



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER ORDINARY COUNCIL MEETING WEDNESDAY, 24 JULY 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 24 July 2019** commencing at **9.30 am**.

Terry Dodds
Chief Executive

10.15 am	<i>Citizenship Ceremony</i>
2.30 pm	<i>Cardno – Development Servicing Plans & Development Contribution Plans</i>

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 MIN6/19) CONFIRMATION OF PREVIOUS MINUTES7

6. TABLING OF DOCUMENTS

7. URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

8. COMMUNITY CONSULTATION (PUBLIC ACCESS)

9. MAYORAL MINUTE

(ITEM MM6/19) FUNDING OF HELICOPTER LANDING PADS23

(ITEM MM7/19) SURVEY FOR WASTE BIN SERVICE - BRYANS GAP
ROAD24

10. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

11. OPEN COUNCIL REPORTS

OUR COMMUNITY

(ITEM COM6/19)	MINGOOLA WASTE TRANSFER STATION.....	25
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OUR ECONOMY

(ITEM ECO12/19)	PETER ALLEN FESTIVAL 2019 - ROAD CLOSURE.....	29
(ITEM ECO13/19)	FUNDING FOR BRIDGE OVER THE CLARENCE RIVER ON HOOTONS ROAD (ASSET ID 13345, BRIDGE NO. 61112)	32

OUR ENVIRONMENT

(ITEM ENV10/19)	REVIEW OF NSW ENERGY FROM WASTE POLICY STATEMENT.....	40
(ITEM ENV11/19)	MT LINDESAY ROAD WASTE COLLECTION SERVICE 2019 UPDATE	47
(ITEM ENV12/19)	BOONOO BOONOO LANDFILL HYDROLOGY STUDY.....	58
(ITEM ENV13/19)	BOONOO BOONOO LANDFILL - REVIEW OF ENVIRONMENTAL FACTORS (REF)	63

OUR GOVERNANCE

(ITEM GOV39/19)	MONTHLY OPERATIONAL REPORT - JUNE 2019	77
(ITEM GOV40/19)	DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD - 28 JULY 2019 TO 11 AUGUST 2019	78
(ITEM GOV41/19)	2019 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - SUBMISSION OF MOTIONS	80
(ITEM GOV42/19)	FINANCE & ACCOUNTS - PERIOD ENDED 30 JUNE 2019....	85
(ITEM GOV43/19)	CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 2019.....	89
(ITEM GOV44/19)	REPORT ON LOAN BALANCES.....	91

12. REPORTS OF DELEGATES & COMMITTEES

(ITEM RC14/19)	REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACE ADVISORY COMMITTEE - 20 JUNE 2019	95
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(ITEM RC15/19)	REPORTS OF COMMITTEES & DELEGATES - TOURISM ADVISORY COMMITTEE (TENTERFIELD MEETING) - 3 JULY 2019	100
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13. NOTICES OF MOTION

Nil.

14. RESOLUTION REGISTER

(ITEM RES6/19)	COUNCIL RESOLUTION REGISTER - JULY 2019	124
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15. CONFIDENTIAL BUSINESS

16. MEETING CLOSED

(ITEM MIN6/19) CONFIRMATION OF PREVIOUS MINUTES

REPORT BY: Noelene Hyde, Executive Assistant & Media

RECOMMENDATION

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

- **Ordinary Council Meeting – 26 June 2019**

as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

ATTACHMENTS

- 1 Minutes of Ordinary Council Meeting - 26 June 2019 15 Pages**

MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 26 JUNE 2019

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the Tenterfield Shire Council Chamber on Wednesday 26 June 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 Michael Petrie
Councillor Gary Verri

ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)
Executive Assistant & Media (Noelene Hyde)
Chief Corporate Officer (Kylie Smith)
Acting Director Engineering/Infrastructure (Fiona Keneally)

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 live streamed and 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

The Mayor extended a welcome to Fiona Keneally, recently appointed Acting Director Engineering/Infrastructure and wished her well in the role.

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

102/19 Resolved that the apology of Councillor Bob Rogan be received and accepted.

(Greg Sauer/Brian Murray)

Motion Carried

DISCLOSURE & DECLARATIONS OF INTEREST

Nil.

(ITEM MIN5/19) CONFIRMATION OF PREVIOUS MINUTES

103/19 Resolved 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.

