



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING WEDNESDAY, 26 JUNE 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, 26 June 2019** commencing at **9.30 am**.

Terry Dodds
Chief Executive

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

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

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

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

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

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

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

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

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

CONFLICT OF INTERESTS

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

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

Disclosures to be Recorded (s 453 Act)

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

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ORDER OF BUSINESS

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

AGENDA

1. OPENING & WELCOME

2. (A) OPENING PRAYER

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

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

(B) ACKNOWLEDGEMENT OF COUNTRY

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

3. APOLOGIES

4. DISCLOSURES & DECLARATIONS OF INTEREST

5. CONFIRMATION OF PREVIOUS MINUTES

(ITEM MIN5/19) CONFIRMATION OF PREVIOUS MINUTES7

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

Nil.

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OUR COMMUNITY

Nil.

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15. CONFIDENTIAL BUSINESS

16. MEETING CLOSED

(ITEM MIN5/19) CONFIRMATION OF PREVIOUS MINUTES

REPORT BY: Noelene Hyde, Executive Assistant & Media

RECOMMENDATION

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

- **Ordinary Council Meeting held on Wednesday, 22 May 2019; and**
- **Extraordinary Council Meeting held on Wednesday, 29 May 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 - 22 May 2019 | 12 Pages |
| 2 | Minutes - Extraordinary Council Meeting - 29 May 2019 | 9 Pages |

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 22 MAY 2019

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday, 22 May 2019 commencing at 9.30 am.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Don Forbes
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Bronwyn Petrie
Councillor Bob Rogan
Councillor Gary Verri

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Chief Corporate Officer (Kylie Smith)
Chief Operating Officer (Andre Kompler)

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

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

In opening the meeting, Mayor Petty:

- Extended a warm welcome to new Council staff member Julie Marr who replaces Sarah Jarrett as Administration & Web Assistant;*
- Acknowledged the passing of past Prime Minister Mr Bob Hawke; and*
- Extended congratulations to Chief Executive Terry Dodds and all Council staff for winning a Voice Project Award – Mr Dodds to leave meeting early to travel to Sydney and receive the Award on Thursday, 31 May 2019.*
- Noted that Manager Planning & Development Services, Tamai Davidson, was present in the meeting.*

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

82/19 Resolved that the apology of Councillor Michael Petrie be received and noted.

(Donald Forbes/Bronwyn Petrie)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

83/19 Resolved that Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

Name	Type	Item
Councillor Bronwyn Petrie	Less Than Significant Non Pecuniary – Will remain in meeting	ENV6/19 – DA 2019.026 Dwelling

(Tom Peters/Gary Verri)

Motion Carried

(ITEM MIN4/19) CONFIRMATION OF PREVIOUS MINUTES

84/19 **Resolved** 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.

(Tom Peters/Bob Rogan)

Motion Carried

TABLING OF DOCUMENTS

Nil.

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

Nil.

COMMUNITY CONSULTATION (PUBLIC ACCESS)

- **Sergeant James Boden – Tenterfield Police** listed on the Business Paper as a speaker was not available at this time.
- **Mr Graham Rossington – Item ENV6/19 DA 2019.026 – Dwelling**
Mr Rossington addressed Council on this matter, speaking against the Officers Recommendation.

CHANGE TO ORDER OF AGENDA

85/19 **Resolved** that Item ENV6/19 – DA 2019.026 Dwelling, be brought forward for consideration.

(Gary Verri/Tom Peters)

Motion Carried

Chief Executive Terry Dodds left the meeting and did not return, the time being 10.17 am.

OPEN COUNCIL REPORTS

OUR ENVIRONMENT

(ITEM ENV6/19) DA 2019.026 DWELLING

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.

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.

(Greg Sauer/Gary Verri)

86/19 **Resolved** that the recommendation be deferred to allow Council more time to consider and review the Development Application to allow consideration of proposed conditions and any possible legal implications, and to allow time to arrange an on-site meeting with the applicant.

(Bob Rogan/Gary Verri)

Motion Carried

Planning Issue

- *Voting in favour of the motion: Councillors Gary Verri, Bob Rogan, Peter Petty, Brian Murray and Don Forbes*
- *Voting against the motion: Councillors Tom Peters, Bronwyn Petrie, John Macnish and Greg Sauer*
- *Absent: Councillor Michael Petrie*

Manager Planning & Development Services, Tamai Davidson, left the meeting, the time being 10.25 am.

Manager Property & Buildings, Heidi Ford, entered the meeting, the time being 10.25 am.

MAYORAL MINUTES

Nil.

SUSPENSION OF STANDING ORDERS

87/19 **Resolved** that Standing Orders be suspended.

(Greg Sauer/Gary Verri)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.34 am.

The Meeting reconvened with the same members present, the time being 11.00 am.

RESUMPTION OF STANDING ORDERS

88/19 **Resolved** that Standing Orders be resumed.

(Brian Murray/Bob Rogan)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM5/19) CLASSIFICATION OF CROWN LAND RESERVES AS OPERATIONAL

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'.

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.

(Brian Murray/Greg Sauer)

AMENDMENT

That the Drake Recreation Ground, ID 1978 (Lot 12 Section 45 DP 758359 and Lot 7027 DP 1050644) in the Schedule of Land to be Classified as "Community, be moved to the Schedule of Land to be Classified as "Operational".

(Bronwyn Petrie/Greg Sauer)

Amendment Carried

89/19 **Resolved** 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; Lot 12 Section 45 DP 758359, Lot 7027 DP 1050644; and
- (2) Accept the Minister's classification of the following Crown Reserves as Community for the purposes of the Local Government Act 1993: 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.

(Brian Murray/Greg Sauer)

Motion Carried

Manager Property & Buildings, Heidi Ford, left the meeting, the time being 11.06 am.

OUR ECONOMY

Nil

OUR GOVERNANCE

(ITEM GOV23/19) MONTHLY OPERATIONAL REPORT - APRIL 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.

90/19 **Resolved** that Council receives and notes the status of the Monthly Operational Report for April 2019.

(Greg Sauer/Brian Murray)

Motion Carried

(ITEM GOV24/19) EXECUTIVE POSITIONS - MURRAY DARLING ASSOCIATION

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.

91/19

Resolved 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.

(Greg Sauer/Donald Forbes)

Motion Carried

Manager HR & Workforce Development, Barry Frew, entered the meeting, the time being 11.20 am.

(ITEM GOV25/19) AMENDED HUMAN RESOURCES POLICIES

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.

92/19

Resolved 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
- l. 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
- 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

(Bronwyn Petrie/Gary Verri)

Motion Carried

Note – Typographical errors be fixed and 2 minor amendments to be made.

Manager HR & Workforce Development, Barry Frew, left the meeting, the time being 11.38 am.

(ITEM GOV26/19) REVENUE NSW INVOICES WITH SIGNIFICANT INCREASE TO THE 2019/20 EMERGENCY SERVICES LEVY

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.

93/19 Resolved 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.
- (3) Requests that the Chief Executive liaise with Local Government NSW to provide information on:
 - a. The impact on council budgets especially in light of the current drought , and
 - 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.

(Greg Sauer/Tom Peters)

Motion Carried

Manager Finance & Technology, Paul Della, entered the meeting, the time being 11.54 am.

(ITEM GOV27/19) QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2019

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).

94/19 Resolved that Council adopts the March 2019 Quarterly Budget Review Statement.

(Brian Murray/Gary Verri)

Motion Carried

(ITEM GOV28/19) FINANCE & ACCOUNTS - APRIL 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.

95/19 Resolved that Council receive and note the Finance and Accounts Report for the period ended 30 April 2019.

(Gary Verri/Bob Rogan)

Motion Carried

(ITEM GOV29/19) CAPITAL EXPENDITURE REPORT AS AT 30 APRIL 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.

96/19 Resolved that Council receive and note the Capital Expenditure Report for the period ended 30 April 2019.

(Bronwyn Petrie/Gary Verri)

Motion Carried

(ITEM GOV30/19) REPORT ON LOAN BALANCES

SUMMARY

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

97/19 **Resolved** 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.

(Brian Murray/Greg Sauer)

Motion Carried

Manager Finance & Technology, Paul Della, left the meeting, the time being 11.59 am.

REPORTS OF DELEGATES & COMMITTEES

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

SUMMARY

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

98/19 **Resolved** that the report of the Tenterfield Shire Local Traffic Committee meeting of 4 April 2019 be received and noted.

(Peter Petty/Gary Verri)

Motion Carried

NOTICES OF MOTION

Nil.

RESOLUTION REGISTER

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

99/19 **Resolved** that Council notes the status of the Council Resolution Register to May 2019.

(Bob Rogan/Bronwyn Petrie)

Motion Carried

CONFIDENTIAL BUSINESS

Nil.

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 12.12 pm.

.....
Councillor Peter Petty
Mayor/Chairperson

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF EXTRAORDINARY COUNCIL MEETING WEDNESDAY, 29 MAY 2019

MINUTES OF THE **Extraordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday, 29 May 2019 commencing at 9.30 am.

ATTENDANCE

Councillor Peter Petty (Mayor)
Councillor Greg Sauer (Deputy Mayor)
Councillor Don Forbes
Councillor John Macnish
Councillor Brian Murray
Councillor Tom Peters
Councillor Michael Petrie
Councillor Bob Rogan
Councillor Gary Verri

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Chief Corporate Officer (Kylie Smith)
Chief Operating Officer (Andre Kompler)
Manager Customer Service, Governance & Records
(Erika Bursford)

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.

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

100/19 Resolved that the apology of Councillor Bronwyn Petrie be received and accepted.

(Gary Verri/Michael Petrie)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

Nil.

BUSINESS OF THE MEETING - OPEN COUNCIL REPORTS

OUR GOVERNANCE

(ITEM GOV31/19) OPERATIONAL PLAN 2019/2020

SUMMARY

The purpose of this report is for Council to adopt the Tenterfield Shire Council To Plan 2019/2020 (circulated under separate cover), as amended to include submissions following public exhibition from 24 April 2019 to 22 May 2019, for

inclusion with the current Tenterfield Shire Council Delivery Program 2017/2021.

PROCEDURAL MOTION

That the Officer's Recommendation be opened for debate.

(Bob Rogan/Greg Sauer)

Procedural Motion Carried

AMENDMENT

That Item (1) Waste Fees - be amended to read:

- Waste Fees – The 120L to less than 240L General Waste Bin or Bag fee shall be \$8.00;

(Bob Rogan/Tom Peters)

Amendment Lost

AMENDMENT

That all General Waste Fees be rounded up or down to full dollars or nearest 50 cents from the 2020/2021 financial year.

(Michael Petrie/John Macnish)

Amendment Carried

101/19 Resolved that Council:

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

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

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

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

- Tenterfield Shire Council Fees and Charges for 2019/2020.

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

Farmland:

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

Residential – Tenterfield:

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

Residential – Tenterfield (Urban):

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

Residential – Urbenville:

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

Residential – Jennings:

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

Residential – Drake:

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

Residential – Other:

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

from this category of land);

Business – Tenterfield:

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

Business – Urbenville:

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

Business – Jennings:

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

Business – Drake:

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

Business – Other:

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

Mining:

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

- (4) In accordance with the provisions of Section 552 of the Local Government Act 1993, Council makes, fixes and levies a Water Supply Availability Charge on all land rateable to the Water Supply Charge and other water charges for the year ending June 2020, as follows:

- a. Residential - \$488.00 per connection per annum;
- b. Residential Strata - \$366.00 per connection per annum;

- c. Mt Lindesay Private Line – \$608 per connection per annum;
 - d. Rural Other - \$488 per connection per annum;
 - e. Non Residential - Meter connection: 20mm - \$488 per connection per annum;
 - f. Non Residential - Meter connection: 25mm - \$488 per connection per annum;
 - g. Non Residential - Meter connection: 32mm - \$488 per connection per annum;
 - h. Non Residential - Meter connection: 40mm - \$733 per connection per annum;
 - i. Non Residential - Meter connection: 50mm - \$1,145 per connection per annum;
 - j. Non Residential - Meter connection: 80mm - \$2,935 per connection per annum;
 - k. Non Residential - Meter connection: 100mm - \$4,585 per connection per annum;
 - l. Non Residential - Meter connection: 150mm - \$10,315 per connection per annum;
 - m. Voluntary & Charitable Organisations - \$96.00 per connection per annum;
 - n. Services installed solely for the purpose of firefighting – No Charge.
- (5) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by residential customers (to be by measure of metered water consumption) at the rate of \$3.80 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and, and \$6.00 per kilolitre for water consumed over 450 kilolitres per annum.
- (6) In accordance with Section 502 of the Local Government Act, that Council makes, fixes and levies a stepped tariff for the charge for water consumed by Rural/MT Lindesay customers (to be by measure of metered water consumption) at the rate of \$3.80 per kilolitre for water consumption between nil (0) and 450 kilolitres per annum and, and \$6.00 per kilolitre for water consumed over 450 kilolitres per annum.
- (7) In accordance with Section 502 of the Local Government Act, makes, fixes and levies a stepped tariff for the charge for water consumed by Non-Residential customers (to be by measure of metered water consumption) at the rate of \$3.80 per kilolitre for water consumption between nil (0) and 800 kilolitres per 800 kilolitres per annum.
- (8) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a minimum water consumption account charge of \$25 for each of the six (6) monthly billing periods. Further, that if at the time of reading a water meter it is found to be damaged or has stopped, an account will be issued based on the previous two corresponding water bills.

- (9) In accordance with Section 502 of the Local Government Act 1993, makes, fixes and levies a Water Infrastructure Charge per assessment connected to the Tenterfield Water Treatment Plant of \$77 to part fund the loan associated with the new Water Treatment Plant).
- (10) In accordance with the provisions of Section 501(1) and 502 of the Local Government Act 1993, makes, fixes and levies a Sewerage Service Availability Charge of \$1,138.00 on all land assessable in the Tenterfield and Urbenville Town Areas and is:
- connected to the Council's sewer main, or
 - not connected to the Council's sewer main but any part of the property is no more than 75 metres from the Council's sewer main; and
 - land from which sewerage can be discharged into the sewers of Council for the year ending June 2020.

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

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

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

- a. Non Residential - Meter connection: 20mm - \$1,138 per connection per annum;
- b. Non Residential - Meter connection: 25mm - \$1,138 per connection per annum;
- c. Non Residential - Meter connection: 32mm - \$1,470 per connection per annum;
- d. Non Residential - Meter connection: 40mm - \$2,296 per connection per annum;
- e. Non Residential - Meter connection: 50mm - \$3,589 per connection per annum;
- f. Non Residential - Meter connection: 80mm - \$9,189 per connection per annum;
- g. Non Residential - Meter connection: 100mm - \$14,358 per connection per annum;
- h. Non Residential - Meter connection: 150mm - \$32,322 per connection per annum;

- i. Voluntary & Charitable Organisations - \$226.00 per connection per annum;
- j. Services installed solely for the purpose of firefighting – No Charge.

The formula to calculate Non-Residential Sewerage Charges is:

$$AC + SDF \times (C + UC)$$

Where:

AC = Access Charge

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

C = Customers Annual Water Consumption in kilolitres

UC = Sewerage Usage Charge

- (13) Makes, fixes and levies a Sewerage Usage Charge of \$2.76 per kilolitre in 2019-20.
- (14) Makes, fixes and levies Trade Waste and On site Sewerage Management Charges as outlined in the Operational Plan 2019-20.
- (15) Makes, fixes and levies and charges Waste Management Charges as outlined in the Operational Plan 2019-20.
- (16) Provides three (3) waste vouchers per annum to be issued with the annual rates notice and that the value of these vouchers be equivalent to the fee for a small box trailer - that is, \$18.80 each
- (17) Borrows:
 - a) \$2,350,000 in 2019/20 to part fund the new Water Treatment Facility; and
 - b) \$1,830,000 for infrastructure projects including the Truck Wash, additional Road funding, IT Infrastructure and Depot Facilities.
- (18) In accordance with the provisions of Section 566(3) of the Local Government Act 1993, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2020.
- (19) In accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan 2019/20 on its website within 28 days.
- (20) That all General Waste Fees become rounded up or down to full dollars or to nearest 50 c from the 2020/2021 financial year.

(Brian Murray/Donald Forbes)

Motion Carried

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 10.16 am.

.....
Councillor Peter Petty
Mayor/Chairperson

Department:	Engineering Department
Submitted by:	Manager Asset & Program Planning
Reference:	ITEM ECO8/19
Subject:	TRUCK WASH OPTIONS REPORT

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Economy - ECON 8 - Our existing businesses and industry are supported to reach their full potential and provide quality goods and services both locally and to a wider market.
CSP Strategy:	Recognise agriculture as a significant industry in the Shire and encourage initiatives that enhance the economic sustainability of agriculture.
CSP Delivery Program	Provide a financially sustainable saleyard operations, attractive to local producers.

SUMMARY

The purpose of this report is to provide Council with an option to progress the Truck Wash installation project.

OFFICER'S RECOMMENDATION:

That Council request that a detailed design for a truck wash, using current design information where practical, for a site at the northern area of Council's Tenterfield Depot including input from relative government agencies such as Roads & Maritime Services be prepared and resubmitted to Council for consideration.

BACKGROUND

Resolution 79/19 of Ordinary Council Meeting of 24 April 2019 refers:

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

This report deals specifically to the truck wash with the loading ramp component being the subject of a separate report.

REPORT:

Council has received a grant from both the Federal and NSW State Governments under the *Fixing Country Truck Washes* program to construct a truck wash at the Tenterfield Livestock Selling Centre.

The design plans included upgrading of road entrances and drainage, constructing a new truck wash facility including electrical and mechanics to supply water and treat the waste water. The proposal also included additional lighting and CCTV coverage.

In reviewing the options available to Council, the following concepts were investigated;

Saleyards East site

- INSW Grant approval to current layout
- DA has attracted opposition to the proposal
- Tender received was in excess of budget

Our Economy No. 8 Cont...

- Trade waste requirements have added significant cost to the project

Saleyards South site

- Located within saleyards complex and utilises existing access
- Closer to existing services points at the amenities block
- Location on hill requires reduced sewer pumping effort
- Exposed to broader residential areas due to high location

Sewage Treatment Plant

- Old Ballandean Road/New England Highway would be more often used with safety issues already
- Existing STP on a small allotment of land with access easement
- Easement is a right for Council (and staff/contractors), not for public access
- Council Land area more open further towards Tenterfield Creek
- Turning heavy vehicles onto the access easement would require upgrading driveway

Council Depot Northern area

- Access off the existing New England Highway (Cowper Street)
- Access may need RMS approval and may require shoulder widening
- Close to services and located on Council land
- Opportunity to capture storm water from roof areas and drains

Industrial Estate railway land

- Convenient location upon unused land area in Industrial Estate
- Subject to approval by ARTC and most likely to be formal leasing
- May be implicated by the Heavy Vehicle Bypass design
- All services would need to be extended across Western Boundary Street

Council Land on Southern Approaches

- Opposite an existing residential estate could lead to objections
- Subject to approval of any future land use of this area
- Accessed off New England Highway (now and post Bypass)
- Area is not readily serviced nearby for water/sewer

While the location at the saleyards Selling Centre is the most appropriate for livestock use truck wash, there are a number of other issues raised with that site.

Locations away from town or Highway route do not necessarily encourage use, and have servicing limitation issues that require significant expenditure to address these problems. Trade waste compliance also needs to be considered with the design and location.

The Industrial Estate is well suited to heavy vehicle use and commercial activities, and is more readily serviced from major transport routes such as the New England Highway.

The Council Depot is accessible property without requiring leasing or land acquisition that would significantly delay any further progress on the project. Therefore the northern area of the Council Depot is considered the most suitable site for further investigation and design of the truck wash proposal.

Our Economy No. 8 Cont...

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

With respect to the proposal to locate the truck wash at the Tenterfield Saleyards, community consultation was undertaken with letters sent to residents immediately adjacent to the worksite during the initial design process. A development application was also advised to local residents in that area.

2. Policy and Regulation

Nil.

3. Financial (Annual Budget & LTFP)

The project budget of \$1,241,097 was previously allocated for the original proposal at the Livestock Selling Centre. A revised estimate would need to be prepared to ensure that any new proposal, including costs to date and contingencies, are contained within this budget.

4. Asset Management (AMS)

The construction of a new truck wash will add to Council's assets and be depreciated in accordance with financial accounting procedures for new acquired capital assets.

5. Workforce (WMS)

No implications.

6. Legal and Risk Management

The current funding Deed would require a change of scope to be approved by Infrastructure NSW and this could present a risk given a previous change of scope for a one year extension has already been received.

7. Performance Measures

No implications.

8. Project Management

The project management would be resourced either in house or with consultants engaged to finalise design drawings, prepare tenders and manage the construction of a truck wash.

Fiona Keneally

Acting Director Engineering/Infrastructure

Prepared by staff member:	David Counsell, Manager Asset & Program Planning
Approved/Reviewed by Manager:	Fiona Keneally, Acting Director Engineering/Infrastructure
Department:	Engineering Department
Attachments:	There are no attachments for this report.

