street and Molesworth Street in the Tenterfield CBD associated with the ANZAC Day ceremony 25 April 2019 subject to RMS approval and standard conditions. In addition, Council vehicles (trucks) will be put at each end of the road closure to minimize harm.

No Further Action.

This is page 3 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 4 April 2019

MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING 4 APRIL 2019

10. EVENT REQUEST - ANZAC DAY MARCH, URBENVILLE - 25 APRIL 2019

ACTION:

JG advised the Committee that she is currently liaising with Kyogle Council to supply the Traffic Management Plan for the temporary closure of roads such as Beaury Street, Tooloom Street and part of Clarence Way in Urbenville associated with the ANZAC Day ceremony 25 April 2019. NSW Police approval has been received 14 March 2019. Council consent will be issued once Kyogle confirms the traffic management for the event. Advertising has been arranged.

No further action.

11. TENTERFIELD HIGH SCHOOL, CROSS COUNTRY EVENT

ACTION:

JG advised the Committee that Council had received NSW Police approval and is in the process of issuing the approval. Council staff have been arranged to erect the signage same as last year for the temporary use of roads such as Naas Street, George Street, Duncan Street and crossing of Molesworth Streets associated with the Tenterfield High School Cross Country Event on 1 May 2019.

No further action.

12. EVENT REQUEST - KILLARNEY P-10 STATE SCHOOL P&C BORDER RANGES TRAIL RIDE

ACTION:

JG advised the Committee that Council had received both QLD & NSW Police approvals, advertising completed, Development Application was completed and Council's permit was issued for the 2019 event held on 30th & 31st March 2019.

No further action.

13. ROAD CLOSURE REQUEST - STANTHORPE STREET, LISTON

ACTION:

JG advised the Committee that Council had received NSW Police approval and Council's permit was issued for the 2019 event held on 2nd March 2019. Advertising completed. Road was closed for the event.

No further action.

14. ROAD CLOSURE REQUEST - FRANCIS STREET, TENTERFIELD

ACTION:

JG advised the Committee that Council had received NSW Police approval and is in the process of issuing the approval. Council volunteer staff have been arranged to erect the signage same as last year for the 2019 event. Advertising has been arranged for the road closure.

This is page 4 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 4 April 2019

MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING 4 APRIL 2019

GENERAL BUSINESS

1. VISIBILITY ISSUE - EXITING CARPARK HIGH STREET, TENTERFIELD

Complaint received from Council staff concerning lack of visibility when exiting the carpark onto High Street, Tenterfield forcing vehicles to nose out onto road to enable vision – see attached photo.

Discussion was held, however drivers must stop, then creep forward to allow for safe exiting.

No further action.

2. "NO PARKING" PAINT REQUEST - ROUSE STREET, TENTERFIELD (SEXTON & GREEN)

Request received from Sexton & Green for "No Parking" to be painted in front of the 3 roller door access points at the Garage.

ACTION:

Discussion was held, suggestion was made that Council contact & advise business to come back to Council with statistics of how many vehicles are parking there.

3. VISIBILITY CONCERNED, MANNERS STREET, HIGH STREET AND MILES STREET INTERSECTIONS

Concern received from Council staff concerning visibility issues at these intersections.

Discussion was held by the Committee. The Stop Line is installed correctly, drivers must stop then creep forward to exit safely. Trimming of vegetation has been carried out, but Council will investigate to ensure no issues with vegetation obscuring any signage.

No further action.

4. LOADING ZONE REQUEST, ROUSE STREET/MANNERS STREET, TENTERFIELD

Request received from Parsons Courier Service – Glen Innes seeking the provision of loading zones near the following businesses Newsagents, Chemist, Willowtown Tyres, Mitre 10/Gordon Corney now located in this building.

ACTION:

Loading zones will be reviewed with Item 1, above. A drawing of map of the whole CBD area showing all parks including disabled parking, no standing, 15 minute parking, loading zones be tabled for consideration at the next meeting.

5. EVENT REQUEST - PETER ALLEN FESTIVAL

The Business Chamber of Commerce, Industry and Tourism has advised that in September 7th 2019, it is proposed that Tenterfield will be holding the Peter Allen Festival which will involve temporary road closure of the New England Highway section between Molesworth Street and Manners Street between 8am-5pm for the purpose of holding market stalls, live music entertainment and other functions.

This is page 5 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 4 April 2019

MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING 4 APRIL 2019

Council staff have met with Event Organisers and have discussed the proposed activities including stalls etc and forms to be completed have been forwarded. Lasts year's event was reflected on and improvements have been suggested for this year's event.

Discussion was held. JG commented that B – Double, Live Traffic, VMS information be provided well ahead of the event. JP has put the Event Organisers in contact with Southern Downs who organise the Apple & Grape Festival.

RECOMMENDATION:

That Council approve the closing of Rouse Street (New England Highway) on Saturday 7th September 2019 for the Event Holders to hold the Peter Allen Festival subject to Police, RMS approval and conditions being met.

Carried Unanimously

GENERAL DISCUSSION

- JG advised that the Woodenbong Trail Bike Ride was being held 18/19 May 2019 weekend and that the information will be circulated by email.
- GV raised concern of the Naas Street intersection commenting that there is conflict at this intersection with trucks.
- PC commented that Police see so many tourists taking photographs of the heritage listed bridge on the New England Highway north of Tenterfield, suggested layback be thought about for safety of tourists.

NEXT MEETING

Next meeting to be held on Thursday, 13 June 2019 at 10 am.

There being no further business the Chairperson declared the meeting closed at 11:33 am.

Councillor Pete Mayor/Chair	

This is page 6 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 4 April 2019

Department: Office of the Chief Executive Submitted by: Executive Assistant & Media

Reference: ITEM RES4/19

Subject: Council Resolution Register - May 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal: Leadership - LEAD 14 - Resources and advocacy of Council are

aligned support the delivery of the community vision outlined in the

Community Strategic Plan.

CSP Strategy: Council fosters a strong organisational culture which strives for

best practice in all operations with a supportive corporate

governance framework.

CSP Delivery Program Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available

to decision makers.

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council notes the status of the Council Resolution Register to May 2019.

Terry Dodds Chief Executive

Prepared by staff member: Noelene Hyde, Executive Assistant & Media

Approved/Reviewed by Manager: Terry Dodds, Chief Executive Department: Office of the Chief Executive

Attachments: **1** Attachment 5 (Booklet 4) - 31

Resolution Register - May 2019 Pages