(Tom Peters/John Macnish)

Motion Carried

TABLING OF DOCUMENTS

Mayor Peter Petty tabled two (2) letters relating to Bruxner Way which were presented for information at the Tenterfield Shire Local Roads & Traffic Committee Meeting of 13 June 2019.

104/19 **Resolved** that Council accept the tabled correspondence:

- Minister for Regional Transport & Roads, The Hon Paul Toole MP in relation to the classification of the Bruxner Way;
- Federal Member, The Hon Barnaby Joyce MP regarding possible funding for the intersection of Bruxner Way and the New England Highway, Tenterfield.

(Bronwyn Petrie/Michael Petrie)

Motion Carried

URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

105/19 **Resolved** that Council accept the following Addendum Agendas:

- (1) Addendum Agenda – Item GOV38/19 – Review of Investment Policy; and
- (2) Confidential Addendum Agenda – Item ECO11/19 – Sale of Lot 7 Melaleuca Court – Tenterfield Industrial Park.

(Gary Verri/Greg Sauer)

Motion Carried

COMMUNITY CONSULTATION (PUBLIC ACCESS)

Nil.

MAYORAL MINUTE

Nil.

**RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN
CONFIDENTIAL SECTION**

106/19 **Resolved** that Confidential Item ECO11/19 – Sale of Lot 7 Melaleuca Court – Tenterfield Industrial Park, be considered in the Confidential Section of the Meeting.

(Gary Verri/Bronwyn Petrie)

Motion Carried

OPEN COUNCIL REPORTS

OUR COMMUNITY

Nil.

OUR ECONOMY

Manager Asset & Program Planning, David Counsell entered the meeting, the time being 9.34 am.

(ITEM ECO8/19) TRUCK WASH OPTIONS REPORT

SUMMARY

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

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.

(Gary Verri/Michael Petrie)

AMENDMENT

That the recommendation be amended as follows:

Council request that a detailed **concept** 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 **and additionally a design for a truck wash at the southern side at the Tenterfield Saleyards** be prepared and resubmitted to Council for consideration.

(Bronwyn Petrie/Michael Petrie)

Amendment Carried

107/19 **Resolved** that Council request that a detailed concept 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 and additionally a design for a truck wash at the southern side at the Tenterfield Saleyards be prepared and resubmitted to Council for consideration.

(Gary Verri/Michael Petrie)

Motion Carried

(ITEM ECO9/19) TENTERFIELD SALEYARDS - LOADING RAMP UPGRADE

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.

108/19 Resolved 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.

(Gary Verri/Michael Petrie)

Motion Carried

Manager Asset & Program Planning, David Counsell left the meeting, the time being 9.49 am.

Manager Open Space, Regulatory & Utilities, Mark Cooper entered the meeting, the time being 9.49 am.

(ITEM ECO10/19) TENTERFIELD SALEYARDS - EMERGENCY ANIMAL DISEASE PLAN & BIO SECURITY PLAN

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.

Noted that minor amendments are to be made to the Saleyards Emergency Animal Disease Plan.

109/19 Resolved 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).

(Michael Petrie/Greg Sauer)

Motion Carried

Manager Open Space, Regulatory & Utilities, Mark Cooper left the meeting, the time being 10.02 am.

Manager Planning & Development Services, Tamai Davidson entered the meeting, the time being 10.02 am.

OUR ENVIRONMENT

(ITEM ENV7/19) 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 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.

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.

(Gary Verri/Tom Peters)

Motion Lost

Planning Matter – requires votes to be recorded:

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

110/19 Resolved that Council:

- (1) Refuse Development Application 2019.026 for the construction of a dwelling on Lot 3 DP 802874, 508 Rouse Street, Tenterfield for the following reasons:
 - (a) The proposal not meeting the second objective of the Development Control Plan as stated on page 45 of the June 2019 Business Paper which provides continuity of character between the local building forms and new development by using a selection and/or combination of characteristic elements; and
 - (b) The proposal is inconsistent with Council's Operational Plan in relation to Community Strategic Plan goals and our Economic Plan goals.
- (2) Notify all those persons who made submissions of Council's determination.

(Bronwyn Petrie/Greg Sauer)

Motion Carried

Planning Matter – requires votes to be recorded:

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

(ITEM ENV8/19) TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013 - PLANNING PROPOSAL - MINOR AMENDMENTS

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.