Department:	Engineering Department
Submitted by:	Manager Asset & Program Planning
Reference:	ITEM ECO9/19
Subject:	TENTERFIELD SALEYARDS - LOADING RAMP UPGRADE

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Economy - ECON 8 - Our existing businesses and industry are supported to reach their full potential and provide quality goods and services both locally and to a wider market.
CSP Strategy:	Recognise agriculture as a significant industry in the Shire and encourage initiatives that enhance the economic sustainability of agriculture.
CSP Delivery Program	Provide a financially sustainable saleyard operations, attractive to local producers.

SUMMARY

This purpose of this report is to provide Council with the proposal to upgrade an existing loading ramp at the Tenterfield Saleyards to a double height ramp.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Request that staff prepare an amended design for a double height loading ramp at the Tenterfield Saleyards that upgrades the existing ramp number 5;**
- (2) Amends the current development application for a truck wash and double height loading ramp to relate only to the amended upgrade of loading ramp number 5; and**
- (3) Includes any necessary alteration to loading ramp number 4 and immediate turnaround area.**

BACKGROUND

In March 2019, Council advertised a tender for the construction of the combined truck wash and loading ramp project at the Tenterfield Livestock Selling Centre, however the tender received was in excess of the project budget.

In order to deliver the loading ramp section of that project, this report relates to the loading ramp component only.

REPORT:

The proposal for a double height under/over rear loading ramp facility with enhanced safety for operators working at heights is necessary to ensure efficient operations at the Selling Centre are able to be continued. This feature will allow double height livestock trucks to load more effectively and encourage more use of the Tenterfield Selling Centre.

Our Economy No. 9 Cont...

Previously a new double height ramp structure was to be built and then the existing ramp number 5 would be removed as it would no longer be required. To expedite the new loading ramp construction and minimize the extent of disturbance to the Saleyard operations, it is recommended that Council staff arrange for an amended design layout for the loading ramp that incorporates the upgrading of the existing ramp 5 and maximizes the use of the northern area gravel turning area for trucks. This gravel area was planned to be upgraded under the previous proposal.

The proposed concept for the upgrade of the existing ramp, based on previous designs, is shown in Figure 'A' below.

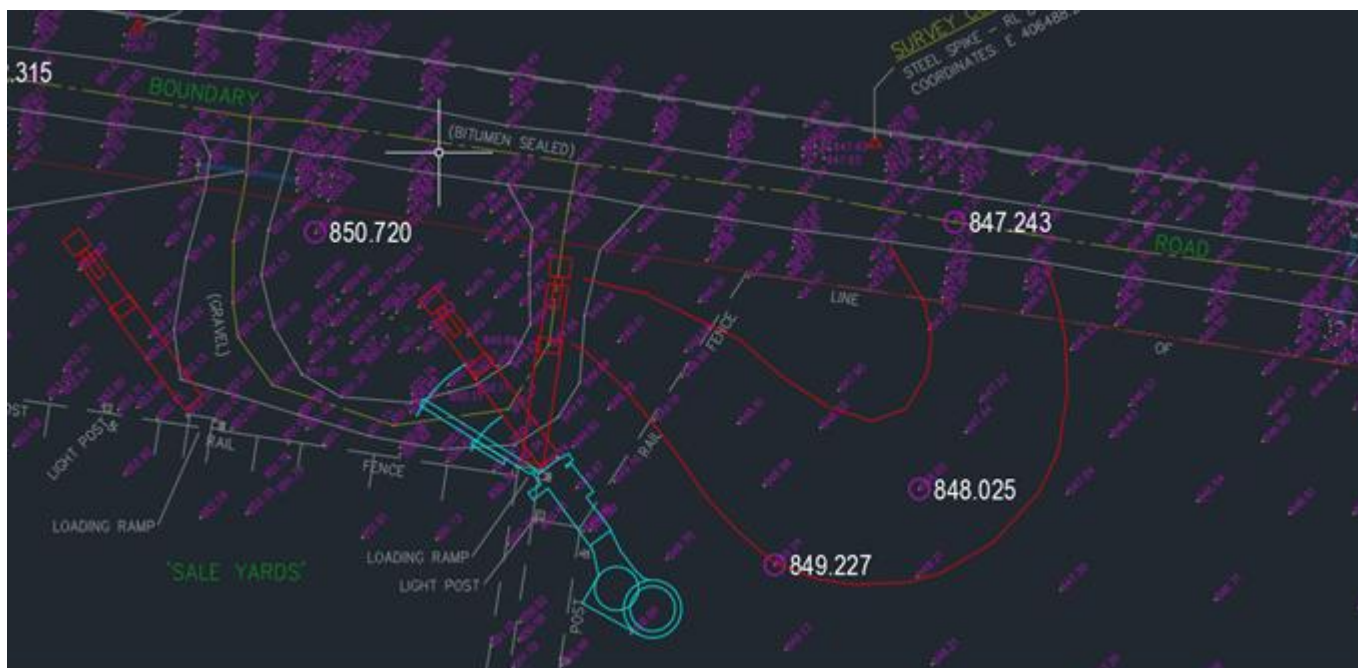


Figure 'A'

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Community consultation was initially provided to local residents as part of the development application advertising process for the truck wash and loading ramp project. Any amendment or withdrawal of that application can be advised to any correspondents to the original proposal.

2. Policy and Regulation

- The loading ramp project component will be undertaken in accordance with Council's Procurement Policy.

3. Financial (Annual Budget & LTFP)

The project budget of \$1,241,097 was previously allocated for the original proposal at the Livestock Selling Centre. A revised estimate would need to be prepared to ensure that any new proposal, including costs to date and contingencies, are contained within this budget and this includes the loading ramp project.

Our Economy No. 9 Cont...

4. Asset Management (AMS)

Upgrading the existing ramps will improve the asset within the Livestock Selling Centre and assist the operation of the Saleyards.

The upgrade asset value will be depreciated in accordance with financial accounting procedures for new capital works on existing assets.

5. Workforce (WMS)

No implications.

6. Legal and Risk Management

No implications.

7. Performance Measures

No implications.

8. Project Management

The project management will be resourced either in house or with a consultant to prepare tenders and manage the construction task.

Fiona Keneally

Acting Director Engineering/Infrastructure

Prepared by staff member:	David Counsell, Manager Asset & Program Planning
Approved/Reviewed by Manager:	Fiona Keneally, Acting Director Engineering/Infrastructure
Department:	Engineering Department
Attachments:	There are no attachments for this report.

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Open Space, Regulatory & Utilities
Reference:	ITEM ECO10/19
Subject:	TENTERFIELD SALEYARDS - EMERGENCY ANIMAL DISEASE PLAN & BIO SECURITY PLAN

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Economy - ECON 8 - Our existing businesses and industry are supported to reach their full potential and provide quality goods and services both locally and to a wider market.
CSP Strategy:	Recognise agriculture as a significant industry in the Shire and encourage initiatives that enhance the economic sustainability of agriculture.
CSP Delivery Program	Provide a financially sustainable saleyard operations, attractive to local producers.

SUMMARY

The purpose of this report is to provide an overview of the Saleyards' Planning Framework which has been designed to provide both operational and strategic management of Council's Saleyards, including establishment of a framework to guide planning, construction, operation, maintenance, renewal and replacement of infrastructure essential for the Tenterfield Shire Council to provide services to the community.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Adopt the Tenterfield Shire Council Saleyards Emergency Animal Disease Plan (as per Attachment 1, Attachment Booklet 1); and**
- (2) Adopt the Tenterfield Shire Council Saleyards Biosecurity Plan (as per Attachment 2, Attachment Booklet 1).**

BACKGROUND

The Emergency Animal Disease Plan and Bio Security Plan make up two (2) of the five (5) plans which will form the Saleyards Planning Framework. This framework has been designed to support Council's Resourcing Strategy under the Tenterfield Saleyards Management Service contained in the Delivery and Operational Plan.

The five (5) plans that form the Saleyards Planning Framework are:

- Tenterfield Saleyards Strategic Plan (under development);
- Tenterfield Saleyards Asset Management Plan (under review);
- Tenterfield Saleyards Management Plan (under development);
- Tenterfield Saleyards Bio Security Plan; and
- Emergency Animal Disease Plan.

Our Economy No. 10 Cont...

It has been acknowledged in Councils Delivery Program 2017-2021 and the Operational Plan 2019-2020 the need to develop and implement the Biosecurity Plan and Emergency Disease Management Plan for the Tenterfield Saleyards to ensure safe, effective and efficient operation of the Saleyards.

REPORT:

The Emergency Animal Disease Plan and the Biosecurity Plan forms part of the Saleyards Planning Framework, which has been developed to inform Councils Resourcing Strategy under the Saleyards Management Plan.

The Emergency Saleyards Plan sets out procedures to be followed if an emergency animal disease is detected in the Saleyards or if a national livestock standstill occurs. It may also be activated for other emergency animal disease where approved by the Chief Veterinary Officer of NSW Department of Primary Industries.

This Plan is in conjunction with the Tenterfield Local Emergency Management Plan, June 2016 and the NSW Biosecurity (Animal and Plant) Emergency Sub Plan, which is a supporting plan to the NSW State Emergency Management Plan.

The purpose of this Plan is to describe the actions and responsibilities at the Tenterfield Saleyards and support producers to meet the biosecurity requirements of the Livestock Productions Assurance (LPA) Program. Tenterfield Shire Council has completed this Plan to reflect the current farm biosecurity practices. Where sections are not relevant for the Saleyards, Council has selected 'Not applicable'. The Plan is to help identify areas for improvement in order to reduce any potential biosecurity risks at the Saleyards.

Biosecurity plans are designed to protect Council and the community from the negative impacts of pests, diseases weeds and contaminants. This Plan also provides stakeholders with clear guidance about practices Council will adopt in the day to day business activities and provide clear guidance to anyone entering the Saleyards about what they must do to minimise biosecurity risks to Council.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

The Emergency Saleyards Plan and the Bio Security Plan has been discussed in the Saleyards Advisory Committee and developed in conjunction with the Local Lands Services. Once adopted, the Plans will be available to the community.

2. Policy and Regulation

- Bio Security Act 2015
- NSW Local Government Act 1993
- Public Health Act 1991
- Stock Diseases Act 1923, No 34

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil at this stage however the introduction of the whole planning framework under development will outline asset implications more explicitly.

Our Economy No. 10 Cont...

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Tenterfield Shire Council has a duty under the Bio Security Act to reduce the risk of transmission of infectious diseases, invasive pest or weeds, whilst providing recommended practices and tools or resources as needed.

Tenterfield Saleyards along with Local Land Services, are signatories as participating organisations under the NSW State Emergency Management Plan arrangements, accordingly Local Land Services staff in this situation will operate under the control of the Chief Veterinary Officer and may conduct any or all functions as described.

7. Performance Measures

Nil

8. Project Management

Nil.

Kylie Smith
Chief Corporate Officer

Prepared by staff member:	Mark Cooper, Manager Open Space, Regulatory & Utilities	
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer	
Department:	Office of the Chief Corporate Officer	
Attachments:	1 Attachment 1 (Attachment Booklet 1) - Tenterfield Shire Council Saleyards - Emergency Animal Disease Plan	19 Pages
	2 Attachment 2 (Attachment Booklet 1) - Tenterfield Shire Council Saleyards - Biosecurity Plan	10 Pages

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Planning & Development Services
Reference:	ITEM ENV7/19
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 Program	Provision of advice and guidance on legislative compliance for the 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 initially notified to adjoining and adjacent residents and six (6) submissions by way of objection were received by Council. Amended plans were received by Council and a second notification was undertaken, ending on 14 June 2019, after which time two (2) submissions were received. 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 all 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.

Our Environment No. 7 Cont...

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. 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.

The application was presented to Council on 22 May 2019, where the following was resolved;

Resolution 86/19

Resolved that the recommendation be deferred to allow Council more time to consider and review the Development Application to allow consideration of proposed conditions and any possible legal implications, and to allow time to arrange an on-site meeting with the applicant.

Councilors and staff undertook an inspection of the site on 29 May 2019 and reviewed amended plans provided by the applicant.

Amended plans were further notified to adjoining and adjacent owners, after which time a total of two (2) submissions were received which are addressed below.

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. 7 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 24m from the rear boundary.

Our Environment No. 7 Cont...

Figure 2: Site Plan & Effluent Disposal application area

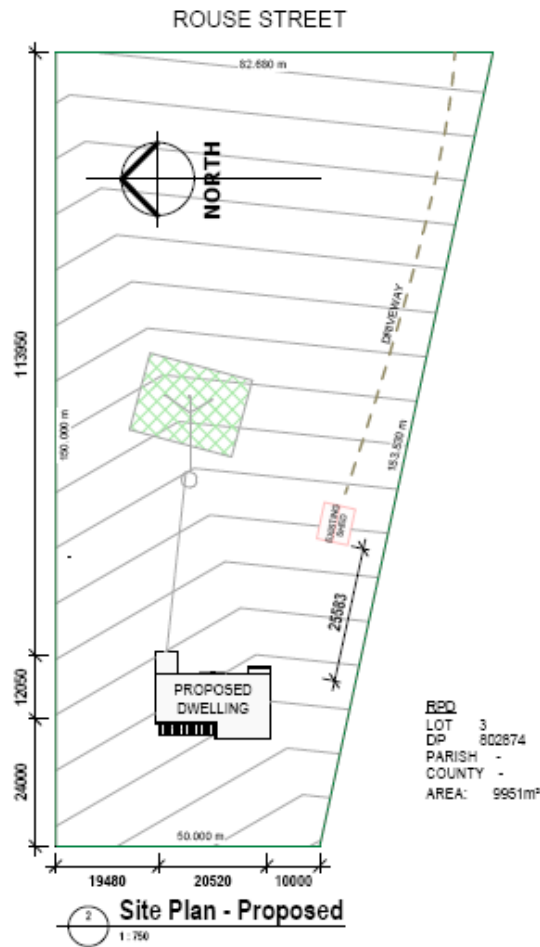


Figure 3 - 3D Elevation



Our Environment No. 7 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. 7 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

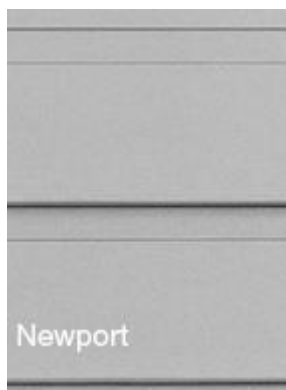
Chapter 3 is a guide to applicants seeking to construct dwellings and multi-unit development in the RU5 Village zones across the LGA and seeks to provide design guidelines which will enhance the overall character and amenity of neighbourhoods.

Site Planning and Layout & Building Design and Appearance

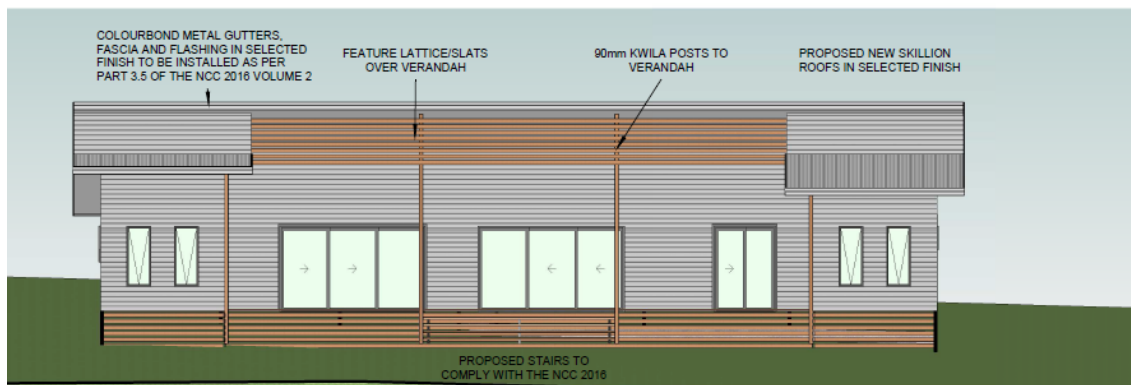
Applicants are required to demonstrate compliance with and consideration of the following issues:

- *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.*

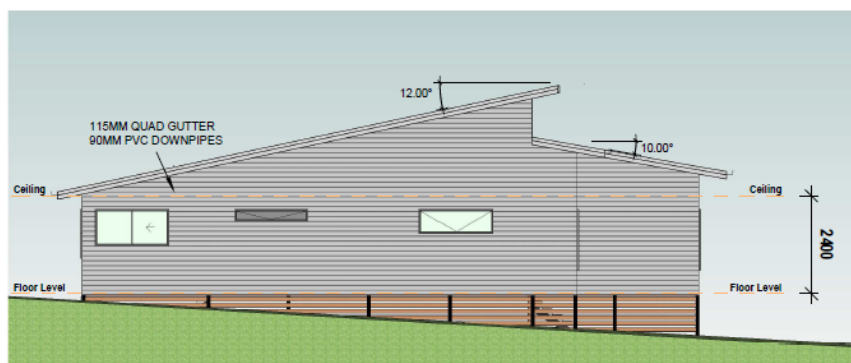
The proposed dwelling is of single storey construction and it is proposed to externally clad the building in hardiplank weatherboard 170mm, construct a roof structure with a 15 degree pitch over the building, construct a deck and pergola. The building is proposed to be constructed on piers and the underside 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. 7 Cont...



1 **ELEVATION 1**
1:100

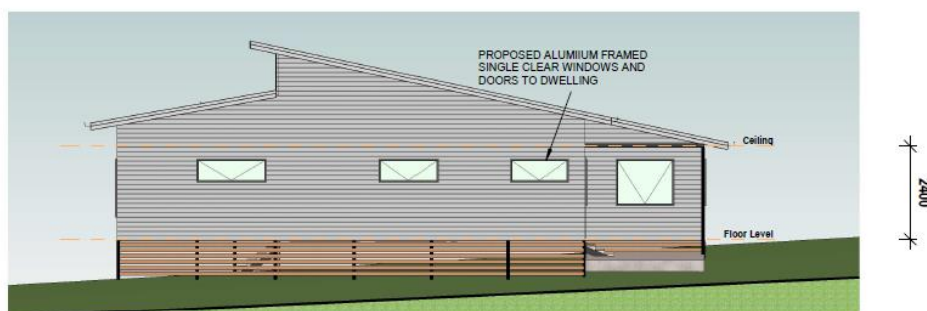


2 **ELEVATION 2**
1:100

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



1 **ELEVATION 3**
1:100



2 **ELEVATION 4**

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

Our Environment No. 7 Cont...

Elevation 4 - North Elevation

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 is 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 12 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. A requirement to meet the 20 degree roof pitch requirement in this type of design would essentially result in a building that looks out of proportion and scale. The nearby residence in Photo 1 above, is constructed with roof pitch varying between 5 and 10 degrees and there are a number of recent instances where approvals have been issued for this style of dwelling with roof pitches varying between 10 and 15 degrees.

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.

Our Environment No. 7 Cont...

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*.

(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. 7 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. 7 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, on two (2) separate occasions, with six (6) submissions received after the first notification and two (2) submissions received after the second notification. A copy of all submissions is contained in Attachment 2 of this report. Matters raised in the first round of 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.)

Our Environment No. 7 Cont...

(d) No residential building shall be affected unless provided with a septic system or connected to a sewerage system.

(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.

Our Environment No. 7 Cont...

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 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.

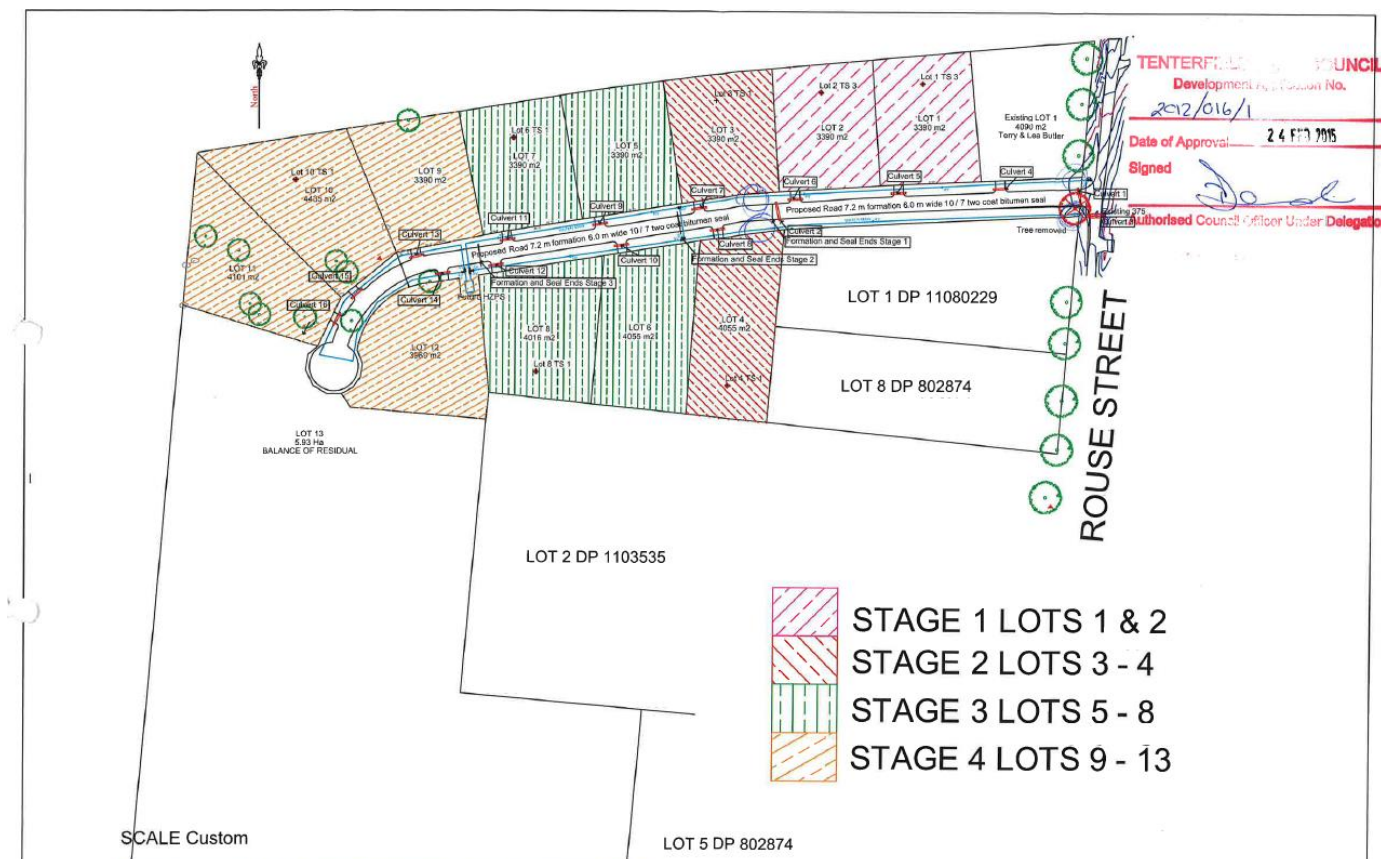
3. On Site Sewage Management

- 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 (aerated system) has been lodged in conjunction with the Development Application for assessment and has been approved.