111/19 **Resolved** 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*.

(Greg Sauer/Gary Verri)

Motion Carried

Planning Matter – requires votes to be recorded:

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

Manager Planning & Development Services, Tamai Davidson left the meeting, the time being 10.34 am.

(ITEM ENV9/19) EMERGENCY WATER SECURITY AUGMENTATION PROJECT - TENTERFIELD

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.

112/19 **Resolved** 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.

(Greg Sauer/Michael Petrie)

Motion Carried

SUSPENSION OF STANDING ORDERS

113/19 Resolved that Standing Orders be suspended.

(Gary Verri/Tom Peters)

Motion Carried

The Meeting adjourned for Morning Tea, the time being 10.41 am.

The Meeting reconvened with the same members present, the time being 11.03 am.

RESUMPTION OF STANDING ORDERS

114/19 Resolved that Standing Orders be resumed.

(Greg Sauer/Brian Murray)

Motion Carried

OUR GOVERNANCE

(ITEM GOV32/19) MONTHLY OPERATIONAL REPORT - MAY 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.

115/19 Resolved that Council receives and notes the status of the Monthly Operational Report for May 2019.

(Bronwyn Petrie/Brian Murray)

Motion Carried

(ITEM GOV33/19) ANNUAL REMUNERATION FOR COUNCILLORS AND THE MAYOR - 2019-2020

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.

116/19 Resolved 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.

(Greg Sauer/Gary Verri)

Motion Carried

(ITEM GOV34/19) LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - 14 TO 16 OCTOBER 2019

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.

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.

(Greg Sauer/Brian Murray)

AMENDMENT

That item (1) be amended to include the attendance of the Deputy Mayor at this and future Local Government NSW Annual Conferences and Council Policy be amended to reflect this change.

(Peter Petty/Gary Verri)

Amendment Carried

117/19 Resolved that Council:

- (1) Approve the attendance of the Mayor, Deputy Mayor and Chief Executive to represent Council at the Local Government NSW Annual Conference at Warwick Farm, 14 to 16 October 2019 and future Local Government NSW Annual Conferences, and Council Policy be amended to reflect this change.
- (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.

(Greg Sauer/Brian Murray)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford entered the meeting, the time being 11.22 am.

(ITEM GOV35/19) TENTERFIELD SHIRE COUNCIL CODE OF CONDUCT 2018, PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT 2018 AND CODE OF MEETING PRACTICE 2018

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.

118/19 Resolved 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).

(Michael Petrie/Donald Forbes)

Motion Carried

Manager Customer Service, Governance & Records, Erika Bursford left the meeting, the time being 11.25 am.

Manager Finance & Technology, Paul Della entered the meeting, the time being 11.25 am.

(ITEM GOV36/19) FINANCE & ACCOUNTS - MAY 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.

- 119/19** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 31 May 2019.

(Gary Verri/Brian Murray)

Motion Carried

(ITEM GOV37/19) CAPITAL EXPENDITURE REPORT AS AT 31 MAY 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.

- 120/19** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 31 May 2019.

(Greg Sauer/Michael Petrie)

Motion Carried

(ITEM GOV38/19) REVIEW OF INVESTMENT POLICY

SUMMARY

The purpose of this report is for Council to review and adopt the Investment Policy.

- 121/19** **Resolved** that Council adopts the Investment Policy as attached.

(Greg Sauer/Michael Petrie)

Motion Carried

Manager Finance & Technology, Paul Della left the meeting, the time being 11.32 am.

REPORTS OF DELEGATES & COMMITTEES

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

SUMMARY

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

- 122/19** **Resolved** that the report and recommendations from the meeting of the Border Regional Organisation of Councils held 10 May 2019 be received and noted.

(Peter Petty/Brian Murray)

Motion Carried

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

SUMMARY

A meeting of the New England Joint Organisation (NEJO) was held at Uralla Shire Council on Monday, 27 May 2019.

- 123/19** **Resolved** that the report and recommendations from the New England Joint Organisation meeting of 27 May 2019 be received and noted.

(Peter Petty/Bronwyn Petrie)

Motion Carried

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

SUMMARY

A meeting of the Country Mayors' Association of NSW was held at Parliament House, Sydney on Friday, 31 May 2019.