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. 7 Cont...



Matters raised in the second round of notification, contained in the two (2) submissions objecting are summarized below;

1. Building design

- Building is an eyesore, constructed of 'dongas'
- Out of character with the area, including Tenterfield Station buildings
- Cheap construction

2. Covenant non compliance

- Council has disregard for original covenant imposed by developer which sought to maintain high standard building design.
- Similar covenant in place at Saddlers Estate - if Council approves 'floodgates' will open up

3. Applicant non-compliance

- Council regulations broken from the beginning, issues around making sure future compliance
- Should have been made to remove buildings initially

4. Septic system

- no mention of an appropriate septic system

5. If approved, Council should consider the following conditions;

- Strict timeframe for completion
- No variation to the plans as notified
- All exteriors of new materials
- Any recycled timber to meet Council requirements.
- On site sewage system to be installed.

Our Environment No. 7 Cont...

The matters raised above are not inconsistent with the issues which were raised in the initial round of notification, with exception of the suggested conditions. In this regard, the conditions have been amended to reflect the suggestions and to reinforce the provisions of the consent.

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.

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 - DA 2019.026 Dwelling

8
Pages

Our Environment No. 7 Cont...

- | | | |
|----------|---|---------|
| 2 | Submissions Received relating to DA 2019.026 Dwelling | 8 Pages |
| 3 | 2nd Submissions Received - DA2019.026 | 3 Pages |

PRESCRIBED CONDITIONS

1. 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.

2. 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.

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 03/06/2019, Project No. 18-033, described as 'Initial Concept 508 Rouse Street TENTERFIELD Mark Hansen & Leah Rossi'

5 000 - Cover Page	5 001 - Site Plan
5 100 - Floor Plan	5 101 - Area Plan
5 200 - Elevations 1 & 2	5 201 - Elevations 3 & 4
5 300 - Sections	5 403 - Roof Plan
5 801-A - OSSM Design	

All external materials to the dwelling are to be of new materials, except for any recycled timber which is to meet National Construction Code and Council's requirements.

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 as 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.

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 is to include additional landscaping along the full extent of the western boundary of the lot to provide additional screening and filtering of the dwelling. Such plan, once approved 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.

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.
2. 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 and an Occupation Certificate issued by Council or a private certifier. 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.

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.

PRIOR TO OCCUPATION

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

SCANNED

1. 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..

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.

3

Your Ref: DB/578 ODA 2019 491

SCANNED

TENTERFIELD SHIRE COUNCIL		
9 APR 2019		
IDA 2019.026		
	CL	Info
	CCO	
	COM	
	MPOS	✓

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.

Plan: DP802874

Full name and address of Proprietors of the land:

Full name and address of First Mortgagee of land:

Full name and address of Second Mortgagee of land:

Identity of Easement or restriction firstly referred to in above-mentioned Plan:

National Australia Bank Limited
National Australia Bank Limited
Pursuant to Sec. 88B of The Conveyancing Act 1919-64 it is intended to create:
1. Restrictions as to use

SCHEDULE OF LOTS AFFECTED

Lots Burdened: Each Lot
Lots Benefitted: Every other lot

PART 2.

1. Terms of Restriction as to use firstly referred to in above-mentioned Plan

(a) No building including any garage or other outbuilding appurtenant thereto shall be erected upon the land hereby sold having exterior walls constructed of first asbestos cement sheeting, unless covered by cement rendering, stucco, graining 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 erected unless provided with a septic system or connected to a sewerage system.

(e) No building which has been previously 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 hoardings of any nature whatsoever shall be erected upon the land hereby sold whilst Graham George Rossington and Lesayne Carol Rossington remain the owners of any Lot or any part thereof without the consent of the said Graham George Rossington and Lesayne 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 Lesayne Carol Rossington without the consent of Graham George Rossington and Lesayne Carol Rossington in writing first being obtained.

Name of person empowered to release, vary or modify restriction lastly referred to in the above-mentioned Plan:

Graham George Rossington & Lesayne Carol Rossington

Signed in my presence by GRAHAM GEORGE ROSSINGTON who is personally known to me:
A. R. BRADY
SOLICITOR
TENTERFIELD

Signed in my presence by LESAINE CAROL ROSSINGTON who is personally known to me:
A. R. BRADY
SOLICITOR
TENTERFIELD

REGISTERED

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

4
SCANNED

TENTERFIELD SHIRE COUNCIL	
9 APR 2019	
DA 2019.592	
CL	
CCO	
COO	
mPDS	✓

(5)

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.

SCANNED

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

6

TENTERFIELD SHIRE COUNCIL		
9 APR 2019		
IDA 2019 589		
	Action	Info
DA		
ECO		
ENO		
MPDS	✓	

DB/578
DA 2019-026
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 [redacted] at the time of registration of the plan of subdivision back in 1990. The reason [redacted] 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. [redacted] to protect visual amenity and that of [redacted] North Rouse Street residents.

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.

SCANNED

TENTERFIELD SHIRE COUNCIL		
14 JUN 2019		
	Action	Info
CL		
COO		
COO		
TD	✓	

X ref ODA 20191040

13th June, 2019

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

RE: DA no. 2019.026, lot 3, DP802874 being 502-508 Rouse St Tenterfield NSW 2372

Dear Mrs Davidson,

We strongly **OBJECT** to the above DA application and would draw your attention to the following points

- The latest plans show some minor changes that have been made. However, from all angles it still looks like a building made of Donga's and an eyesore, totally out of character for the North end of Rouse St (RU5 Village Zone) with the heritage Tenterfield Homestead in close proximity and in full view. This building will not conform and stand out as a cheap constructed building
- The Covenant that was drawn-up and lodged, by Mr and Mrs G Rossington was put in place so that their vision of protecting and looking after the surrounding environment would be upheld and building like this would not occur
- The homes covered under this Covenant at North end of Rouse St were built and DA approved by the Tenterfield Council without any question and complied with the Covenant rules. Council did not override the Covenant then, so why now just to accommodate Mr Mark Hanson.
- Tenterfield Council has taken upon themselves to overturn (rip-up) this covenant and all that the Rossingtons have strived for . The Rossingtons have contributed an enormous amount to the town of Tenterfield and this is how Council wants to repay them. This is disgraceful.
- Mr Mark Hanson from the very beginning has broken Council laws even after being warned on a number of occasions to comply. Even after the last Council meeting on the 22nd May, 2019, Mr Hanson was caught on the 31st May, 2019 carrying out more renovations to the Western Donga and camping onsite. This was reported to Council. This is just the height of arrogance. Council can in no way guarantee he will comply to all their rules going forward if Council pass this DA.
- There has been no mention of any appropriate Septic system in the plans like the recycle enviro systems implemented in other homes nearby.

- By allowing this DA to get this far along could have been nipped in the bud from the very beginning when the stop work was issued by Council with the PIN. The other Donga's that were stopped from arriving must be held offsite somewhere. The two illegal Donga's that did arrive onto the site should have been sent back ASAP to where the others were held, until a DA was issued and processed. Council had the power to do this, but sided with Mr Hanson and kept these onsite.
- The Tenterfield Saddlers Estate has a very similar Covenant drawn-up by the Developer, Mr Townes. This Covenant states " All new materials to be used in construction of a new building". If Tenterfield Council pass this DA, lot 3 DP 802874, they will open up the floodgates and will have to give the same courtesy and leniency to future DA's at the Saddlers Estate as was given to Mr Mark Hanson.
- Tenterfield Council cannot make up one rule for North end of Rouse St and other for the Saddlers Estate when both Covenants are very similar when constructing a new building.
- Can Tenterfield Council be honest and say that the DA that is happening out here at 508 Rouse st, would they also pass this if it was happening at the Saddlers Estate with the use of Donga's.....YES or NO???

COPY

14/06/2019

Tenterfield Shire Council

247 Rouse st

Tenterfield 2372

Attention: Tamai Davidson

Your letter dated 04/06/2019 Development 2019.026 Lot3, DP 802874, 502-508 Rouse St Tenterfield.

Our objection still remains as it contravenes the Covenants we have on the block.

If council approves the development please consider imposing the following conditions.

Strict time frame for completion which must be adhered to.

No variation to the plans supplied with your correspondence.

All exteriors must be of new materials, sheeting, down pipes, roof and guttering, windows and doors.

Any recycled timber must meet council requirements.

On site septic system to be installed.

I sent you the email that indicates the owner will abide by the above conditions.

Please inform us of the regulations in regard to living in a campervan on the block while building,
and the disposal of effluent from the van.

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Planning & Development Services
Reference:	ITEM ENV8/19
Subject:	TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013 - PLANNING PROPOSAL - MINOR AMENDMENTS

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Environment - ENVO 9 - Our natural environment will be protected, enhanced and promoted for future generations.
CSP Strategy:	Land use planning provisions support and promote sustainable land use and management in the Shire.
CSP Delivery Program	Provision of advice and guidance on legislative compliance for the construction of dwellings and commercial/industrial buildings.

SUMMARY

The purpose of this report is to seek Council's endorsement with respect to the submission of a Planning Proposal to the Department of Planning & Environment Gateway Panel for determination in relation to minor amendments to Tenterfield Local Environmental Plan 2013 (LEP). The amendment proposed changing 'crematorium' from Permitted with Consent to Prohibited within the RU5 Village Zone and making amendments to Schedules 4 and 5 relating to correcting property details for listed heritage items.

OFFICER'S RECOMMENDATION:

That Council endorses the Planning Proposal contained in the Attachment and forwards it to the Department of Planning & Environment requesting a Gateway Determination under the provisions of Section 3.33 of Division 3.4 the *Environmental Planning & Assessment Act, 1979*.

BACKGROUND

The Planning Proposal incorporates an amendment to Council's current planning instrument - *Tenterfield Local Environmental Plan 2013* and forms the first step in the process to amend the current LEP.

At its meeting of 27 February 2019, Council resolved as follows;

Resolution 24/19

Resolved that Council commence the process pursuant to Division 3.4 of the Environmental Planning and Assessment Act 1979, to amend Tenterfield Local Environmental Plan 2013, by including the development of a 'crematorium' in the RU5 Village zoning table as a Prohibited use.

The amendment proposed seeks to carry out minor amendments to the LEP by changing 'crematorium' from Permitted with Consent to Prohibited within the RU5 Village Zone and make minor amendments to Schedules 4 and 5 relating to correcting property details for listed heritage items.

REPORT:

The Planning Proposal (PP) is the first step in amending the LEP, which effectively "makes" a new LEP incorporating the amendments as outlined in the PP.

Our Environment No. 8 Cont...

In accordance with the provisions of Division 3.4 of the *Environmental Planning & Assessment Act 1979*, before an environmental planning instrument is made, Council is required to prepare a document that explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument (the **Planning Proposal**).

The Planning Proposal explains the intended effect of a proposed Local Environmental Plan (LEP) and demonstrates the strategic merit of the proposed amendment and sets out the justification for making that plan. It will be used and read by the general public and those responsible for deciding whether the proposal should proceed. The preparation of the Planning Proposal is the first step and throughout the process, the Planning Proposal itself may evolve. Once Council resolves to proceed, the Planning Proposal is forwarded to the Department of Planning and Environment requesting a "Gateway Determination."

The Gateway Determination specifies whether the PP may proceed, and if so, under what circumstances. The purpose of the Gateway Determination is to ensure there is sufficient justification early in the process to proceed with a Planning Proposal. The Gateway Determination will confirm the information (which may include studies) and consultation required before the LEP can be finalised. The Gateway Determination also establishes the timeframe in which the required steps are to be carried out.

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

In accordance with the provisions contained in the *Environmental Planning & Assessment Act 1979*, once a Gateway Determination is issued, a mandatory 28 day public consultation and notification process must take place.

2. Policy and Regulation

The proposed amendment to *Tenterfield LEP 2013* will assist Council in the administering of its provisions and the orderly and economic development of land within the LGA and provide certainty for the community in relation to future development.

3. Financial (Annual Budget & LTFP)

No financial implications.

4. Asset Management (AMS)

No implications.

5. Workforce (WMS)

No implications.

6. Legal and Risk Management

No implications.

7. Performance Measures

No implications.

8. Project Management

Not relevant.

Our Environment No. 8 Cont...

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 Planning Proposal 2019-01 6 Pages

Planning Proposal 2019-01

This is a Planning Proposal prepared under section 3.33, Division 3.4 of the *Environmental Planning and Assessment Act 1979*, in relation to a proposed amendment to *Tenterfield Local Environmental Plan 2013*. It will be assessed by Tenterfield Shire Council, the NSW Department of Planning and Environment, and used for public participation on the proposed LEP amendment.

Background

Proposal To amend *Tenterfield Local Environmental Plan 2013* by changing "crematorium" from Permitted with Consent to Prohibited within the RU5 Village zone and to make amendments to Schedules 4 & 5 relating to correcting property details for listed heritage items.

Property Details The Planning Proposal applies to all land within the Tenterfield Local Government Area zoned RU5 Village and individual items listed in Schedule 4 and 5 as follows:

Schedule 4 Items

	Locality	Classification	Address	Existing Description	Proposed Description	Mapping
15	Bungulla	Operational Land	8320 New England Highway	Lot 861, DP 1085917	Incorrect street address, should be New England Highway	No

Schedule 5 items

	Locality	Item	Address	Existing Description	Proposed Description	Mapping
1	Bolivia	House (former hotel) I128	6218 New England Highway	Lot 109 DP 751498	Lot 31 & Lot 60 DP 751498	Yes
2	Tenterfield	House I021	126 Cowper Street		Delete - listed in error	Yes
3	Tenterfield	House I022	148 and 149 Cowper Street	Lot 1, DP 592495	Change street address to 149-151 Cowper	No
4	Tenterfield	Royal Hotel I030	130 High Street	Lot 2, DP 1078142	Lots 2 & 3 DP 1078142	Yes
5	Tenterfield	House I047	147 Logan Street	Lot 1, Section 4, DP 555480	Lot 1 DP 555480	No
6	Tenterfield	House I048	149 Logan Street	Lot B, Section 4, DP 357193	Lot B DP 357193	No
7	Tenterfield	Tenterfield Railway Station Group I050 (State)	Main Northern Railway	Nil	Lot 1 DP 801201 Lot 1 DP 1126443	No
8	Tenterfield	House "The Mill" former flour mill I056	101 Manners Street	Lots B and C, Section 22, DP 158236	Lots B and C, DP 158236	No
9	Tenterfield	Scout Hall I065	Martin Street	Lot 16, Section 18, DP 758959	Add Street number 38 Martin Street	No
10	Tenterfield	Tank traps, Brisbane Line Site I080	Mount Lindesay Road	Travelling stock route	Lot 7301 DP1120474	Yes
11	Tenterfield	Stannum House I093	114 Rouse Street	Lot 12, DP 1087108	Lot 11 DP 1087108	Yes
12	Tenterfield	Jock Ross Hardware I096	210 Rouse Street	Lot 1, Section 22, DP 156108	Lot 1, DP 156108	No
13	Tenterfield	Commercial National Buildings I100	275-281 Rouse Street	Lot B, DP 336545	Lot 1 DP 18403	Yes
14	Urbenville	Police Station I118	21 Beauray Street	Lot 14, Section 10, DP 759025	Incorrect street address, should be 23 Beauray Street	No

Applicant Tenterfield Shire Council.

Land owners All owners within the RU5 zone and owners listed above in the two tables.

Brief history Planning Proposal 2019-01 has been prepared to make an amendment to Tenterfield LEP 2013 by the changing "crematorium" from Permitted with Consent to Prohibited within the RU5 Village zone. The Planning Proposal is also required to make housekeeping amendments to Schedule 4 and 5 of the LEP (by correcting property references). Council resolved at their February 27 meeting to commence the Planning Proposal process pursuant to Division 3.4 of the *Environmental Planning and Assessment Act 1979* to amend the LEP as outlined.

Part 1 – Objectives or Intended Outcomes

The objective of this planning proposal is to make alterations to Tenterfield LEP 2013 by changing "crematorium" from Permitted with Consent to Prohibited within the RU5 Village zone and correcting property descriptions in Schedules 4 and 5.

Part 2 – Explanations of Provisions

The proposed outcome will be achieved by:

- Amending the Tenterfield LEP 2013 by changing "crematorium" from Permitted with Consent to Prohibited within the RU5 Village zone and correcting property descriptions in Schedules 4 and 5.

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal is not the result of any strategic study or report.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Amending the Tenterfield Local Environmental Plan 2013 is the only way to achieve the objectives of the planning proposal.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The Planning Proposal does not directly relate to the New England North West Strategic Regional Action Plan 2012.

4. Is the planning proposal consistent with the local council's community plan or other local strategic plan?

The Planning Proposal is consistent with Council's adopted Community Strategic Plan (2017-2027) which sets out under Goal Envo 9 "Land use planning provisions support and promote sustainable land use and management in the Shire."

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with all applicable State Environmental Planning Policies.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The Planning proposal is consistent with section 9.1 directions.

Section C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The amendment to the RU5 zoning table to change "crematorium" from Permitted with consent to Prohibited will have no impact on critical habitat or threatened species, populations or ecological communities, or their habitats. The correcting of property descriptions relating to items in Schedules 4 and 5 will also have no impact.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The amendment to the RU5 zoning table to change "crematorium" from Permitted with consent to Prohibited will have no environmental effect. The correcting of property descriptions relating to items in Schedules 4 and 5 will also have no impact.

9. Has the planning proposal adequately addressed any social and economic effects?

There are no identified negative social or economic effects identified as a result of the Planning Proposal.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

The planning proposal does not create the need for any additional public infrastructure.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No views of public authorities have been sought at this stage.

Part 4 – Mapping

There will be a change to the heritage mapping layer of the LEP to reflect to the proposed changes (refer to the two tables in this report relating to items in Schedules 4 and 5 of the LEP proposed to be altered).

Part 5 – Community Consultation

It is anticipated that community consultation and notification will occur as part of the formal exhibition of the planning proposal or as directed through the gateway determination process.

It is proposed that there be:

- One notification of the exhibition in a locally circulating newspaper.
- One notification in Council's Your Local News leaflet (distributed to all residents on a bi-monthly basis)
- An exhibition period of 28 days.
- Notification on Council's website.

Part 6 – Project Timeline

Task	Anticipated timeframe
Date of Gateway Determination	August 2019
Completion of required technical information, studies	Not required
Government agency consultation (pre exhibition as required by Gateway Determination)	September 2019

Any changes made to Planning Proposal resulting from technical studies and government agency consultations. Resubmit altered Planning Proposal to Gateway panel. Revised Gateway determination issued, if required.	October 2019
Commencement and completion dates for public exhibition.	October/November 2019
Post exhibition review - Consideration of submissions, report Planning Proposal post exhibition	December 2019
Council request a draft instrument is prepared under Section 59(1) of the Act - directly to Parliamentary Counsel (concurrent notification to Department of Planning and Environment)	January 2019
Opinion issued by Parliamentary Counsel that the plan can be made	January 2019
Council resolves to adopt and make the draft LEP and notifies the Department of Planning and Environment who arrange for the plan to be notified on the NSW Government legislation website	February 2019
The plan comes into force on the day the LEP is published on the NSW legislation website	February 2020

Conclusion

The planning proposal is considered to be consistent with relevant statutory and policy provisions and only seeks to amend the RU5 Village zone table to change "crematoriums" from Permitted with Consent to Prohibited and to correct property descriptions in Schedules 4 & 5.