- 124/19** **Resolved** that the report and recommendations from the meeting of the Country Mayors' Association on 31 May 2019 be received and noted.

(Peter Petty/Greg Sauer)

Motion Carried

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

SUMMARY

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

- 125/19** **Resolved** that the report and recommendations from the Tenterfield Shire Local Traffic Committee meeting of 13 June 2019 be received and noted.

(Peter Petty/Tom Peters)

Motion Carried

NOTICES OF MOTION

(ITEM NM4/19) NOTICE OF MOTION - PETITION - RESIDENT'S BORDERING CURRYS GAP STATE CONSERVATION AREA - REQUEST FOR BUFFER ZONE

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" to 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."

(Brian Murray/Greg Sauer)

AMENDMENT

That comment be added to the letter that the buffer zone should be increased to at least 30 metres and further, a copy of the letter be provided to Moombahlene Local Aboriginal Land Council.

(Tom Peters/Gary Verri)

Amendment Carried

126/19 Resolved that Council:

- (1) Provide a letter of support for the petition "Resident's Bordering Currys Gap State Conservation Area" to be sent by Council to the NSW National Parks and Wildlife Service, (with a copy to Moombahlene Local Aboriginal Land Council) 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."

- (2) Add comment to the letter that the buffer zone should be increased to at least 30 metres.

(Brian Murray/Greg Sauer)

Motion Carried

RESOLUTION REGISTER

(ITEM RES5/19) COUNCIL RESOLUTION REGISTER - JUNE 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.

- 127/19** **Resolved** that Council notes the status of the Council Resolution Register to June 2019.

(Brian Murray/Michael Petrie)

Motion Carried

Manager Economic Development & Community Engagement, Harry Bolton entered the meeting, the time being 12.00 noon.

CONFIDENTIAL BUSINESS – SUSPENSION OF STANDING ORDERS

- 128/19** **Resolved** that:

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

(Gary Verri/Brian Murray)

Motion Carried

The doors were closed to the public, the recording device turned off and the Meeting moved into Closed Committee, the time being 12.0 noon.

(ITEM ECO11/19) SALE OF LOT 7 MELALEUCA COURT - TENTERFIELD INDUSTRIAL PARK

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

SUMMARY

The purpose of this report is to finalise the sale of Lot 7 Melaleuca Court – Tenterfield Industrial Park to Mr Grant Townes of Grant Townes Haulage (GTH).

- 129/19** **Resolved** that Council proceed with the sale of Lot 7 Melaleuca Court to Mr Grant Townes of Grant Townes Haulage as outlined in this report.

(Gary Verri/Michael Petrie)

Motion Carried

RESUMPTION OF STANDING ORDERS

130/19 Resolved that Standing Orders be resumed.

(Tom Peters/Bronwyn Petrie)

Motion Carried

The Meeting moved out of Closed Committee, the doors were opened to the public and the recording device switched on, the time being 12.08 pm.

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

MEETING CLOSED

There being no further business the Mayor declared the meeting closed at 12.09 pm.

.....
Councillor Peter Petty
Mayor/Chairperson

MAYORAL MINUTE**(ITEM MM6/19) FUNDING OF HELICOPTER LANDING PADS**

SUMMARY

I, Councillor Peter Petty hereby move the following Mayoral Minute at the Ordinary Council Meeting held on Wednesday, 24 July 2019.

RECOMMENDATION**That Council:**

- (1) Seek Government funding for helicopter landing pads not only in Tenterfield but also in our outlying villages to support safety for the new and heavier helicopters that are being used; and**
- (2) Meet with the Westpac Helicopter Organisation to find out where these pads would need to be placed.**

MAYORAL MINUTE**(ITEM MM7/19) SURVEY FOR WASTE BIN SERVICE - BRYANS GAP ROAD**

SUMMARY

I, Councillor Peter Petty hereby move the following Mayoral Minute at the Ordinary Meeting held on Wednesday, 24 July 2019.

RECOMMENDATION**That Council:**

- (1) Undertakes a letter drop survey the entire length of Bryans Gap Road from the Bruxner Highway to Mt Lindesay Road to determine if a waste bin pick-up service is supported; and**
- (2) Receive a report on outcomes and future proposed action.**

Department:	Office of the Chief Corporate Officer
Submitted by:	Property Specialist (P/T)
Reference:	ITEM COM6/19
Subject:	MINGOOLA WASTE TRANSFER STATION

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Community - COMM 4 - The community is welcoming, friendly, and inclusive where diverse backgrounds are respected and celebrated.
CSP Strategy:	Buildings are well designed, safe and accessible and the new is balanced with the old.
CSP Delivery Program	Ensure that Council buildings and facilities meet the needs of users.