Contact Details

Tamai Davidson
Manager Planning & Development Services
Tenterfield Shire Council
PO Box 214
TENTERFIELD NSW 2372
email: council@tenterfield.nsw.gov.au
PH: 02 6736 6002

Department:	Office of the Chief Executive
Submitted by:	Chief Executive
Reference:	ITEM ENV9/19
Subject:	EMERGENCY WATER SECURITY AUGMENTATION PROJECT - TENTERFIELD

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Environment - ENVO 11 - Secure, sustainable and environmentally sound infrastructure and services underpin Council service delivery.
CSP Strategy:	A total water cycle management approach including water conservation and reuse is implemented.
CSP Delivery Program	Stormwater and drainage infrastructure is provided, maintained and renewed.

SUMMARY

The purpose of this report is to gain approval to apply Section 55 of the *Local Government Act 1993, Part (3) (c) a contract entered into with another council, and Part (3) (k) a contract made in case of emergency*, in relation to the Tenterfield Water Supply Emergency Augmentation Project.

OFFICER'S RECOMMENDATION:

That Council approves the use of Section 55 of the *Local Government Act, 1993, Part (3) (c) and (3) (k)* for the express purpose of reducing the risk of Tenterfield running out of water, prior to the delivery of multiple mitigation methods contained in the body of this report as defined by the Emergency Water Security Augmentation Project.

BACKGROUND

Tenterfield Dam is currently at 33% capacity and decreasing. Although the exact volume curve is yet to be determined, the worst case scenario is that Tenterfield could run out of water in less than 200 days. The best case scenario, despite topping up with the Shirley Park bore water, will be less than 360 days.

Council needs to fast track a project to investigate, test bore, gain approval, install production bores, pump, control, and transport another 350,000 litres of water per day to avert the risk of running out of potable water. (That is the difference between what Shirley Park bore is supplying and what the town is consuming per day.)

To do so will require shortening the program to deliver this outcome in every way possible. One of the biggest impediments (but not the only) to timely project delivery in these circumstances is the requirement to tender and report to Council for items greater than \$150,000 in parallel to engaging specialist companies at the exact time required.

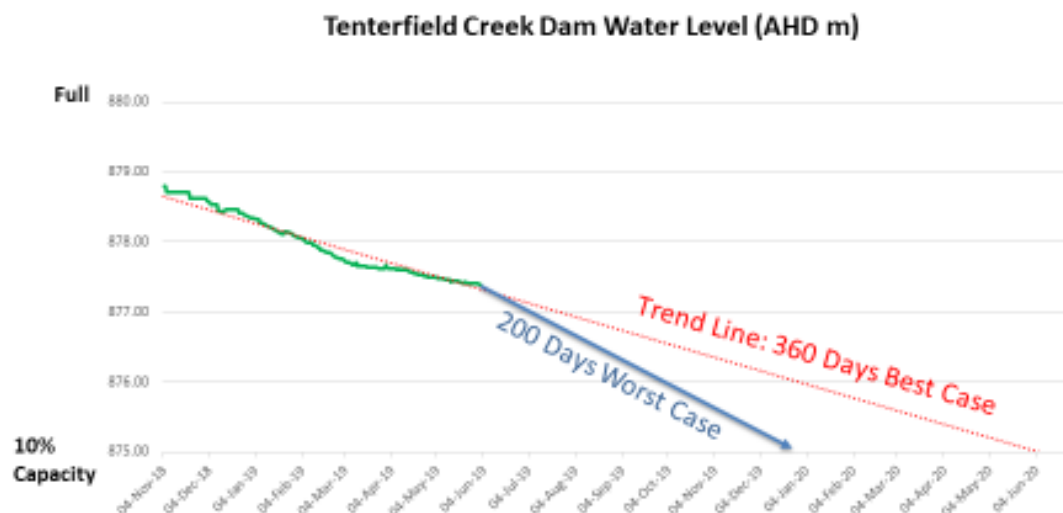
Our Environment No. 9 Cont...

REPORT:

Time and Risk

Forecast Time to Run Out

(Assuming No Rain)



4

Please note the 'Best Case' (line shown above) is technically incorrect because, as the dam drops, the cross sectional area reduces exponentially - not as a straight line depreciation as depicted.

It's hard to tell exactly how much water we have, because the silt build up has not been confirmed since 1951. We're currently engaging a surveyor to complete a hydrographic survey. Once this is done Council will know exactly how many days' supply is available.

Our guess though, is the Best Case is closer to half way between the Worst and Best Case lines – maybe 300 - 320 days.

The Process

An inter-governmental task force has been established to ensure effective communication; Minister for Water, Department of Industry – Water & Natural Resources Access Regulator.

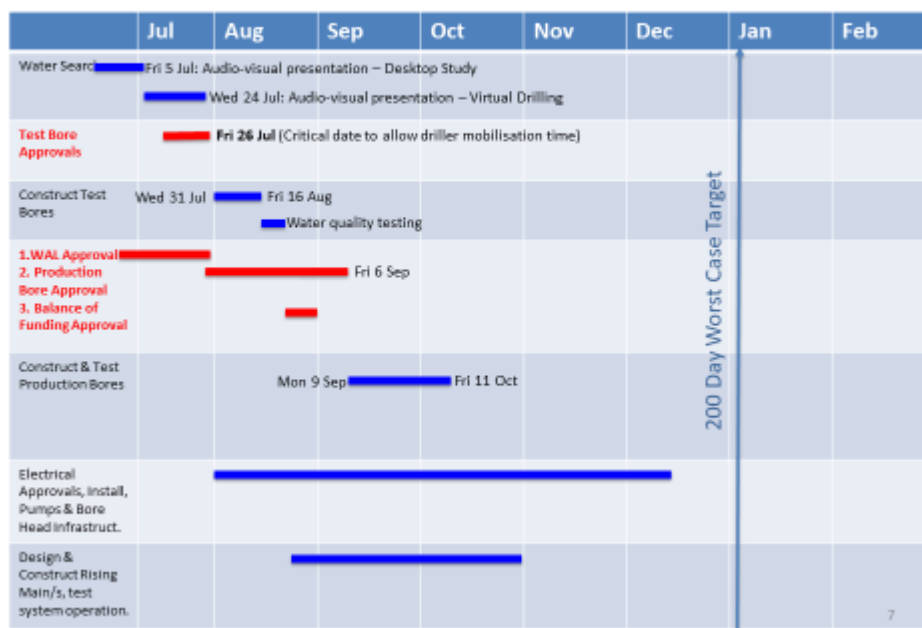
Plans include:

- De-stratification and aeration
- Increase capacity of existing Water Access Licence
- Ground water search
- Construct production bores
- Construct rising mains

Our Environment No. 9 Cont...

Draft Schedule (as at 19 June 2019)

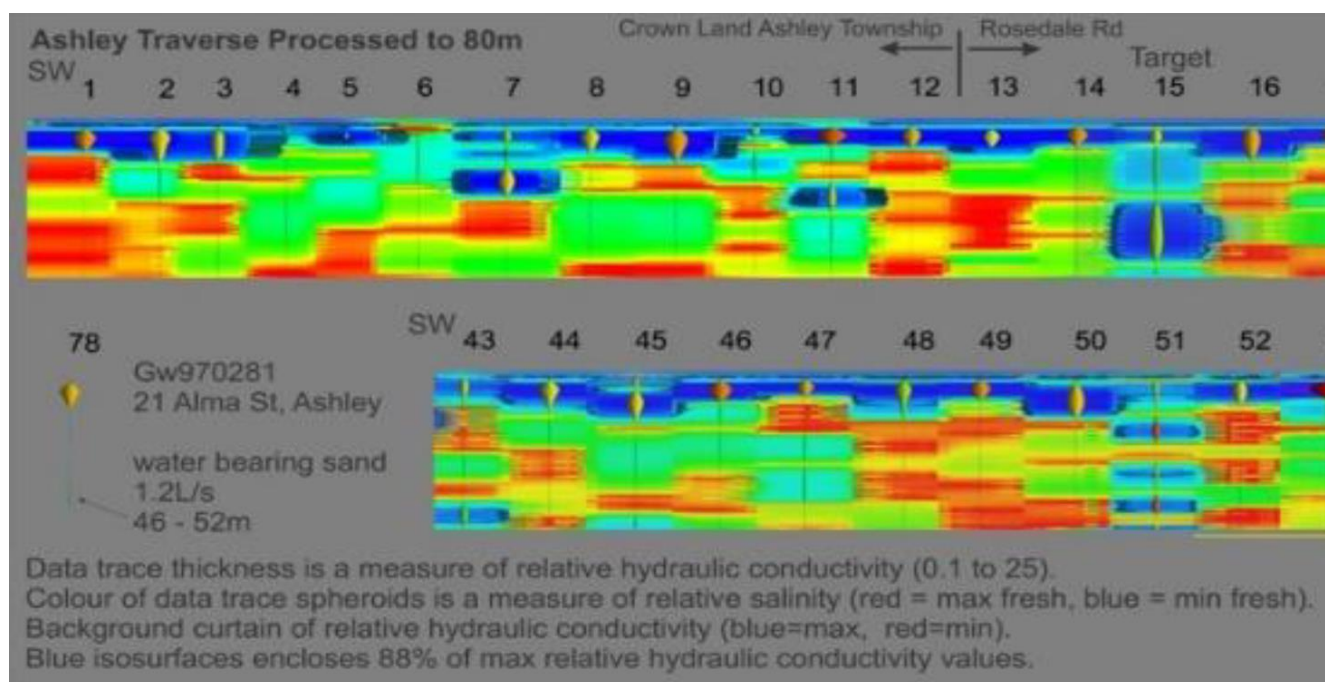
Indicative Work Schedule



Water Search

The water search will be completed using quite unique technology by a company called Geo9. Firstly a desktop analysis will be performed followed by on-site geophysical surveying using seismo electric / electro telluric measurements in a 2D or 3D cross-section. (2D shown below.)

Here is an example, see 'Target 15', where the water was discovered without drilling a single bore.



Our Environment No. 9 Cont...

Test Bore Approvals

The Natural Resources Access Regulator (NRAR) is responsible for water access approvals. Tenterfield Shire has previously experienced a two (2) month delay in gaining an approval (Apex Park) which if repeated, would place our supply at grave risk. To assist in mitigating this risk a representative from Geo9 has made arrangements to discuss with NRAR's Officers in Dubbo for them to be available for any questions from NRAR that may ordinarily impede the process.

Construct Test Bores

Council has discussed the provision of boring services with a company which is available to suit the required timeframes. The company has extensive governmental experience and consists of staff who were employed by the NSW Government to supply drilling services for the government directly until the government chose to close their internal drilling service (DPI Water decommissioned drilling operations as of June 30, 2015).

Council staff will review the proposals against the other projects recently completed around NSW to ensure Council receives a value for money proposition. Normal performance based contractual provisions will be applied.

Water Access Licence (WAL) and Production Bore Approvals

Gaining approval to raise the WAL from 160 ML to 480 ML comes with many provisos.

Council is still waiting for formal notification from the Minister for Water regarding the WAL and possible exemptions.

The approvals for the production bores, subject to finding the water during the ground water search phase, will be time critical. The boring company and Council will be in direct communication with NRAR (Dubbo) to ensure the most expedient approval is delivered.

Construct Production Bores and Test

The same company that is proposed to complete the test bores will drill the production bores.

Install Electricals and Pumps

Council intend to use Coffs Harbour City Council's Technology Group to commission electricals, monitoring apparatus, telemetry and SCADA systems, and statutory (electronic) reporting:

- Effective system integration
- Dam water level monitoring
- Bore water level monitoring
- Hydraulic optimisation
- Electronic Log Books

Construct Rising Mains (if required*)

Council intends using one of two options; Coffs Harbour City Council's Coastal Works, or Tenterfield Shire Council in-house staff. The decision will depend on our internal program availability.

Our Environment No. 9 Cont...

**If the bore locations are determined to be up-stream of the dam wall, no rising mains will be required.*

Financials

There is financial risk. The risk largely depends on the depth of boring required, and the number of bores required. There is provision for 75% funding from the NSW Government, but that doesn't take away the fact that Council will need to fund 1 in 4 dollars.

The ideal situation versus the worst case could mean two or more very deep bores a long way from electrical supply sources and the dam itself, meaning lengthy rising mains with greater friction losses causing higher electricity use (and charges).

It's difficult to predict costs as there are multiple variables on all fronts.

Financials

Item	Budget Estimate	Progressive Total
Water Search	\$90,208	\$90,208
Drilling and Test Bore Establishment	\$167,448	\$257,656
Infrastructure Design	\$140,950	\$398,605
Drilling and Production Bore Establishment	\$370,979	\$769,584
Infrastructure Installation	\$947,181	\$1,716,765
Dam Water Management	\$183,234	\$1,900,000
Provision for RO package Treatment Plant	\$1,300,000	\$3,200,000

Source of Funds

Offer from Minister - 75%:	\$373,000
Council share 25%:	<u>\$124,333</u>
Total 100%	\$497,333 Plus GST

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The Minister for Water has verbally confirmed to the Chief Executive that the Government has approved the initial tranche, \$373,000 (as above).

Our Environment No. 9 Cont...

Access and Governance

The physical location of any rising main/s and bore sites will determine the legal processes that maybe required. This has been no estimation for this. This approval to use Section 55, 3 © and (k) would be for circumstances where Local Government Procurement or State Government contracts are unavailable or where time constraints prohibit.

Funding Amount and Source

At the stage of writing the exact funds required, or the source was not determinable. However, discussions with DOI-Water have taken place with the aim to align the physical emergency works with the permanent works as part of the Water Filtration Plant renewal. Again, until the technical design process is completed it is difficult, if not impossible, to accurately forecast.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Engagement has centered on the communications for the Drought Management Plan and the need for all Tenterfield Township residents to conserve water in accordance with the plan.

2. Policy and Regulation

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Tendering Guidelines for NSW Local Government October 2009
- Model Code of Conduct for Local Councils in NSW
- Tenterfield Shire Council Policy - Expenditure Authority for the Mayor and General Manager

3. Financial (Annual Budget & LTFP)

A review of the existing Capital Works Program for Water Services conducted by the Manager of Water & Waste has identified possible rescheduling of projects in the current (2018/19) and future financial years (2019/20). The initial amount of Council Water Fund allocations available for redirection is \$400,000 or around half of the total 25% Council Contribution of current total project costs.

As outlined in the report, these costs are subject to change depending on the success or otherwise of initial water drilling and are considered appropriate to initiate a budget allocation for emergency works totaling \$775,000 inclusive of \$373,000 grant funding from the Minister of Water.

A new budget item will be included for Council consideration in the final budget review for 2018/19. The proposed item will be Emergency Water Security Augmentation Project with a forecast income of \$373,000 and forecast Expenditure of \$775,000.

4. Asset Management (AMS)

The Emergency Water Security Augmentation Project has not been identified in the Strategic Asset Management Plan adopted by Council. The Manager of Assets is currently reviewing the Asset Management Strategy and will make required adjustments as this project is vital to support the network and unavoidable in the current conditions.

Our Environment No. 9 Cont...

5. Workforce (WMS)

Nil changes to the strategy however risks have been identified in continuity of staff given the specialist expertise required to undertake the project. These have been partially mitigated by the Chief Executive becoming the project sponsor.

6. Legal and Risk Management

Section 55 of the *Local Government Act* lists the contracts for which Council must invite tenders. Most relevantly, the section does not apply to a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by a resolution which states the reasons for the decision that a satisfactory result would not be achieved by inviting tenders; and a contract involving an estimated expenditure or receipt of less than \$150,000 (Regulation 163).

The Code of Conduct is made under section 440 of the *Local Government Act 1993 and the Local Government (General) Regulation 2005*. It sets the minimum standards of conduct for council officers and requires every council to adopt a code of conduct that incorporates the provisions of the Model Code.

Failure by a member of staff to comply with a council's code of conduct may give rise to disciplinary action. Specifically, it states an officer must not conduct himself or herself in a manner that:

- is likely to bring the council or other council officials into disrepute;
- is contrary to statutory requirements or the council's administrative requirements or policies;
- is improper or unethical;
- is an abuse of power;
- involves the misuse of position to obtain a private benefit.

A Council Officer must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out functions under any Act and consider issues consistently, promptly and fairly, and deal with matters in accordance with established procedures, in a non-discriminatory manner. Officers will also take all relevant facts known to them, or that they should be reasonably aware of, into consideration and have regard to the particular merits of each case, without taking irrelevant matters or circumstances into consideration when making decisions.

This report notes the existing policy guidance set by Council with regard to both Policy and Legislative requirements and seeks endorsement to engage suppliers in an emergency capacity notwithstanding the requirements of Council Officials to exercise due diligence and care.

7. Performance Measures

Nil

8. Project Management

This project is complicated by both emergency timeframes for water provision and the search for suitable water to supplement the existing supplies available for the township. Being exploratory in nature means that the project scope is constantly changing, as are the risks associated with delivery.

Our Environment No. 9 Cont...

To mitigate some of the risks and ensure project oversight the Chief Executive is the project sponsor to ensure the timely delivery and management of emergent risk.

Terry Dodds
Chief Executive

Prepared by staff member:	Terry Dodds, Chief Executive; David Wolfenden, Project Engineer; Kylie Smith, Chief Corporate Officer
Approved/Reviewed by Manager:	Terry Dodds, Chief Executive
Department:	Office of the Chief Executive
Attachments:	There are no attachments for this report.

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV32/19
Subject:	MONTHLY OPERATIONAL REPORT - MAY 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.
CSP Strategy:	Council's decision making processes are open, accountable and based on sound integrated planning.
CSP Delivery Program	Promote and support community involvement in Council decision making process.

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council receives and notes the status of the Monthly Operational Report for 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 3 (Attachment Booklet 185 2) - Monthly Operational Report - Pages May 2019

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV33/19
Subject:	ANNUAL REMUNERATION FOR COUNCILLORS AND THE MAYOR - 2019-2020

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 continually reviews its service provision to ensure best possible outcomes for the community.
Delivery Plan Action:	Deliver continuous improvements in Council's business, processes and systems.
Operational Plan Action:	Ensure adequate and effective internal controls are in place for all financial management and purchasing functions.

SUMMARY

The purpose of this report is to address the recent determination of the NSW Local Government Remuneration Tribunal which handed down an increase in the fees payable to Councillors and the Mayor of 2.5% for the 2019/2020 financial year.

The increase applies to both the minimum and maximum allowable rates for both Councillors and the Mayor. Council is required to determine at which rate it sets fees for both Councillors and the Mayor within the minimum and maximum allowable amounts for the upcoming financial year.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Notes the Report and Determination of the NSW Remuneration Tribunal 15 April 2019; and**
- (2) Sets the level of fees payable to Councillors at \$12,160 per annum effective from 1 July 2019 to 30 June 2020; and**
- (3) Sets the fee payable to the Mayor at \$26,530 per annum effective from 1 July 2019 to 30 June 2020; and**
- (4) Sets the reimbursement amount for approved travel using own vehicle at \$0.68 per km (under 2.5 litres) or \$0.78 per km (2.5 litres and above) where a Council vehicle is unavailable.**

BACKGROUND

The full report of the Local Government Remuneration Tribunal (the Tribunal) is attached to this Report.

Our Governance No. 33 Cont...

The Local Government Remuneration Tribunal is required to report to the Minister for Local Government by 1 May each year as to its determination of categories and the maximum and minimum amounts of fees to be paid to Mayors, Councillors, and Chairpersons and Members of County Councils.

The Tribunal has reviewed the criteria that apply to the categories of Councils and the allocation of Councils into those categories. The Tribunal found that there was no strong case to change the criteria or the allocation of Councils into categories at this time. The criteria applicable to each of the categories are unchanged from 2018.

In accordance with section 239 of the *Local Government Act 1993*, the categories of general purpose Councils are determined as follows:

Metropolitan	Non-metropolitan
• Principal CBD	• Regional City
• Major CBD	• Regional Strategic Area
• Metropolitan Large	• Regional Rural
• Metropolitan Medium	• Rural
• Metropolitan Small	

Tenterfield Shire Council is classified in the *Rural* category.

Council can choose to set their fees at either the maximum rate prescribed for the category or a lesser rate above the minimum for the category. Previously Tenterfield Shire Council has resolved to set the Councillor fee and the Mayoral fee at the upper level of the respective categories.

REPORT:

The Tribunal has determined the following range for the Rural category for the 2019-2020 financial year:

All Councillors	\$9,190 to \$12,160
Mayor	\$9,780 to \$26,530

In the 2018-2019 financial year Councillor remuneration was set as follows:

All Councillors	\$11,860 x 10
Mayor	\$25,880
Total	\$144,480

If Council were to apply the maximum annual increase of 2.5% in determining the Councillor and Mayoral fees for 2019-2020, the following fees would apply.

All Councillors	\$12,160 x 10
Mayor	\$26,530
Total	\$148,130

In addition, as per Council's *Payment of Expenses and Provision of Facilities to Councillors Policy* the Australian Tax Office has determined an amount for the approved travel using own vehicle as follows:

Under 2.5 litres:	0.68 per km
Over 2.5 litres:	0.78 per km

Our Governance No. 33 Cont...

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil required.

2. Policy and Regulation

- As determined by the Local Government Tribunal under Sections 239 and 241 of the *Local Government Act 1993*.
- Relates to *Council's Payment of Expenses and Provision of Facilities to Councillors* Policy.

3. Financial (Annual Budget & LTFP)

The adopted Annual Budget for 2019/2020 has included an increase of 2.5% for the annual remuneration for Councillors and the Mayor.

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 Local Government Remuneration Tribunal - Annual Report and Determination - 15 April 2019	20 Pages
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Local
Government
Remuneration
Tribunal

Annual Report
and
Determination

*Annual report and determination under sections 239 and
241 of the Local Government Act 1993*

15 April
2019

[NSW Remuneration Tribunals website](#)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The Local Government Remuneration Tribunal (the Tribunal) is required to report to the Minister for Planning and Public Spaces by 1 May each year as to its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal did not undertake a broad review of the categorisation of councils and considered only those requests where an individual submission was made. The Tribunal found that the current allocation of councils into the current categories is appropriate.

The Tribunal will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020. The criteria applicable to each of the categories are published in Appendix 1 of the determination and are unchanged from 2018.

Fees

The Tribunal has determined that the minimum and maximum fees applicable to each category will be increased by 2.5 per cent which is consistent with the government's policy on wages.

Local Government Remuneration Tribunal

Section 1 Introduction

1. The role of Assessor assisting the Local Government Remuneration Tribunal (the Tribunal), pursuant to section 236 (1) (b) of the *Local Government Act 1993* (the LG Act) was undertaken by Mr Ian Reynolds from 1 July 2015 until the expiration of his appointment on 27 November 2018. The Tribunal thanks Mr Reynolds for his contributions over those years.
2. On 28 November 2018, Dr Robert Lang was re-appointed as the Tribunal and Mr Brian Bell PSM was appointed to the role of Assessor assisting the Tribunal pursuant to section 236 (1) (b) of the LG Act. The role of Assessor assisting the Tribunal pursuant to 236 (1) (a) continues to be undertaken by Mr Tim Hurst, CEO, Office of Local Government, Department of Planning and Environment.

Section 2 Background

3. Section 239 of the LG Act provides for the Tribunal to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.
4. Section 241 of the LG Act provides for the Tribunal to determine, not later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.
5. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A (1) of the LG Act, to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission. The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.
6. The Tribunal is however able to determine that a council can be placed in another existing or a new category with a higher range of fees without breaching the government's wage policy pursuant to section 242A (3) of the LG Act.

Local Government Remuneration Tribunal

7. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2018 Determination

1. The Tribunal considered ten requests for re-categorisation having regard to the case put forward and the criteria for each category. A multi variable approach was adopted in assessing each council against all the criteria (not only population) for the requested category and the relativities within the categories.
2. The Tribunal noted that at the time of making the determination only the population data as of 2016 was available.
3. The Tribunal found that the current categorisation for the ten councils was appropriate and noted that some of those councils seeking to be moved are likely to meet the criteria for re-categorisation in future determinations in the medium term.
4. The Tribunal's 2018 Determination was made on 17 April 2018 and provided a general increase of 2.5 per cent which was consistent with the Government's policy on wages.

Section 3 2019 Review

5. The Tribunal wrote to all mayors in December 2018 advising of the commencement of the 2019 Annual Review. In doing so the Tribunal noted that it is only required to review the categories every three years and will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.
6. The Tribunal also stated that it does not intend to alter the groups that apply to individual councils unless there is a very strong case to do so. Any requests for a review should be supported by evidence which would indicate that the council is more appropriately allocated in another category based on the criteria.
7. The Tribunal also wrote to the President of Local Government NSW (LGNSW) in similar terms, and subsequently met with the President and Chief Executive of LGNSW. The Tribunal thanks the President and Chief Executive for making the time to meet with the Tribunal.
8. In response to this review the Tribunal received 20 submissions from individual councils and a submission from LGNSW. Those submissions addressed the allocation of councils into

Local Government Remuneration Tribunal

those categories and fees. The Tribunal also received a submission from a joint organisation requesting that the Tribunal determine the fees for members of the boards of joint organisations. A summary of the matters raised, and the Tribunal's consideration of those matters is outlined below.

Categorisation

9. Ten submissions received from councils requested re-categorisation now and two submissions requested re-categorisation when the Tribunal considers the categories in detail in 2020. Each of the ten requests for re-categorisation now were considered having regard to the case put forward and the criteria for each category.
10. At the time of making the determination the Tribunal had available to it the 30 June 2018 population data released by the Australian Bureau of Statistics (ABS) on 27 March 2019. In reviewing the submissions received the Tribunal also applied a multi variable approach assessing each council against all the criteria (not only population) for the requested category and the relativities within the categories.
11. The Tribunal finds that the allocation of councils into the current categories is appropriate but again notes that some of those councils seeking to be moved are likely to meet the criteria for re-categorisation in future determinations.
12. A few submissions have suggested alternative categorisation models. The Tribunal will consider this in detail in the 2020 review. The Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils.
13. A summary of the Tribunal's findings for each of the 2019 applications for re-categorisation is outlined in the following paragraphs.

Metropolitan Large

14. Canterbury-Bankstown and Penrith have sought re-categorisation to new categories noting that no changes to the categories of councils are planned until 2020. Canterbury-Bankstown has proposed a new categorisation model for consideration in the 2020 review. The proposed model would provide different categories for metropolitan councils. Penrith

Local Government Remuneration Tribunal

has again sought to be re-categorised to a new category - 'Metropolitan Large – Growth Centre'.

15. Both councils may wish to provide further details for consideration in the 2020 annual review.

Metropolitan Medium Councils

16. Inner West has again sought to be re-categorised to Metropolitan Large. The Tribunal outlined in the 2018 determination that Inner West did not demonstrate enough additional criteria to warrant re-categorisation at that time, but with population growth the council would likely be more comparable with other Metropolitan Large councils in the short to medium term.
17. The Tribunal has again considered in detail the features of Inner West having regard to the other criteria for Metropolitan Large councils. The Tribunal finds that Inner West does not provide the same degree of regional servicing or have an equivalent sphere of economic influence as other Metropolitan Large councils. This is supported by development and planning information published by the Greater Sydney Commission.
18. Inner West's June 2018 population of 198,024 is below the indicative population of other Metropolitan Large councils. Based on existing growth predictions it is likely Inner West will meet the minimum population threshold for inclusion in Metropolitan Large in 2020.

Metropolitan Small Council

19. Willoughby and Camden have sought to be re-categorised to Metropolitan Medium.
20. Willoughby's June 2018 population of 80,339 is below the indicative population of Metropolitan Medium Councils. The Tribunal outlined in the 2018 determination that Willoughby sought recognition of its scale of operations and businesses and regional significance of its centres and high percentage of non-resident visitors and workers. The Tribunal found the characteristics of the council were more appropriately aligned with those of other Metropolitan Small councils and found no case for it to be re-categorised at that time.
21. Willoughby's 2019 submission argues there is an over emphasis on resident population and no recognition of the complexity or burden on high volumes of non-resident populations.
22. As previously stated, the Tribunal considers a range of factors (not only population) in determining categories as required under section 240 of the LG Act. The Tribunal has again considered in detail the features of Willoughby having regard to the other criteria for other

Local Government Remuneration Tribunal

Metropolitan Medium councils and finds that Willoughby has not demonstrated the criteria to warrant inclusion in the Metropolitan Medium group at this time.

23. Camden's 2018 population of 94,159 is below the indicative population of Metropolitan Medium councils. The Tribunal has considered the features of Camden having regard to the other criteria for Metropolitan Medium councils. The Tribunal finds that Camden does not provide the same degree of regional servicing or have an equivalent sphere of economic influence as Metropolitan Medium councils. The Tribunal notes however that the ABS identifies that Camden has the largest and fastest population growth in NSW. Based on existing growth predictions it is likely Camden will meet the minimum population threshold for inclusion in Metropolitan Medium in 2020.

Regional Strategic Area Councils

24. Central Coast has sought to be re-categorised to Regional City. The council submits that its characteristics are more like Newcastle and Wollongong (Regional City) and substantially different to Lake Macquarie (Regional Strategic Area). The Tribunal finds that Central Coast has not demonstrated the additional criteria to warrant inclusion in the Regional City group.

Regional Rural Councils

25. Shellharbour and Port Macquarie have sought re-categorisation to Regional Strategic Area.
26. Shellharbour's June 2018 population of 72,240 is significantly below the indicative population of Regional Strategic Area councils. In addition, the submission was not supported by evidence which would indicate that the council is more appropriately allocated in another category based on the criteria.
27. Port Macquarie's June 2018 population of 83,131 is significantly below the indicative population of Regional Strategic Area councils. The Tribunal finds that Port Macquarie has not demonstrated the additional criteria to warrant inclusion in the Regional Strategic Area group.
28. Port Macquarie (as an alternative) and Mid-Coast sought to be re-categorised to a new category between Regional Strategic Area and Regional Rural. Both councils may wish to provide further details for consideration in the 2020 annual review.

Rural Councils

29. Muswellbrook and Federation have sought to be re-categorised to Regional Rural.

Local Government Remuneration Tribunal

30. Muswellbrook's June 2018 population of 16,383 and Federation's June 2018 population of 12,462 are well below the indicative population of Regional Rural councils. Both councils have not demonstrated the additional criteria to warrant inclusion in the Regional Rural group.
31. The Tribunal also undertook a review of Hilltops having regard to its 2018 submission and the Tribunal's findings that re-categorisation at that time was not warranted:

"41. Hilltops Council has sought to be re-categorised from Rural to Regional Rural. The new Hilltops Council is an amalgamation of three former councils in the Rural category (Young, Boorowa and Harden). The submission states that the new council has increased complexity of business and should be recognised as Regional Rural.

42. The Tribunal notes that Hilltops has a population of 19,150 (2016) which is just below the indicative population range of Regional Rural councils. The category of Regional Rural currently includes one council – Broken Hill – which has a population similar to that of Hilltops. Broken Hill warrants categorisation as Regional Rural in recognition of the degree of regional servicing it provides to far western NSW. It is not considered that Hilltops provides the same degree of regional services and on that basis re-categorisation is not warranted at this time."

32. Hilltops' June 2018 population of 18,782 is below the indicative population range of Regional Rural councils. The Tribunal has reviewed the additional criteria and finds no reason to alter its findings as outlined in the 2018 determination.

Fees

33. The LGNSW submission requested that the Tribunal increase fees by the allowable maximum of 2.5 per cent. The submission also repeated its view that the current arrangement for setting fees is inadequate and does not compensate elected members for the significant workload and range of responsibilities which are expanding. Comparative information was presented in respect to board fees, fees paid to mayors and councillors of councils in Queensland, and salaries for members of Parliament. A report detailing the findings of an independent review conducted on current remuneration paid to councillors and mayors was also provided. The LGNSW submission

Local Government Remuneration Tribunal

also requested that the Tribunal make a recommendation in support of the payment of superannuation.

34. Several submissions sought an increase to the allowable maximum of 2.5 per cent and raised similar issues to LGNSW in respect to the current fees not being adequate compensation for increased responsibilities and workload required to carry out mayoral and councillor duties and non-payment of superannuation. Several submissions also sought an increase significantly higher than the allowable 2.5 per cent or that fees be increased by benchmarking them to Principal CBD fees or population per councillor or using the base salary and allowances for Members of Parliament in the relevant region.
35. Two submissions also raised the matter of fees for deputy mayors. The Tribunal addressed this matter in the 2018 determination and will make no further comment.
36. The Tribunal has considered the submissions received. The Tribunal is mindful that the roles and responsibilities of councillors and mayors in NSW are outlined in the LG Act and notes that they are not necessarily comparable to the roles and responsibilities of councillors and mayors in other states, members of Parliament or members of boards and committees.
37. The Tribunal again notes that some of the other matters raised by submissions are more appropriately dealt with in the context of the current Local Government reform agenda and are outside the Tribunal's powers.
38. The Tribunal is required to have regard to the Government's wages policy when determining the increase to apply to the maximum and minimum fees that apply to councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.
39. The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and had regard to budgetary limitations imposed by the Government's policy of rate pegging, and finds that the full increase of 2.5 per cent is warranted. The 2.5 per cent increase will apply to the minimum and the maximum of the ranges for all existing categories.

Local Government Remuneration Tribunal

Other matters

40. The submission from LGNSW and several councils have again raised the matter of the non-payment of superannuation. The Tribunal addressed this matter in the 2018 determination as outline below and will make no further comment:

"54. The matter of the non-payment of superannuation has been previously raised in submissions to the Tribunal and is not a matter for the Tribunal to determine. Section 251 of the LG Act confirms that councillors are not employees of the council and the fee paid does not constitute a salary under the Act. The Tribunal notes that the Australian Tax Office has made a definitive ruling (ATO ID 2007/205) that allows councillors to redirect their annual fees into superannuation on a pre-tax basis and is a matter for councils (Ref: Councillor Handbook, Oct 2017, Office of Local Government p.69)."

41. The Tribunal also received a submission from the Canberra Region Joint Organisation (CRJO) although no invitation to do so was issued by the Tribunal. The CRJO has requested that the Tribunal set chair and member fees for joint organisations in the 2019 annual determination.
42. The Tribunal is constituted under Chapter 9, Part 2, Division 4 of the LG Act. The Tribunal's determinations apply to Councils, Mayors and Councillors within the meaning of Chapter 9 of the LG Act.
43. Joint organisations, including the Board of a joint organisation, are constituted under Chapter 12, Part 7 of the LG Act. The Tribunal's jurisdiction does not apply to joint organisations, as provided for in section 400ZH(3)(e) of the LG Act.
44. On that basis the Tribunal has no power to consider the CRJO submission and it is a matter that the CRJO may wish to raise with the Minister for Planning and Public Spaces who is the Minister responsible for the LG Act. The Tribunal has written to the CRJO in the above terms.

Conclusion

45. The Tribunal's determinations have been made with the assistance of the two Assessors - Mr Brian Bell and Mr Tim Hurst. The allocation of councils into each of the categories,

Local Government Remuneration Tribunal

pursuant to section 239 of the LG Act, is outlined in Determination No. 1. The maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils, pursuant to section 241 of the LG Act, are outlined in Determination No. 2.

The Local Government Remuneration Tribunal

(Signed)

Dr Robert Lang

Dated: 15 April 2019

Local Government Remuneration Tribunal

Section 4 Determinations

Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2019

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (8)	Metropolitan Medium (9)
Blacktown	Bayside
Canterbury-Bankstown	Campbelltown
Cumberland	Georges River
Fairfield	Hornsby
Liverpool	Ku-ring-gai
Northern Beaches	Inner West
Penrith	Randwick
Sutherland	Ryde
	The Hills
Metropolitan Small (11)	
Burwood	
Camden	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
North Sydney	
Strathfield	
Waverley	
Willoughby	
Woollahra	

Local Government Remuneration Tribunal

Table 2: General Purpose Councils – Non-Metropolitan

Regional City (2)		Regional Strategic Area (2)	
Newcastle		Central Coast	
Wollongong		Lake Macquarie	

Regional Rural (37)		Rural (57)	
Albury		Balranald	Kyogle
Armidale		Bellingen	Lachlan
Ballina		Berrigan	Leeton
Bathurst		Bland	Liverpool Plains
Bega		Blayney	Lockhart
Blue Mountains		Bogan	Moree Plains
Broken Hill		Bourke	Murray River
Byron		Brewarrina	Murrumbidgee
Cessnock		Cabonne	Muswellbrook
Clarence Valley		Carrathool	Nambucca
Coffs Harbour		Central Darling	Narrabri
Dubbo		Cobar	Narrandera
Eurobodalla		Coolamon	Narromine
Goulburn Mulwaree		Coonamble	Oberon
Griffith		Cootamundra-Gundagai	Parkes
Hawkesbury		Cowra	Snowy Valleys
Kempsey		Dungog	Temora
Kiama		Edward River	Tenterfield
Lismore		Federation	Upper Hunter
Lithgow		Forbes	Upper Lachlan
Maitland		Gilgandra	Uralla
Mid-Coast		Glen Innes Severn	Walcha
Mid-Western		Greater Hume	Walgett
Orange		Gunnedah	Warren
Port Macquarie-Hastings		Gwydir	Warrumbungle
Port Stephens		Hay	Weddin
Queanbeyan-Palerang		Hilltops	Wentworth
Richmond Valley		Inverell	Yass
Shellharbour		June	
Shoalhaven			
Singleton			
Snowy Monaro			
Tamworth			
Tweed			
Wagga Wagga			
Wingecarribee			
Wollondilly			

Local Government Remuneration Tribunal

Table 3: County Councils

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie

Local Government Remuneration Tribunal

Determination No. 2- Determination Pursuant to Section 241 of Fees
for Councillors and Mayors

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2019 are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Regional City	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Rural	9,190	20,280	19,580	44,250
	Rural	9,190	12,160	9,780	26,530
County Councils	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Local Government Remuneration Tribunal

(Signed)

Dr Robert Lang

Dated: 15 April 2019

Local Government Remuneration Tribunal

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety has been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Local Government Remuneration Tribunal

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum population of 200,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum population of 100,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Local Government Remuneration Tribunal

Regional City

Councils categorised as Regional City will typically have a population above 150,000. These councils are metropolitan in nature with major residential, commercial and industrial areas. These Councils typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development.

These councils provide a full range of higher order services and activities along with arts, culture, recreation and entertainment facilities to service the wider community and broader region. These councils typically also contain ventures which have a broader State and national focus which impact upon the operations of the council.

Newcastle City Council and Wollongong City Councils are categorised as Regional City.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Rural category on the basis of their significant population. Councils categorised as Regional Strategic Area will typically have a population above 200,000. These councils contain a mix of urban and rural settlements. They provide a range of services and activities including business, office and retail uses, along with arts, culture, recreation and entertainment facilities to service the wider community. These councils host tertiary education campuses and health facilities.

While councils categorised as Regional Strategic Area may have populations which exceed those of Regional City, they would not typically provide the same range of regional services or have an equivalent sphere of economic influence.

Central Coast Council and Lake Macquarie Council are categorised as Regional Strategic Area.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum population of 20,000.

Other features which distinguish them from other non-metropolitan councils include:

- a major town or towns with the largest commercial component of any location in the surrounding area
- a significant urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages or may be located on or close to the coast with high levels of population and tourist facilities
- provide a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- regional services to the wider community through principal referral hospitals, tertiary education services and major regional airports
- these councils may also attract large visitor numbers to established tourism ventures.

Local Government Remuneration Tribunal

Rural

Councils categorised as Rural will typically have a population below 20,000.

Other features which distinguish them from other non-metropolitan councils include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Noxious Weeds Act 1993*.

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV34/19
Subject:	LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - 14 TO 16 OCTOBER 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.
CSP Strategy:	We partner with the community, business and Federal and State Government in the achievement of our goals.
Delivery Plan Action:	Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region.

SUMMARY

The purpose of this report is for Council to consider Council representation and Council's voting delegate at the Local Government NSW Annual Conference to be held in Sydney) from Monday, 14 to Wednesday, 16 October 2019 at the William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Approve the attendance of the Mayor and Chief Executive to represent Council at the Local Government NSW Annual Conference at Warwick Farm, 14 to 16 October 2019.**
- (2) Endorse the Mayor as the voting delegate of Tenterfield Shire Council for the Annual Conference.**
- (3) Consider motions for submission to the 2019 Local Government NSW Annual Conference.**

BACKGROUND

The Local Government NSW Annual Conference has traditionally been attended by the Mayor and Chief Executive with the Mayor as the voting delegate with costs allocated in Council's 2019/2020 budget accordingly.

As 2019 is a Board election year, voting for the LGNSW President and Director positions will also take place at this year's Conference.

REPORT:

The Conference is the annual policy-making event for NSW general-purpose Councils, associated members and the NSW Aboriginal Land Council.

It is the pre-eminent event of the Local Government year where local Councillors come together to share ideas and debate issues that shape the way we are governed.

Our Governance No. 34 Cont...

The Conference will provide the opportunity for the Mayor and Chief Executive to meet with other Local Government representatives and politicians.

All members can put forward motions to be considered at the Conference. Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

Members are requested to submit motions by midnight, Monday, 19 August 2019 although in line with the LGNSW rules, the latest date motions will be accepted for inclusion in the Conference Business Paper is midnight, Monday, 16 September 2019.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil.

2. Policy and Regulation

- *Payment of Expenses & Provision of Facilities to Councillors Policy* (Policy Statement 1.160)

3. Financial (Annual Budget & LTFP)

Allocation has been made in the 2019/2020 budget for the attendance of the Mayor and/or Councillors and the Chief Executive at Conferences, however an estimate of cost per delegate is as follows:

- | | |
|-------------------------------------|--|
| • Estimated Early Bird Registration | \$900.00 (not confirmed at this time) |
| • Accommodation (2 nights) | \$350.00 per night allowable as per Policy |
| • Airfares (Ballina/Sydney) | \$350.00 pp return (approx) |

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Motions for submission require adoption by Council. A report will be presented at the July 2019 Ordinary Council Meeting.

Terry Dodds
Chief Executive

Our Governance No. 34 Cont...