SUMMARY

The purpose of this report is to seek Council approval for an area of approximately 10 hectares at the southern most end of Lot 7018 in DP 1075723 for the purpose of constructing Mingoola Waste Transfer Station.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Resolve to seek a Licence from the Minister for approximately 10 hectares at the southern most end of Lot 7018 in DP1075723 at Mingoola for the purpose of constructing a Waste Transfer Station; and**
- (2) Authorise the Chief Executive to sign the Licence; and**
- (3) Resolve to conduct investigations and processes to compulsorily acquire the Licenced area by way of subdivision.**

BACKGROUND

As part of a Waste Management Strategy, Council initiated a series of landfill closures and conversion to waste transfer stations (WTS). Currently Mingoola is Council's only bulk bin residential collection service. These conversions to waste transfer stations were conducted under best practice management and legislation (WARR) designed to reduce waste through recycling.

Mingoola bulk bin service is one of the last sites for conversion to a WTS and was included in the list of capital works for closure and conversion to a waste transfer station.

Mingoola Progress Association have indicated their willingness for the WTS to commence and replace the bulk bin service.

REPORT:

It is proposed that the Mingoola WTS be located on the site indicated on the attached maps of Lot 7018 in DP 1075723. The WTS will be accessed via Springfield Road.

Our Community No. 6 Cont...

The proposed WTS site is adjacent to the existing bulk bin site. It will be fenced and consist of a demountable building installed along with associated amenities and waste facilities.

In order for Council to obtain control of that site it needs to obtain the appropriate Licence.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Mingoola Progress Association have indicated their willingness for the WTS to commence and replace the bulk bin service.

2. Policy and Regulation

- Conveyancing Act 1919
- Local Government Act 1993
- Native Title Act 1993 (Cth)
- Crown Land Management Act 2016

3. Financial (Annual Budget & LTFFP)

There will be a cost to Council for the Licence fee. Cost of investigations, such as survey and searches will also be incurred.

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

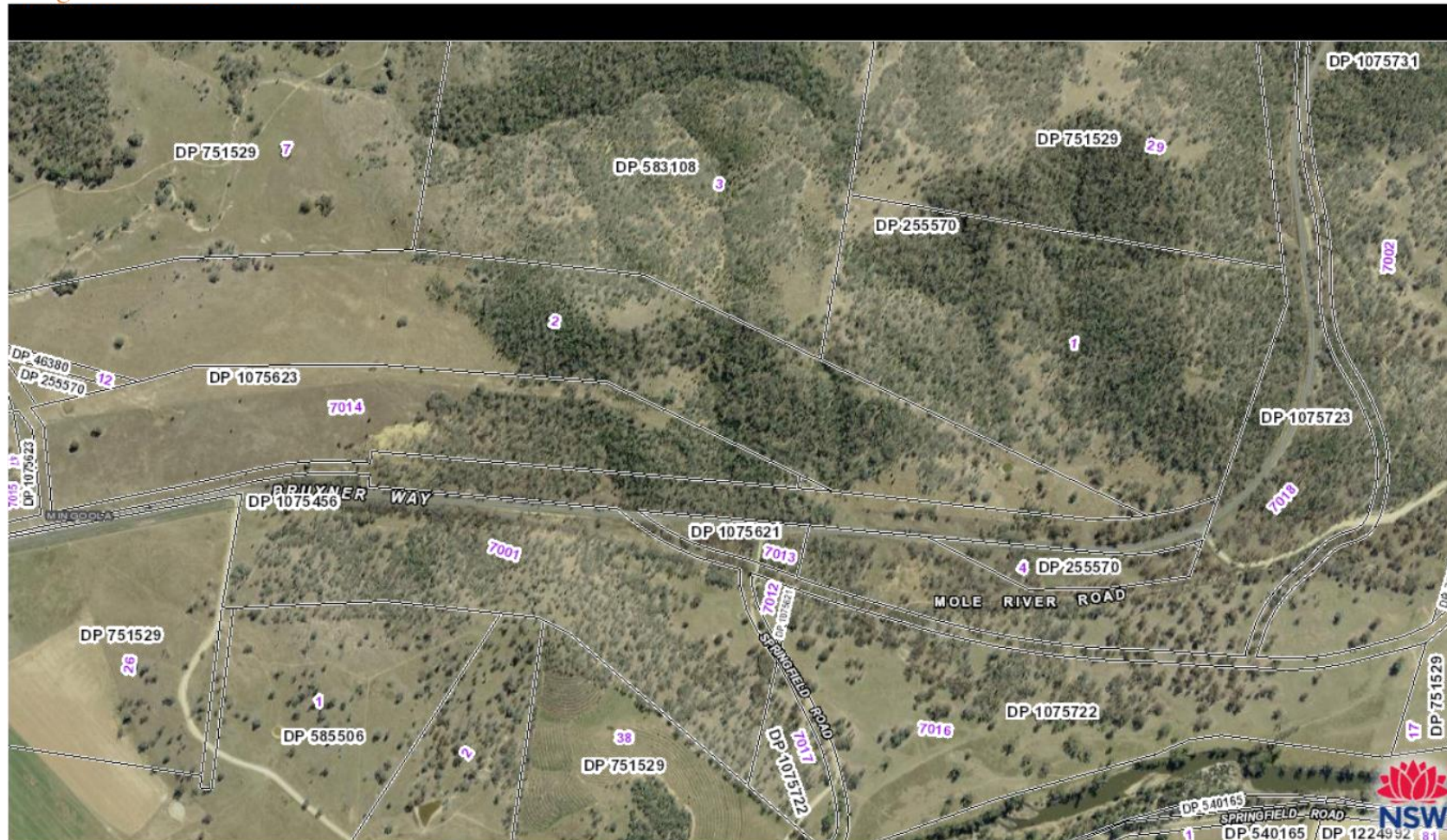
Prepared by staff member: Jennifer Donadel, Property Specialist (P/T)