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

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Customer Service, Governance & Records
Reference:	ITEM GOV35/19
Subject:	TENTERFIELD SHIRE COUNCIL CODE OF CONDUCT 2018, PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT 2018 AND CODE OF MEETING PRACTICE 2018

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK	
CSP Goal:	Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan.
CSP Strategy:	Council fosters a strong organisational culture which strives for best practice in all operations with a supportive corporate governance framework.
CSP Delivery Program	Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate management.

SUMMARY

The purpose of this report is to advise Council that the 2018 Model Code of Conduct for Local Councils in NSW, the 2018 Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW and the 2018 Model Code of Meeting Practice, prescribed in the NSW *Local Government Act 1993* and *Local Government (General) Regulation 2005* on 14 December 2018, are required to now be adopted following public exhibition. There were no community comments submitted during the public exhibition and community comment periods from 27 March 2019 to 8 May 2019.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Adopt the 2018 Model Code of Conduct for Local Councils in NSW as the Tenterfield Shire Council Code of Conduct 2018 (Attachment 4, Attachment Booklet 3);**
- (2) Adopt the 2018 Administration of the Model Code of Conduct for Local Councils in NSW as the Tenterfield Shire Council Procedures for the Administration of the Code of Conduct 2018 (Attachment 5, Attachment Booklet 3), and**
- (3) Adopt the 2018 Model Code of Meeting Practice for Local Councils in NSW as the Tenterfield Shire Council Code of Meeting Practice 2018 (Attachment 6, Attachment Booklet 3).**

BACKGROUND

Under Section 440 of the NSW *Local Government Act 1993*, the Tenterfield Shire Council Code of Conduct sets the minimum requirements of behaviour for council officials in carrying out their functions. The Code is supported by a set of Procedures which provide information and guidance on the application of the Code.

Our Governance No. 35 Cont...

Under Section 360 of the NSW *Local Government Act 1993*, the aim of the Tenterfield Shire Council Code of Meeting Practice is to achieve Council and Committee meetings which are orderly, efficient and earn the respect of the community, Council and Committee meetings which display open government and allow access and participation by the community, and standards which promote and contribute to the democratic process.

REPORT:

The current Tenterfield Shire Council Code of Conduct, as adopted in March 2016 (Resolution No. 58/16), is based on the NSW Office of Local Government 2015 Model Code of Conduct and has been developed to assist council officials to:

- understand the standards of conduct that are expected of them;
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence, and
- act in a way that enhances public confidence in the integrity of local government.

The associated Procedures for the Administration of the Code provide examples and further reference material on matters covered in the Code.

The NSW Office of Local Government undertook an extensive review and update of the 2015 Model Code of Conduct and 2015 Procedures for the Administration of the Model Code of Conduct during 2017 and 2018. Council was consulted on the draft versions of both the Model Code of Conduct and the Procedures for the Administration of the Model Code of Conduct in 2017 and 2018.

The current Tenterfield Shire Council Code of Meeting Practice, as adopted in September 2016 (Resolution No. 248/16), is based on the NSW Office of Local Government 2016 Model Code of Meeting practice and has been developed to assist council officials to:

- contribute to, and make, good public decisions that are based on sound and adequate information, and
- increase Council's transparency and accountability to the community.

The NSW Office of Local Government has undertaken an extensive review and update of the 2016 Model Code of Meeting Practice during 2017 and 2018. Council was consulted on the draft version of the Model Code of Meeting Practice in 2018.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Council placed the Draft 2018 Model Code of Conduct for Local Councils in NSW, the Draft 2018 Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, and the Draft Model Code of Meeting Practice for Local Councils in NSW 2018 as the Draft Tenterfield Shire Council Code of Conduct 2018, the Draft Tenterfield Shire Council Procedures for the Administration of the Code of Conduct, and the Draft Tenterfield Shire Council Code of Meeting Practice 2018 on public exhibition for 28 days, for community comments up to 42 days, from 27 March 2019 to 8 May 2019. No community comments were received.

Our Governance No. 35 Cont...

2. Policy and Regulation

- *NSW Local Government Act 1993*
- *NSW Local Government (General) Regulation 2005*

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Kylie Smith
Chief Corporate Officer

Prepared by staff member:	Erika Bursford, Manager Customer Service, Governance & Records	
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer	
Department:	Office of the Chief Corporate Officer	
Attachments:	1 Attachment 4 (Attachment Booklet 3) - Tenterfield Shire Council Code of Conduct 2018	47 Pages
	2 Attachment 5 (Attachment Booklet 3) - Tenterfield Shire Council Procedures for the Administration of the Code of Conduct 2018	37 Pages
	3 Attachment 6 (Attachment Booklet 3) - Tenterfield Shire Council Code of Meeting Practice 2018	39 Pages

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV36/19
Subject:	FINANCE & ACCOUNTS - 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 is a financially sustainable organisation, delivering value services to the Community.
CSP Delivery Program	Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels.

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council receive and note the Finance and Accounts Report for the period ended 31 May 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 31 May 2019.

Cash Book Balances on this date were as follows:-

General (Consolidated)	\$	4,275,859.84	Credit
General Trust	\$	313,266.50	Credit

Our Governance No. 36 Cont...

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 31 May 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 May 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. 36 Cont...

Prepared by staff member:	Jessica Wild, Management Accountant; Sue Chorley, Acting Manager Finance & Technology
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
Department:	Office of the Chief Corporate Officer
Attachments:	1 Investment Summary as at 31 May 2019 1 Page

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 31 MAY 2019

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
Commonwealth Bank	AA-	At Call		1.50%	831,327.59	8.05%
Commonwealth Bank	AA-	365 Days	25/Sep/19	2.72%	1,000,000.00	9.68%
Commonwealth Bank	AA-	90 Days	01/Jul/19	2.56%	3,500,000.00	33.88%
<u>TOTAL CBA INVESTMENTS</u>					<u>5,331,327.59</u>	<u>51.60%</u>
Bankwest	AA-	90 Days	01/Jul/19	2.50%	5,000,000.00	48.40%
<u>TOTAL BANKWEST INVESTMENTS</u>					<u>5,000,000.00</u>	<u>48.40%</u>
INVESTMENTS TOTAL					10,331,327.59	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

By:

P. Della

* Except as highlighted in the associated Council Report.

Department:	Office of the Chief Corporate Officer
Submitted by:	Acting Manager Finance & Technology
Reference:	ITEM GOV37/19
Subject:	CAPITAL EXPENDITURE REPORT AS AT 31 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 is a financially sustainable organisation, delivering value services to the Community.
CSP Delivery Program	Collaborate and deliver resources with other organisations to ensure a variety of cost effective services across the service area.

SUMMARY

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

OFFICER'S RECOMMENDATION:

That Council receive and note the Capital Expenditure Report for the period ended 31 May 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.

Additional loan funds of \$1.051M have been secured, for finalisation of the Dam Wall Project, as approved at Council's May 2019 meeting (Resolution 97/19).

Our Governance No. 37 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.

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:	Sue Chorley, Acting Manager Finance & Technology
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
Department:	Office of the Chief Corporate Officer
Attachments:	1 Attachment 7 (Attachment Booklet 4) - Capital Expenditure for Period May 2019 4 Pages

(ITEM RC10/19) REPORTS OF COMMITTEES & DELEGATES - BORDER REGION ORGANISATION OF COUNCILS - 10 MAY 2019

REPORT BY: Peter Petty, Chairperson, Mayor

A meeting of the Border Region Organisation of Councils (BROC) was held on Friday, 10 May 2019 at Warwick (Southern Downs Regional Council).

Minutes of the Meeting are attached.

RECOMMENDATION

That the report and recommendations from the meeting of the Border Regional Organisation of Councils held 10 May 2019 be received and noted.

ATTACHMENTS

- 1 Minutes of Border Region Organisation of Council - 10 May 2019 7 Pages



MINUTES 10 May 2019 - Warwick

Venue:	Southern Downs Regional Council Chamber, 64 Fitzroy Street, Warwick	Date:	Friday 10 May 2019
Chair:	Mayor Peter Petty - Tenterfield	Time:	10.05 am
Attendees:	Mayor Peter Petty, Cr Brian Murray, CE Terry Dodds, Noelene Hyde	Tenterfield Shire Council	
	Cr Kate Dight	Inverell Shire Council	
	Cr Stephen Ritchie, GM Lester Rodgers	Moree Plains Shire	
	Cr Joan White	Goondiwindi Regional Council	
	CEO Matthew Magin	Balonne Shire Council	
	Cr John Coulton, GM Max Eastcott	Gwydir Shire Council	
	Cr Neil Meiklejohn, Mayor Tracy Dobie, CEO David Keenan	Southern Downs Regional Council	
	GM Greg Ingham	Walgett Shire Council <i>By Teleconference</i>	
	Mr James McTavish	Cross Border Commissioner	
	Ms Trudi Bartlett	RDA Darling Downs South West	
	Mr Ray Lambert – SDRC Local Laws Coordinator	Guest Speaker	
	Mr Scott Smith – CEO, Council of Mayors, SE Qld	Guest Speaker	
	Mrs Kelly Foran – Friendly Faces Helping Hands Foundation	Guest Speaker	
File Ref:	NAM2019143		

1.	Meeting Open: 10.05 am Welcome: Mayor of Southern Downs Regional Council, Cr Tracy Dobie, extended a welcome to Warwick and SDRC. Mayor Dobie spoke about the current drought situation which is affecting all Councils in the BROC Region, stressing that it has moved from a feed drought to a more catastrophic water drought. Mayor Dobie advised that SDRC are approaching the water shortage as a “disaster” event.		
2.	Apologies:		
	Cr Richard Marsh	Balonne Shire Council	
	Cr Frances Young	Gwydir Shire Council	

	Cr Manuel Martinez	Walgett Shire Council
	Stewart Berryman	Inverell Shire Council
	Hon Adam Marshall MP	Member for Northern Tablelands
	Nathan Axelsson	RDA Northern Inland
	Russell Stewart	RDA Northern Inland
	Linda Keeshan	QLD Cross Border Representative
	Moved that the Apologies be accepted: Gwydir Seconded: SDRC CARRIED	
3.	Minutes of Meeting: 15 February 2019 (Inverell)	
3.1	Matters Arising from the Minutes	
3.1.1	<p>BROC Transport Plan – Information to be followed up and clarified. Noted that the Bruxner Way may be incorporated in the State Government’s Regional Road Network.</p> <p>Lester Rodgers advised the IPWEA Road Congress being held in Sydney on Monday, 3 June 2019.</p>	
	Moved that the Minutes be accepted: Inverell Seconded: Goondiwindi CARRIED	
4.	Correspondence	
4.1	Inwards: <ul style="list-style-type: none"> Bank Statements Warwick Credit Union & National Australia Bank Fixed Term Certificate – Warwick Credit Union Hon Mark Furner MP – Response – Operational Costs – Meat Processing Industry (letter tabled) 	
4.2	Outwards: <ul style="list-style-type: none"> Cheque Payment – Top of the Town Motel Hon David Littleproud MP – Murray Darling Basin Plan – Proposed Review Hon Adam Marshall MP & Others – Operational Costs – Meat Processing Industry Issue of Tax Invoices for Annual BROC Membership 	
4.3	Matters arising from Correspondence:	
4.3.1	Cr Coulston sought clarification of payments for dinner on the evening prior to BROC meetings – referred to General Business.	
	Moved that correspondence be accepted: Balonne Seconded: Inverell CARRIED	
5.	Financial Report as at 8 February 2019	
5.1	Transactions since last meeting: <u>National Australia Bank – 69-022-2187</u>	
	Opening Balance as at 12 February 2019	\$5,109.26

	<table> <tr> <td>Cheque Payment – Top of the Town Motel Restaurant</td><td>\$ 320.00</td></tr> <tr> <td>Moree Plains Shire Council – Annual Membership</td><td>\$ 500.00</td></tr> <tr> <td>Goondiwindi Regional Council – Annual Membership</td><td>\$ 500.00</td></tr> <tr> <td>Interest</td><td>\$ 0.11</td></tr> <tr> <td>Balonne Shire Council – Annual Membership</td><td>\$ 500.00</td></tr> <tr> <td>Inverell Shire Council – Annual Membership</td><td>\$ 500.00</td></tr> <tr> <td>Gwydir Shire Council – Annual Membership</td><td>\$ 500.00</td></tr> <tr> <td>Balance as at 11 April 2019</td><td>\$7,289.37</td></tr> </table> <p><u>National Australia Bank – Term Deposit 42-388-8697</u></p> <table> <tr> <td>Lodged 27 Sept to 27 Dec 2018 (3 month)</td><td>\$10,000.00</td></tr> <tr> <td>Re-invested 27 December 2018 for 12 months @ 2.75%</td><td>\$10,052.36</td></tr> <tr> <td>Maturity Date – 27 December 2019</td><td></td></tr> </table> <p><u>Warwick Credit Union – 400379187</u></p> <table> <tr> <td>Closing Balance 31 March 2019</td><td>\$ 0.18</td></tr> </table> <p><u>Warwick Credit Union – Fixed Term Deposit 100005924</u></p> <table> <tr> <td>Opening Balance as at 31 March 2019</td><td>\$20,840.29</td></tr> <tr> <td>Interest Paid 2.25%</td><td>\$115.62</td></tr> <tr> <td>Reinvested 22 April 2019</td><td>\$20,955.91</td></tr> <tr> <td>Maturity Date – 22 July 2019</td><td></td></tr> </table>	Cheque Payment – Top of the Town Motel Restaurant	\$ 320.00	Moree Plains Shire Council – Annual Membership	\$ 500.00	Goondiwindi Regional Council – Annual Membership	\$ 500.00	Interest	\$ 0.11	Balonne Shire Council – Annual Membership	\$ 500.00	Inverell Shire Council – Annual Membership	\$ 500.00	Gwydir Shire Council – Annual Membership	\$ 500.00	Balance as at 11 April 2019	\$7,289.37	Lodged 27 Sept to 27 Dec 2018 (3 month)	\$10,000.00	Re-invested 27 December 2018 for 12 months @ 2.75%	\$10,052.36	Maturity Date – 27 December 2019		Closing Balance 31 March 2019	\$ 0.18	Opening Balance as at 31 March 2019	\$20,840.29	Interest Paid 2.25%	\$115.62	Reinvested 22 April 2019	\$20,955.91	Maturity Date – 22 July 2019	
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6.	Guest Speakers																																
6.1	<p>Mr James McTavish – Cross Border Commissioner/Regional Town Water Supply Coordinator advised that with current water issues, there is an enormous amount of activity going on.</p> <p>Cross Border Issues – The Cross Border portfolio has been moved from Dept Premier & Cabinet to Department of Planning, Industry & Environment. The push for functional economic regions is being received and accepted by DIRC however there are issues with Treasury in the way regional infrastructure is assessed.</p> <p>An Infrastructure Fund of \$12m has been allocated for spending in the next term of NSW State Government. This is available for bridges, tourism and investment in roads and related infrastructure but requires a co-contribution.</p> <p>Emergency resources are separate across the States but there is a need to ensure that there is a greater commitment for access and shared resources.</p> <p>Regional Town Water Supply Issues Ongoing issues have been made worse by changes in the NSW Government and have been highlighted by the drought. There is a need to address issues of infrastructure and policy while we have the opportunity and the issue is current.</p>																																

	<p>Water administration and licensing is intensely bureaucratic and inefficient in NSW. There is substantial risk of failure of water dependant industry and a high variability in water resources in various areas.</p> <p>Financial sustainability in the water space is very difficult together with a lack of planning for water availability and poor co-ordination within and between catchment areas.</p> <p>There is a poor understanding in metropolitan areas of the water needs of regional areas, an issue regarding complexities of water within Aboriginal communities and the fact that hobby farmers and owners of large urban properties are not able to access the same support as primary producers.</p> <p>The NSW Government is committed to address issues of local water utilities in terms of availability, safety and acceptability and is committed to work with Local Government to program future needs however the Government agencies need a big shift in culture.</p> <p>In closing, Mr McTavish advised that Federally, there is a commitment to build more dams.</p> <p>Mr McTavish left the meeting following his presentation.</p>
6.2	<p>Mr Ray Lambert – Southern Downs Regional Council Local Laws Coordinator – provided an overview of SDRC's new approach to managing invasive pests through their Invasive Pest Control Scheme.</p> <p>Although there was initial resistance, the new Scheme has achieved very positive results. The Scheme evolved as a result of landowners approaching Council to bring pressure to bear on neighbours who were not dealing with pests.</p> <p>The Scheme requires property owners to have a Plan in place and has achieved a 92% return rate as property owners realise that the cost to control and eradicate pests is not as great as they had supposed.</p> <p>Other positive outcomes have been the allocation of \$1.25m for cluster (exclusion) fencing which is creating off farm employment and the fact that National Parks are now engaged with Council in a way they have not been in the past.</p>
6.3	<p>Mr Scott Smith – Chief Executive Officer, Council of Mayors, South East Queensland – advised that this organisation works as a collaborative group with equal voting rights. Established in 2005, it is the largest advocacy body for local government in Queensland and has a membership of 10 south east Qld Councils.</p> <p>Three (3) major initiatives and game changing plans for south east Queensland include:</p> <ul style="list-style-type: none"> • <i>People Mass Movement Study</i> Population growth for the area is anticipated at 47% for the next 25 years. Considers options for faster rail network to service Toowoomba.

	<ul style="list-style-type: none"> • <i>SEQ City Deal</i> This was set up to ensure tax dollars will be reinvested in the local area and Government agreement to commence negotiations has been received with an estimated timeframe of 12 – 18 months. The Plan will evolve over 20 years and will engage all 3 tiers of Government. • <i>SEQ 2032 Olympic and Paralympic Games</i> Planning has commenced for an event that will have huge benefit the region, adding much needed infrastructure and bringing tourism dollars. The project needs to be cost neutral and was initially led by the Mayors of South East Queensland but now has the support of Government following a visit by the IOC President. <p>Other projects being undertaken are:</p> <ul style="list-style-type: none"> • Resilient Rivers • SEQ Food Trails (online tool) • SMART Region
6.4	<p>Mrs Kelly Foran – CEO of Friendly Faces Helping Hands Foundation – <i>Friendly Faces Helping Hands Foundation</i> is a website designed to network communities and their people to hospitals and health facilities and provides information on accommodation, parking, cheap eats, childcare and other facilities that are located around each metropolitan hospital as well as links to support networks, social workers and counsellors.</p> <p>The Foundation aims to make stays in city hospitals as easy as possible for country people, so far assisting over 80,000 people deal with their health issues. The current drought situation is creating delay and avoidance issues for country people who are in need of health care, an issue which <i>Friendly Faces Helping Hands</i> is working hard to address.</p> <p>The Foundation receives no Government assistance but relies on funding from country people who are making donations of horses, dogs, cars etc which the Foundation sells. Volunteers from all over Australia are there to assist those for whom the journey to access medical care may be just too difficult.</p>
	<p>Meeting Adjourned for Lunch – 12.45 pm Meeting Reconvened – 1.20 pm</p> <ul style="list-style-type: none"> • SDRC CEO David Keenan left the meeting • Walgett GM Greg Ingham left the meeting (teleconference)
7.	Items Listed
7.1	<p>Bruxner Way Traffic Counts – Reports from Tenterfield Shire Council and Inverell Shire Council – referred to Bruxner Way Joint Committee.</p> <p>Tenterfield Shire Council Mayor Peter Petty has written to The Hon Paul Toole MP, Minister for Regional Transport & Roads regarding reinstatement of the Bruxner Way as part of the State Regional Road Network. No response has yet been received.</p> <p>The Hon Adam Marshall MP is also advocating for this reinstatement.</p>

8.	General Business
8.1	<p>Presentation by Mrs Kelly Foran – Friendly Faces Helping Hands Foundation Cr Joan White requested that Councils encourage Regional Disability Advocacy Services Toowoomba to work with the Foundation as it covers cross border areas and the drought is exacerbating the health and wellbeing situations of many country people.</p>
	<p>Moved: That BROC donate \$1,000 to Friendly Faces Helping Hands Foundation and review every twelve (12) months: Gwydir Seconded: Inverell CARRIED</p>
8.2	<p>Evening Meal for BROC Members Prior to Meeting: Cr John Coulton sought clarification with respect to payment for the meal. This is an important event for attendees and particularly those who travel long distances to attend.</p> <p>Cr Neil Meiklejohn stressed that attendees need to operate within the governance framework across the 2 separate States.</p> <p>ACTION: Terry Dodds to investigate and bring information back to the August 2019 meeting.</p>
8.3	<p>Outstanding Cross Border Issues: Cr Joan White raised the issue of police response as a cross border issue as it appears no action has been taken and issues have not been solved. Goondiwindi Regional Council will be taking up at a Ministerial level.</p> <p>Mayor Peter Petty advised that there are still radio communication problems with Rural Fire Service. However, local police now have radios to communicate across the border.</p> <p>Lester Rodgers suggested that BROC continue to support the initiatives outlined by the Cross Border Commissioner and continue to get regular updates and status reports, and that BROC support liaison with the relevant State Members by Councils.</p>
8.4	<p>BROC Transport Plan: Currently there is \$10,000 quarantined to undertake a CSIRO study on the Bruxner Way.</p> <p>Mayor John Coulton advised that funds remain quarantined to clarify and update the existing study and to look at opportunities and work identified - Moree to put up a proposal.</p> <p>ACTION: Angus Witherby to provide an update at the August 2019 meeting.</p>
8.5	<p>Cross Border Waste: Terry Dodds advised that the EPA has changed the rules relating to waste being moved cross border. Details regarding cost and chain of custody (with consignment notes) need to be provided to EPA along with proof of disposal.</p> <p>ACTION: RDA Darling Downs & South West to provide aggregating and waste value information to the August 2019 meeting.</p>

9.	Next Meeting Walgett Shire Council @ 10.00 am Friday, 9 August 2019
10.	Meeting Closed – 2.00 pm.

ACTION ITEM LOG			
Officer	Item	Listed	Outcome
Exec	Commission further research on rural roads	04/05/18	
RDANI	Provide figures for Inverell – Manufacturing as a growth industry (meat processing)	15/02/19	
Exec	Reinvite Mr Newton (Bindaree Beef) to a future meeting	15/02/19	
RDANI	Skilled Migrant Workers – figures for each Shire and copy of correspondence	15/02/19	
Exec	Letter and donation to Friendly Faces Helping Hands Foundation	10/5/19	
Tenterfield	Investigate and bring information to August 2019 meeting regarding governance applicable to the pre BROOC meeting meal.	10/5/19	
RDA DDSW	Provide aggregating and waste value information to the August 2019 meeting.	10/5/19	

(ITEM RC11/19) REPORTS OF COMMITTEES & DELEGATES - NEW ENGLAND JOINT ORGANISATION - 27 MAY 2019

REPORT BY: Peter Petty, Mayor

Mayor Peter Petty and Chief Executive Terry Dodds attended the meeting of the New England Joint Organisation held at Uralla Shire Council on Monday, 27 May 2019.

Minutes of the meeting are attached.

RECOMMENDATION

That the report and recommendations from the New England Joint Organisation meeting of 27 May 2019 be received and noted.

ATTACHMENTS

- 1 Minutes of New England Joint Organisation - 27 May 2019 6 Pages

MINUTES OF THE NEW ENGLAND JOINT ORGANISATION OF COUNCILS (NEJO) MEETING HELD ON 27 MAY 2019 IN THE COUNCIL CHAMBERS, URALLA SHIRE COUNCIL, 32 SALISBURY STREET, URALLA COMMENCING AT 10.30AM

Present: Cr Michael Pearce (Chairperson) and Mr Andrew Hopkins (Uralla Shire Council), Cr Simon Murray and Ms Susan Law (Armidale Regional Council), Cr Carol Sparks and Mr Graham Price (Glen Innes Severn Council), Cr Paul Harmon and Mr Paul Henry (Inverell Shire Council), Cr Peter Petty and Mr Terry Dodds (Tenterfield Shire Council), Cr Cathy Redding and Mr Stewart Todd (Narrabri Shire Council), Cr Katrina Humphries (Moree Plains Shire Council), Ms Alison McGaffin (Director New England & North West, DPC Regional), Jodie Healy (Office Local Government).

Jodie Healy arrived 10.50am.

Meeting opened at 10.30am

1 APOLOGIES

An apology was received from Lester Rogers (Moree Plains Shire Council).

Moved: Inverell Seconded: Tenterfield

That the apology from Lester Rogers be received and noted.

2 DISCLOSURE OF CONFLICT OF INTEREST/PECUNIARY AND NON-PECUNIARY INTERESTS

No disclosures were made by members.

3 MINUTES OF THE PREVIOUS MEETING HELD 22 FEBRUARY, 2019

Moved: Tenterfield Seconded: Inverell

That the minutes of the meeting held 22 February, 2019 be adopted as a true and accurate record.

4 REPORTS

4.1 NORTHERN INLAND REGIONAL WASTE GROUP - STRATEGIC PARTNERSHIP

Moved: Inverell Seconded: Armidale

1/19 RESOLUTION

- A. That NEJO endorse the establishment of a strategic partnership with NIRW,
- B. That NIRW be requested to:
 - i) Prepare a Position Paper for the Board on the 20YWS Discussion Paper when this document is released by the NSW EPA, and
 - ii) Consider which elements of the waste stream could be utilised for an alternate use and that a business case be prepared for the reuse of this material.

Minutes of the NEJO Meeting – 27 May 2019

- C. *That an MOU be prepared to establish the parameters of this strategic partnership and that a General Manager of a member Council be requested to be the 'sponsor' of the relationship with NIRW.*

Note: The General Manager of Inverell Shire Council has consented to be the 'sponsor' of this issue.

CARRIED

4.2 MEMBERSHIP APPLICATION – NEW ENGLAND WEEDS AUTHORITY (NEWA) WORK PLAN – EXECUTIVE OFFICER

Moved: Tenterfield Seconded: Armidale

Motion

- A. That the application from NEWA be accepted,
- B. That Clause 3.2 of the NEJO Charter be amended to include NEWA as an 'other member',
- C. That NEWA have no voting entitlements, and
- D. That the membership fee for NEWA in 2019/20 be \$2.5K.

After debate this motion was withdrawn.

Moved: Narrabri Seconded: Moree

2/19 RESOLUTION

- A. *That the Executive Officer prepare a set of eligibility criteria for the Board to utilise when assessing applications for organisations wishing to be granted 'other member' status,*
- B. *That the application from NEWA be considered after determination of the eligibility criteria.*

CARRIED

4.3 APPOINTMENT OF EXECUTIVE OFFICER (LISTING)

Moved: Inverell Seconded: Tenterfield

3/19 RESOLUTION

That the matter be referred to Closed Committee for consideration as:

- 1 *the report includes 'Personnel matters concerning particular individuals (other than councillors)' (Section 10A(2)(a) of the Local Government Act, 1993); and*
- 2 *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.*

Minutes of the NEJO Meeting – 27 May 2019

CARRIED

4.4 TRANSPORT STUDY BRIEF

Moved: Inverell Seconded: Armidale

4/19 RESOLUTION

- A. *That the draft Consultant Brief be endorsed, subject to including information in relation to the Deputy Premier's proposal 'Paddock to Plane' initiative,*
- B. *That the membership of the assessment panel be endorsed – being the Chairperson, Executive Officer and the Senior Regional Planning (Northern) of RMS, and*
- C. *That the Chairperson be delegated authority to appoint the consultant to carry out the brief, following an assessment of Expressions of Interest by the assessment team.*

CARRIED

4.5 AUDIT SERVICES

Moved: Moree Seconded: Narrabri

5/19 RESOLUTION

- A. *That the information be noted, and*
- B. *That representations be made to the Audit Office for a review of the quoted fee.*

CARRIED

4.6 QUARTERLY FINANCIAL REVIEW

Moved: Armidale Seconded: Moree

6/19 RESOLUTION

- A. *That the Income and Expenditure Statement be received and noted, and*
- B. *That the Chairperson be authorised to approve the administrative services contribution to Inverell Shire Council covering the period December 2018 to commencement of duties by the Executive Officer.*

CARRIED

4.7 2019/20 OPERATIONAL PLAN

Moved: Tenterfield Seconded: Inverell

7/19 RESOLUTION

Minutes of the NEJO Meeting – 27 May 2019

- A. That the Draft Operational Plan 2019/20 be adopted,
- B. That member Councils be provided with a copy of the document and be permitted 28 days to comment on the document,
- C. That Member Councils place the NEJO Draft Operational Plan on their Council's website for 28 days public exhibition, and
- D. The Board meet by 'teleconference' to adopt the Operational Plan.

CARRIED

5. NEJO MEETING DATES (26 AUGUST & 25 NOVEMBER 2019) - VENUES TO BE DETERMINED

The Board determined that the next meetings of NEJO be:

26 August, 2019 Narrabri Council Chambers
25 November, 2019 Tenterfield Council Chambers

6. GENERAL BUSINESS

1. Armidale

Suggested that NEJO could initiate a joint procurement process for the benefit of members.

Action That Armidale prepare a discussion paper for consideration by GMAC.

2. Uralla

Noted that Water Security is a significant issue for most members and NEJO needs to develop a position on this issue.

Action

- a) That GMAC ascertain the following information:
 - What is the status of water supplies in each members area, and
 - What is the State Government's position on increasing water storage capacity within the State
- b) That GMAC suggest a position on Water Security for the Board to consider.

3. Tenterfield

Expressed concern with the process for obtaining timely decision on actions/solutions for addressing town water supply problems. Supported by Armidale.

Moved: Moree Seconded: Tenterfield

8/19 RESOLUTION

Minutes of the NEJO Meeting – 27 May 2019

That NEJO request the Department Industry (Water) to review Departmental policy guidelines which set out the process for Councils to obtain approval for proposals that provide alternative water supply solutions for communities facing critical water shortages. The guidelines to be amended to require the Department to provide a determination of Council 's alternative supply proposals prior to the existing supplies being exhausted, rather than the 'complete depletion' of existing supplies being the trigger for a decision.

CARRIED

4. Inverell

Requests that a letter of congratulations be sent to Minister Hancock on her appointment.

5. Moree

Recent Emergency Services Levy increases are a matter of great concern to Councils, particularly after draft Operational Plans have been prepared.

Moved: Moree Seconded: Armidale

9/19 RESOLUTION

That the Minister for Emergency Services reviews the recently announced increases in the Emergency Services Levy and rescinds the increases.

6. Department Premier & Cabinet

Drew attention to options for funding the Joint Organisations. The three (3) options proposed were not acceptable to the Board. The preferred option is for the State Government to make an untied grant to the JO's to meet operating costs.

CONFIDENTIAL REPORTS IN CLOSED MEETING

At 12.46pm, the Organisation proceeded to consider the motion to close the meeting to the press and public.

CLOSED COMMITTEE REPORTS

Moved: Inverell Seconded: Tenterfield

10/19 RESOLUTION

That the Organisation proceed into Closed Committee to discuss the matters referred to it, for the reasons stated in the motion of referral.

CARRIED

Minutes of the NEJO Meeting – 27 May 2019

Upon resuming Open Meeting at 12.49pm, the Chair verbally reported that the Organisation had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend the following:

4.8 APPOINTMENT OF EXECUTIVE OFFICER (CONFIDENTIAL)

- A. *That Brooke Southwell be offered the position of Executive Officer,*
- B. *That the terms of employment be in accordance with the details contained in this report.*

ADOPTION OF RECOMMENDATIONS

Moved: Inverell Seconded: Armidale

11.2/19 RESOLUTION

That the recommendations of Closed Committee be adopted.

CARRIED

There being no further business the meeting closed at 12.50pm.

CR MICK PEARCE

CHAIRPERSON

(ITEM RC12/19) REPORTS OF COMMITTEES & DELEGATES - COUNTRY MAYORS' ASSOCIATION OF NSW - 31 MAY 2019

REPORT BY: Peter Petty, Mayor

Mayor Peter Petty and Chief Executive Terry Dodds attended the General Meeting of the Country Mayors' Association of NSW in Sydney on Friday, 31 May 2019.

Minutes of the Meeting are attached.

Items of note:

- 7. Increased Fire Management Activities
- 8. RFS Contribution Increase 2019/20
- 16. Waste Levy Taskforce

RECOMMENDATION

That the report and recommendations from the meeting of the Country Mayors' Association on 31 May 2019 be received and noted.

ATTACHMENTS

- 1** Minutes of Country Mayors' Assoc Meeting - 31 May 2019 9 Pages



Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Katrina Humphries
PO Box 420 Moree NSW 2400
02 6757 3222
ABN 92 803 490 533

MINUTES

GENERAL MEETING

FRIDAY, 31 MAY 2019 THEATRETTE, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 9.00 a.m.

1. ATTENDANCE:

Armidale Regional Council, Cr Simon Murray, Mayor
Bega Valley Shire Council, Cr Kristy McBain, Mayor
Bellingen Shire Council, Cr Dominic King, Mayor
Bland Shire Council, Cr Brian Monaghan, Mayor
Bland Shire Council, Mr Ray Smith, General Manager
Blayney Shire Council, Cr Scott Ferguson, Mayor
Blayney Shire Council, Ms Rebecca Ryan, General Manager
Bourke Shire Council, Cr Barry Hollman, Mayor
Broken Hill City Council, Cr Darriea Turley, Mayor
Broken Hill city Council, Mr James Roncon, General Manager
Cabonne Shire Council, Cr Kevin Beatty, Mayor
Cabonne Shire Council, Ms Heather Nicholls, Acting General Manager
Carrathool Shire Council, Cr Peter Laird, Mayor
Carrathool Shire Council, Mr, Rick Warren General Manager
Coffs Harbour City Council, Mr Stephen McGrath, General Manager
Coolamon Shire Council, Cr John Seymour, Mayor
Cootamundra-Gundagai Regional Council, Cr Abb McAlister
Cootamundra-Gundagai Regional Council, Cr Dennis Palmer, Deputy Mayor
Cootamundra-Gundagai Regional Council, Mr Phil McMurray, Acting
General Manager
Cowra Shire Council, Cr Bill West, Mayor
Dubbo Regional Council, Cr Ben Shields. Mayor
Dubbo Regional Council, Mr Michael McMahon, CEO
Dungog Shire Council, Cr Tracy Norman, Mayor
Dungog Shire Council, Ms Coralie Nichols, General Manager
Eurobodalla Shire Council, Cr Liz Innes, Mayor
Federation Council, Cr Patrick Bourke, Mayor
Forbes Shire Council, Cr Phyllis Miller, Mayor
Forbes Shire Council, Mr Steve Loane, General Manager

Page 2

Gilgandra Shire Council, Cr Ash Walker, Deputy Mayor
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor
Goulburn Mulwaree Council, Cr Peter Walker, Deputy Mayor
Goulburn Mulwaree Council, Mr Warrick Bennett, General Manager
Griffith City Council, Cr John Dal Broi, Mayor
Griffith City Council, Mr Brett Stonestreet, General Manager
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor
Gunnedah Shire Council, Mr Eric Growth, General Manager
Gwydir Shire Council, Cr John Coulton, Mayor
Gwydir Shire Council, Mr Max Eastcott, General Manager
Inverell Shire Council, Cr Paul Harmon, Mayor
Kempsey Shire Council, Cr Liz Campbell, Mayor
Kempsey Shire Council, Mr Craig Milburn, General Manager
Kiama Municipal Council, Cr Mark Honey, Mayor
Kyogle Council, Cr Danielle Mulholland, Mayor
Leeton Shire Council, Cr Paul Maytom, Mayor
Leeton Shire Council, Ms Jackie Kruger, General Manager
Lithgow City Council, Cr Ray Thompson, Mayor
Lithgow City Council, Mr Graeme Faulkner, General Manager
Liverpool Plains Shire Council, Cr Andrew Hope, Mayor
Lockhart Shire Council, Cr Roger Schirmer, Mayor
Lockhart Shire Council, Mr Peter Veneris, General Manager
Mid-Western/Mudgee Regional Council, Cr Des Kennedy, Mayor
Mid-Western/Mudgee Regional Council, Mr Brad Cam, General Manager
Moree Plains Shire Council, Cr Katrina Humphries, Mayor
Moree Plains Shire Council, Mr Lester Rogers, General Manager
Murray River Council, Cr Christopher Bilkey, Mayor
Murray River Council, Mr Des Bilske, General Manager
Murrumbidgee Council, Mr John Scarce, General Manager
Narrabri Shire Council, Cr Catherine Redding, Mayor
Narrabri Shire Council, Mr Stewart Todd, General Manager
Narrandera Shire Council, Cr Neville Schenka, Mayor
Narrandera Shire Council, Mr George Cowan, General Manager
Narromine Shire Council, Cr Craig Davies, Mayor
Oberon Shire Council, Cr Kathy Sajowitz, Mayor
Oberon Shire Council, Ms Lynette Safranek, Director Corporate Services
Parkes Shire Council, Cr Ken Keith, Mayor
Parkes Shire Council, Cr Barbara Newton, Deputy Mayor
Parkes Shire Council, Cr Alan Ward
Port Stephens Council, Cr Ryan Palmer, Mayor
Port Stephens Council, Tim Crosdale, Group Manager Development Services
Shoalhaven City Council, Cr Amanda Findley, Mayor
Shoalhaven City Council, Mr Stephen Dunshea, Acting General Manager
Singleton Council, Cr Sue Moore, Mayor
Temora Shire Council, Cr Rick Firman, Mayor
Temora Shire Council, Mr Gary Lavelle, General Manager
Tenterfield Shire Council, Cr Peter Petty, Mayor
Tenterfield Shire Council, Mr Terry Dodds, General Manager
Upper Lachlan Shire Council, Cr John Stafford, Mayor
Uralla Shire Council, Cr Michael Pearce, Mayor
Wagga Wagga City Council, Cr Greg Conkey, Mayor

Walcha Council, Cr Eric Noakes, Mayor
Walcha Council, Mr Jack O'Hara, General Manager
Warren Shire Council, Cr Katrina Walker
Warren Shire Council, Mr Glen Wilcox, General Manager
Warrumbungle Shire Council, Cr Denis Todd, Mayor
Warrumbungle Shire Council, Mr Roger Bailey, General Manager
Wentworth Shire Council, Cr Melisa Hendrics, Mayor
Yass Valley Council, Cr Rowena Abbey, Mayor
Yass Valley Council, Ms Sharon Hutch, General Manager
Orana Joint Organisation, Ms Berlinda Barlow, Interim Executive Officer
Cr Linda Scott, President, LGNSW

APOLOGIES:

As submitted

SPECIAL GUESTS:

Hon Shelley Hancock, MP, Minister for Local Government
Gordon Hinds, Managing Director, Better Energy Technology
Hon Brad Hazzard, MP, Minister for Health and Medical Research
Andrew Roberts, CEO, Field Solutions Group
Cr Bruce Miller, Chairman, LGSuper

2. ADOPTION OF MINUTES OF PREVIOUS MEETING:

RESOLVED that the minutes of the General Meeting held on 8 March 2019 be accepted as a true and accurate record (Singleton Council / Oberon Shire Council).

3. Matters Arising from the Minutes
NIL

4. CORRESPONDENCE

Outward

- (a) Cr Linda Scott, President, Local government NSW, regarding Defined Benefits Scheme Contributions
- (b) Cr Ryan Palmer, Mayor, Port Stephens Council, advising that Port Stephens Council was admitted as a member of the Association on 8 March 2019
- (c) Mr Richard Colbran, Chief Executive Officer, NSW Rural doctors Network thanking him for his presentation to the 8 March 2019 meeting
- (d) Cr Melissa Hederics, Mayor, Wentworth Shire Council, advising that Wentworth Shire Council was admitted as a member of the Association on 8 March 2019

Inward

- (a) Cr Linda Scott, President, Local Government NSW. forwarding letters to LGSuper regarding the Defined Benefits Scheme (Copy Attached)
- (b) Institute Public Works Engineering Australia (NSW Division) advising that the Local Roads Congress will be held in Sydney on 3 June 2019

NOTED

Page 4

5. Financial Report

RESOLVED That the financial reports for the last quarter were tabled and accepted (Temora Shire Council / Shoalhaven City Council)

6. Royalties for Regions Program

RESOLVED That Country Mayors calls upon the NSW Government to implement a "Royalties for Regions" program based upon a set percentage of royalties being returned to Local Government Areas from where they originate and/or that are directly affected.

That LGA representatives from the identified affected areas be invited to participate in the redesign of the new "Royalties for Regions program"
(Gunnedah Shire Council / Singleton Council)

7. Increased Fire Management Activities

RESOLVED That the Country Mayors Association write to the appropriate Federal and State Ministers requesting that NSW National Parks and Wildlife Service, NSW Forestry Corporation and NSW 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 (Tenterfield Shire Council / Kyogle Shire Council)

8. RFS Contribution Increase 2019/10

RESOLVED (a) That the Country Mayors Association supports the LGNSW campaign strongly and the State Government be requested to defer any RFS contribution increases for at least 12 months to allow for consultation and any future increases be shown on a separate line on the rate notice and not be included in the rate pegging formula

(b) That the Association write to the Premier requesting that the Department of Premier and Cabinet and the Independent Pricing and Regulatory Tribunal be directed to investigate the current Emergency Services arrangements in NSW including the efficiencies and effectiveness to be gained by such an investigation (Kempsey Shire Council / Yass valley Council)

9. HON SHELLEY HANCOCK, MP, MINISTER FOR LOCAL GOVERNMENT

The Minister started her career in Sydney as a teacher and then settled in Ulladulla where she also taught. She was elected to Shoalhaven City Council in 1987 and served four terms. She ran for State Parliament was elected and became Speaker of Parliament in 2011 and Minister for Local Government in 2019

The increased RFS contributions are mostly going towards the funded Compensation Scheme. The Minister lobbied on behalf of Local Government to have the increase adsorbed by the State Government but sadly that is not the case as it was overturned by Treasury. The Minister is anxious to have improved relations with Joint

Page 5

Organisations and a meeting with the Joint Organisations was held on Thursday 30 May to discuss issues. Seed funding of \$300,000 will soon come to an end. The Office of Local Government is looking at ways Joint Organisations can be self funded and is looking at issues raised at yesterdays meeting. The Office of Local Government has not been disbanded contrary to rumours.

10. Gordon Hinds, Managing Director, Better Energy Technology

The energy market in Australia is undergoing a revolution as we migrate from centralised large-scale coal generation to distributed renewable energy. The role of towns throughout NSW in this revolution is not clear and to date there have not been many benefits that flowed through to them beyond the initial construction.

Basically renewable energy plants are highly automated and don't employ people, certainly not in the local communities other than occasional maintenance. Developers mostly by-pass section 94 contributions as they are classified as 'state significant' developments. The energy they produce goes into the grid and is bought by large scale users or retailers and then sold back to communities through the existing channels. Rural towns are being ripped off and bypassed.

There is another way and that is what Better Energy Technology is trying to do at Lockhart, with the support of the Deputy Prime Minister and Minister for Regional Development, Michael McCormack.

The Lockhart demonstration will supply power to the town of Lockhart, insulate it from blackouts, provide long-term stable energy pricing and have the potential for a dividend if the Council takes an equity position in the project. It is an Australian first and follows a design that has been in Germany for nearly 20 years - an 'export' model where 80% of the power produced is exported into the grid. It has a 10MW solar farm a large battery, the fixed power tariff is to be 28 cents a kilowatt, with long term income to council of possibly \$500,000 PA. The project cost is \$30 Million.

There are barriers to this being rolled out in NSW and the key one is access to the grid via the local substation. Most of the applications to connect to the grid through the substations are already in the hands of developers, mostly foreign owned or backed. None of these applications have community benefit at the heart of their plan, nor localised generation for local consumption. This can change.

The Minister for Energy has the power to direct the grid owners (Essential Energy in most cases) to give priority to projects that have a direct benefit in energy supply to local communities. He can do this in the simple form of a letter. With the political landscape now secure at both the Federal and State Level, now is the time for Country Mayors to step up to ensure their communities are part of this revolution and beneficiaries beyond construction. There is a need to push for long-term energy supply directly to communities such as what is planned at Lockhart.

It is possible, but it will require strong lobbying to ensure the Ministers act in the interests of communities

RESOLVED That the Country Mayors' Association make representations to the NSW Energy Minister and the Federal Energy Ministers seeking their support for the prioritisation of electricity grid connections at substations that are relevant to rural and regional towns, with priority to be given to applications that have an ongoing community benefit beyond construction of new energy developments that connect to those substations (Lockhart Shire Council / Bland Shire Council)

11. Hon Brad Hazzard, MP, Minister for Health and Medical Research

The Minister has tried to get around the regions as much as possible. There is a huge commitment by the State Government for the regions to get a fair go. One third of the State budget \$25billion is allocated to health. 25% of health infrastructure is to go to the regions. As part of the regional commitment the Regional Ambulance Update program has been allocated \$122million and many hospitals are being upgraded. The Government is trying to get medical students to do their training in the regions as this has proven to have higher success in keeping graduates in rural areas. Training facilities are situated in Wagga Wagga, Dubbo and Orange. Tele Health Stroke services are being introduced.

12. Andrew Roberts, CEO, Field Solutions Group

Field Solutions Vision is to be Australia's Leading Rural, Remote and Regional Telecommunications Provider through carrier services, retail services provision and Cloud services. Their brands are Just ISP and Ant Communications. Field Solutions provide township base networks built to the populations and multisite on farm networks. They strive to greatly reduce council spend, to provide connectivity to council premises, a business grade symmetric network with additional Cloud services and true broadband deep into communities that is cost effective with unlimited data. They provide coverage throughout NSW in three corridors, Northern, Central and Southern with local bases, hiring local staff, using local businesses, and providing on going support and maintenance. \$100 million has been pledged by the Nationals. The assistance needed is Regional Digital Connectivity, growing local communities, Community/FSG funded and Council/ FSG funded

RESOLVED That the Association write to the Deputy Premier advising that it supports Rural Regional Internet Connectivity through Field Solutions and requests urgent attention to this matter (Narromine Shire Council / Shoalhaven City Council)

13. Cr Bruce Miller, Chairman, LGSuper

LGSuper originated from State Super 23 years ago. A Trust Deed and Constitution were prepared. The Defined Benefits Scheme was funded prior to the financial crisis at a surplus, and councils took the opportunity to receive a holiday from contributions

Page 7

but to put the saved funding aside. The financial crisis resulted in the fund going into deficit. The fund is examined each year to assess its position. Regulated funds need to be fully funded each and every day of the year. LGSuper looked at options to be 100% funded. Investments are currently 80% growth 20% conservative but the objective is 70% growth 30% conservative. The Board has reviewed the two LGNSW resolutions. The current investment strategy is subject to stringent reviews and a further review as suggested is not necessary. In respect of Past Service Contributions after considering advice of actuary and legal opinions LGSuper will look at the level of contributions. LGNSW cannot instruct LGSuper. Irrespective of where Directors come from their responsibility is to the entity and its members. Shares in LGSuper have zero value but shareholders have a right to appoint Directors. Under new legislation the Regulator has power to do whatever. The Board will increase from 8 Directors to 9 Directors one independent to be the Chair with 3 independents, 3 employee and 3 employer representation.

14. Meeting with Local Government Super

NOTED

15 Local Government Superannuation Report by Goulburn/Mulwaree

NOTED

16. Waste Levy Taskforce

RESOLVED1. The NSW Country Mayors recognise that:

a) The NSW Government still has no clear plan to manage waste in light of the China Sword and other international changes to recycling.

b) That land fill sites are processing higher amounts of waste and therefore shortening the lifecycle of these sites.

c) That the increase in waste going to landfill also increases the governments revenue and has impacts on the wider environment.

d) That NSW are falling behind other States such as Victoria and SA in terms of management of waste

e) That Local Government Areas (LGAs) should receive a higher amount of the waste Levy to deal with increase in cost to manage waste.

f) That Councils are the best placed government bodies to develop new strategies and industries to better manage waste for their communities.

2. That NSW Country Mayors urge the Minister for Local Government take action by

a) Establishing a Waste Levy Task Force consisting of EPA, Mayors and LGNSW to begin immediate action to address the waste concerns of LGAs

b) Returning the full amount of the waste Levy to LGA's till there is an acceptable outcome agreed to by all parties.

3. That NSW Country Mayor's Association take their own action by:

a) establish a working group of Country Mayors to:

i) identify the total amount of waste levies collected by the NSW Government from regional Councils

ii) identify the amount spent by the NSW government on waste reduction strategies in regional areas

- iii) identify strategies for regional councils to withhold payment of the waste levy might be implemented if the NSW Government does not agree to form the task force recommended in (2) above
- iv) bring a report back to the next meeting of the Country Mayors outlining options available to Country Mayors to get action on the Waste Levy, including consideration of the withholding of payment of the levy.
- v) the working group comprise Michael Pearce (Uralla Shire Council), Peter Petty (Tenterfield Shire Council), Amanda Findley (Shoalhaven City Council) Tracey Norman (Dungog Shire Council) and Dominic King (Bellingen Shire Council)

4. That LGNSW be advised of Country Mayors position
(Bellingen shire Council / Shoalhaven City Council)

<https://www.epa.nsw.gov.au/your-environment/waste/waste-levy/scheduled-waste>

<https://www.smh.com.au/environment/sustainability/nsw-waste-crisis-landfill-levy-gains-20190104-p50pp3.html>

<https://www.lgns.org.au/news/publication/save-our-recycling>

17. Rural Fire Act 1997 - Grasslands

RESOLVED that Country Mayors ask the RFS Commissioner to have a stay on implementation of the requirements under the Rural Fire Act 1997 to cover grasslands and an invitation be issued to the Commissioner to attend a future meeting (Gwydir Shire Council / Lockhart Shire Council)

There being no further business the meeting closed at 12.40pm.

Cr Katrina Humphries
Chair – Country Mayor's Association of NSW

**(ITEM RC13/19) REPORTS OF COMMITTEES & DELEGATES - TENTERFIELD SHIRE
LOCAL TRAFFIC COMMITTEE - 13 JUNE 2019**

REPORT BY: Peter Petty, Chairperson, Mayor

A meeting of the Tenterfield Shire Local Traffic Committee was held on Thursday, 13 June 2019. Minutes of the Meeting are attached.

RECOMMENDATION

That the report and recommendations from the Tenterfield Shire Local Traffic Committee meeting of 13 June 2019 be received and noted.

ATTACHMENTS

1 Minutes of Meeting 7 Pages



**MINUTES OF
TENTERFIELD SHIRE LOCAL TRAFFIC
COMMITTEE MEETING
THURSDAY, 13 JUNE 2019**

MINUTES OF THE **Tenterfield Shire Local Traffic Committee Meeting** OF
TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Thursday, 13
June 2019 commencing at 10.10 am.

ATTENDANCE

Councillor Peter Petty (Mayor - TSC)
Councillor Gary Verri (TSC)
Councillor Tom Peters (TSC)
Paul Caldwell (NSW Police)

ALSO IN ATTENDANCE

Jess Gibbins (TSC Engineering Officer)

This is page 1 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held
on Thursday, 13 June 2019

MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING
13 JUNE 2019

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 2 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 13 June 2019

**MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING
13 JUNE 2019**

DISCLOSURE OF INTERESTS

Nil.

APOLOGIES

Resolved that the apologies received from Glen Lamb (Representative for The Hon Janelle Saffin), Stefan Wielibinski (RMS), Les Hoskins (RMS) and Fiona Keneally (TSC) be received and accepted.

(Gary Verri/Tom Peters)

CONFIRMATION OF MINUTES

Resolved that the minutes of the Tenterfield Shire Local Traffic Committee meeting held on Thursday, 4 April 2019, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Tom Peters/Gary Verri)

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?

ACTION:

The Pedestrian Access Management Plan is currently being reviewed. In conjunction with this, Council will review the whole CBD and provide this information at the next meeting in August 2019.

2. LINEMARKING NEW ENGLAND HIGHWAY/BRUXNER WAY INTERSECTION

Council has previously received concerns over recent line marking at the intersection of New England Highway/Bruxner Way intersection.

At the last LTC Meeting, 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 tabled correspondence from the Federal Member for New England, Barnaby Joyce, MP acknowledging Council's correspondence dated 3 May 2019 regarding possible funding for this intersection.

This is page 3 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 13 June 2019

**MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING
13 JUNE 2019**

3. ROUSE STREET – NORTHERN END

ACTION:

Jess G emailed the traffic count data to Local Police & RMS 16 November 2018 and tabled the email from Les Hoskins advising that RMS will investigate as may require improvement to signage and delineation & infrastructure. RMS to provide an updated report following the site visit.

Ongoing.

4. PADDYS FLAT ROAD/BRUXNER HIGHWAY INTERSECTION

Sight board signage has been arranged by RMS to be erected at this intersection. Les Hoskins (by way of email) advised that he will check with work crews to confirm if signs have been erected and if not, will find out when it will occur. Jess G advised the Committee that Coffs Council have recently implemented a campaign to assist with driver behavior at intersections and general road rules.

ACTION:

Council to contact Coffs Council to assist with strategies to assist with this matter.

5. SANDY FLAT ROAD/NEW ENGLAND HIGHWAY INTERSECTION

Same as Item 4 above.

6. SPEED LIMIT/ZONE IN AMOSFIELD

Les Hoskins (by way of email) advised that he will check on the speed limit to see if this action has been carried out.

Ongoing

7. LIGHTING REQUEST IN ROUSE STREET (NEW ENGLAND HIGHWAY)

ACTION:

Jess G has sought two quotations and forwarded to RMS Assets Team who is looking at securing some funding for the lighting assessment. RMS & Council will be having phone conference on Friday 14 June 2019 to discuss progression.

Ongoing.

8. ROUSE STREET, ZIG ZAG LINEMARKING REQUEST

SW advised at the last meeting 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. ROAD CLOSURE REQUEST – FRANCIS STREET, TENTERFIELD

Request previously tabled at the last LTC Meeting from Tenterfield Transport Museum for the annual Show & Shine event requesting closure of Francis Street, Tenterfield on Sunday, 14 April 2019 from to provide safe access between the building and around displayed cars.

This is page 4 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 13 June 2019

**MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING
13 JUNE 2019**

Jess G received NSW Police approval, issued Council's approval. Council volunteer staff erected the signage.

No further action.

**10. "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:

It was suggested at the last meeting that Council contact & advise the business to provide Council with statistics of how many vehicles are parking there. Jess G has sent correspondence.

**11. LOADING ZONE REQUEST, ROUSE STREET/MANNERS STREETS,
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.

It was suggested at the last meeting that Loading zones will be reviewed with Item 1, above.

Ongoing.

12. 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. The proposed detour route will be all northbound traffic turn right at Manners Street, left into Logan Street and left onto Molesworth back onto New England Highway or Bruxner Highway.

All southbound traffic will be turned left at Molesworth Street, right into Logan Street, right at Manners and back onto New England Highway or Bruxner Highway.

Council will need to provide a letter to RMS indemnifying RMS for road damage closer to event.

ACTION:

Jess G is in process of obtaining the Road Occupancy Licence for the road closures. The initial event information has been emailed to RMS in Grafton advising of the event and requesting any comments. The Event Organisers would like to attend the next Local Emergency Management Committee Meeting to be held 10 July 2019 to liaise with Emergency Services.

This is page 5 of the Minutes of the Tenterfield Shire Local Traffic Committee Meeting held on Thursday, 13 June 2019

**MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING
13 JUNE 2019**

GENERAL BUSINESS

1. VISIBILITY CONCERN, NEW ENGLAND HIGHWAY, JENNINGS

The Wallangarra Jennings Progress Association has raised concerns that there is a visibility problem coming on to the New England Highway from Duke Street at least for a small car, there is high grass and the street slopes fairly steeply from the Highway.

Discussion was held. It was suggested that Council and RMS inspect and advise of any remedial action that could assist at this intersection.

**2. CHANGE OF SIGNAGE ADJACENT TO SIR HENRY PARKES
MEMORIAL SCHOOL IN WOOD STREET, TENTERFIELD**

Jess G tabled the issue of vehicles parking in front of the school in the "No stopping zone" as the signs are ambiguous. Signs were erected as the school bus swings in to the driveway of an afternoon and vehicles shouldn't be parked there.

RECOMMENDATION:

That an additional sign depicting hours is erected to close the area where restricted "no stopping" should occur. Sign design to be sent to RMS for concurrence prior to erecting.

Carried Unanimously

3. CLASSIFICATION OF BRUXNER WAY, TENTERFIELD

PP tabled correspondence from The Hon Paul Toole, MP concerning the classification of Bruxner Way for the Committees information.

4. NAAS STREET, TENTERFIELD – DEVELOPMENT APPLICATION

Jess G previously circulated this request by email for consideration by the LTC.

Council has received a Development Application for a German Restaurant on the corner of Naas and Duncan Streets. As part of the Development, 2 x driveway constructions are required as well as a short term car park and disabled carpark off Naas Street. The plan showing car parking was tabled for consideration by the Committee.

RECOMMENDATION:

Council has no objections to the Developer installing the necessary carparking including short term and disabled parking subject to meeting applicable design standards.

Carried Unanimously

GENERAL DISCUSSION

- GV asked on behalf of the Woodenbong Progress Association if traffic counters could be installed at Urbenville to assist with comparing tourist traffic during an off peak season and peak season.

**MINUTES OF TENTERFIELD SHIRE LOCAL TRAFFIC COMMITTEE MEETING
13 JUNE 2019**

- TP received a complaint about the speed hump signage at the Blacksmith Creek Bridge.

At 10:55 am Janelle Saffin, MP and Mr Peter Ellem attended the meeting and were welcomed by the Mayor and the Committee.

NEXT MEETING

Next meeting to be held on Thursday, 8 August 2019 at 10 am.

There being no further business the Chairperson declared the meeting closed at 11:10 am.

.....
Councillor Peter Petty
Mayor/Chairperson

Department:	Office of the Chief Executive
Submitted by:	Councillor Brian Murray
Reference:	ITEM NM4/19
Subject:	NOTICE OF MOTION - PETITION - RESIDENT'S BORDERING CURRYS GAP STATE CONSERVATION AREA - REQUEST FOR BUFFER ZONE

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK	
CSP Goal:	Environment - ENVO 10 - Environmental risks and impacts are strategically managed.
CSP Strategy:	Land use planning and management enhances and protects biodiversity and natural heritage.
CSP Delivery Program	Provide systems and processes to manage excess vegetation to ensure land and premises are in a safe and/or healthy condition.

SUMMARY

Council has received a copy of a petition from a group of residents that own property around the perimeter of Currys Gap State Conservation Area, which has been submitted to the NSW National Parks and Wildlife Service, requesting that a 10 metre buffer zone be maintained between Currys Gap State Conservation Area and bordering properties. Council is requested to provide a letter of support for these residents, to be sent to the National Parks and Wildlife Service.

COUNCILLOR'S RECOMMENDATION:

That Council provide a letter of support for the petition "Resident's Bordering Currys Gap State Conservation Area" be sent by Council to the NSW National Parks and Wildlife Service, with the following text:

"Tenterfield Shire Council has been advised of a petition submitted to the NSW National Parks and Wildlife Service, by residents of Tenterfield Shire whose properties have shared boundaries with the Currys Gap State Conservation Area.

Council fully supports the request of the petitioners that the NSW National Parks and Wildlife Service implement and maintain a 10 metre buffer zone around the perimeter of the Currys Gap State Conservation Area. The buffer zone is essential to prevent fire escaping from the conservation area onto the residents' lands, damaging their properties and potentially putting residents' lives at risk."

BACKGROUND

Council has been provided with a copy of a petition that was sent to the NSW National Parks and Wildlife Service by a group of residents who own properties that have shared boundaries with the Currys Gap State Conservation Area.

Council has been requested to provide a letter of support to the request for a 10 metre buffer zone around the perimeter of the Conservation Area.

Notice of Motion No. 4 Cont...

REPORT:

Ten (10) residents of Tenterfield Shire have submitted a petition to the NSW National Parks and Wildlife Service, requesting that they implement a 10 metre asset protection/buffer zone around the perimeter of Currys Gap State Conservation Area.

The petitioners state that the buffer zone is required to prevent fire escaping from the conservation area onto their land, damaging their property and putting their lives at risk.

The petition further states that the buildup of flammable material inside the Conservation Area is such that should a fire commence inside the reserve, it would be unstoppable.

A copy of the petition has been provided to me, as their elected representative, with a request for Council to provide a letter of support for their request.

Brian Murray
Councillor

Prepared by:

Brian Murray, Councillor

Department:

Office of the Chief Executive

Attachments:

1 Petition - Resident's Bordering
Currys Gap State Conservation
Area

2
Pages

Resident's Bordering Currys Gap State Conservation Area

TENTERFIELD SHIRE COUNCIL		
60/57		
17 MAY 2019		
ICR 2019 3564		
	Admin	Info
CL		
COO		
COO		
FB	✓	

c/- Misty Mountain

303 Mt MacKenzie Road

Tenterfield NSW 2372

The Regional Director

NSW National Parks & Wildlife Service

We, the undersigned, request that NSW National Parks and Wildlife Service implement a 10m asset protection/buffer zone around the perimeter of Currys Gap State Conservation Area.

The buffer zone is required to prevent fire escaping from the conservation area onto our land, damaging our property and putting our lives at risk.

The build-up of flammable material inside Currys Gap State Conservation Area is such that should a fire commence inside the reserve, it would be unstoppable without a buffer zone.

Sign: *[Signature]*
 Name: T & L. Paech
 Address: 87 Mt McKenzie
 Rd. Tenterfield

Sign: *[Signature]*
 Name: G. L. & K. M. HEIDRICH
 Address: 155 Mt McKenzie Rd.
 TENTERFIELD 2372

Sign: *[Signature]*
 Name: JEFFREY GRAY
 Address: 337 Mt MacKenzie Road
 Tenterfield 2372

Sign: *[Signature]*
 Name: BOB VAN DER SAAG
 Address: 1 Bismark St.
 TENTERFIELD 2372

Sign: *[Signature]*
 Name: V. K. & H. F. Bailey
 Address: 303 Mt McKenzie Rd
 Tenterfield 2372

Sign: *[Signature]*
 Name: D. K. & L. Easton
 Address: 247 Mt McKenzie Rd.
 TENTERFIELD 2372

Wendy
0487261066

Sign: *R Chapman*
Name: *ROBERT CHAPMAN*
Address: *"Wattle Grove"*
Mt McKenzie R.I
Tenterfield

Sign: *Neville Flynn*
Name: *NEVILLE FLYNN*
Address: *3 WESTERN ST*
TENTERFIELD.

Sign:.....
Name:.....
Address:.....
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Sign:.....
Name:.....
Address:.....
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Sign:.....
Name:.....
Address:.....
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Sign:.....
Name:.....
Address:.....
.....

Sign: *R. S. Flynn*
Name: *3 WESTERN ST*
Address: *TENTERFIELD*
.....

Sign: *Gabriel Reis*
Name: *GABRIEL REIS*
Address: *lots 1, 2, 3 Pelham St*
29 Lairs St (adjacent to
Tenterfield Currys
Gap Reserve)

Sign:.....
Name:.....
Address:.....
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Sign:.....
Name:.....
Address:.....
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Sign:.....
Name:.....
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Sign:.....
Name:.....
Address:.....
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Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM RES5/19
Subject:	COUNCIL RESOLUTION REGISTER - JUNE 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 June 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 8 (Attachment Booklet 4) - Resolution Register - June 2019	45 Pages