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

Department: Office of the Chief Corporate Officer

Attachments:	1 Mingoola Waste Transfer Station	1
		Page
	2 Mingoola Waste Transfer Station - Area to be obtained	1
		Page

Mingoola Transfer Station



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Department:	Office of the Chief Executive
Submitted by:	Acting Manager Economic Development & Community Engagement
Reference:	ITEM ECO12/19
Subject:	PETER ALLEN FESTIVAL 2019 - ROAD CLOSURE

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Economy - ECON 7 - Tourism is valued, promoted and tourists are welcomed for the positive contribution they make to the community and economy.
CSP Strategy:	Seek partnerships with and support local business and tourism stakeholders to provide new and upgraded infrastructure for events and tourism experiences.
CSP Delivery Program	Facilitate and participate in ongoing partnership activities with the New England High Country, Tenterfield Chamber of Tourism, Industry and Business.

SUMMARY

The purpose of this report is to discuss fees and charges for the closure of Rouse Street and sections of High Street on Saturday 7th September, during the 2019 Peter Allen Festival.

OFFICER'S RECOMMENDATION:

That Council support the 2019 Peter Allen Festival by providing supplementary sponsorship to the value of \$2,952.99 and invoicing the Festival road closure costs of \$5,661.51 to satisfy the full fee of \$8,614.50 as per Fees and Charges 2019/2020.

BACKGROUND

The inaugural Peter Allen Festival was held in Tenterfield from Friday 7th September to Sunday 9th September 2018. This two and a half day festival brought approximately 1,100 visitors to town, and attendees rated the overall festival 4.3/5. Approximately 79% of festival attendees were from out of town, the majority staying in hotels and motels and staying for an average of 2.9 nights. Conservative estimates anticipate the festival brought a direct injection of \$400,000 to town.

One of the key elements of the 2018 festival was the Peter Allen Boulevard, which featured music and market stalls along the main street. This required the closure of Rouse Street between Molesworth Street and Manners Street, as well as part closure of High Street (to account for visitors to the Tenterfield Saddler). This was a hugely successful element of the 2018 Festival, and is one festival organisers are keen to replicate for the 2019 Festival.

The road closure added greatly to the atmosphere of the Festival, and was a favourite event for many attendees.

The Peter Allen Festival has the potential to be Tenterfield's Flagship Festival, as is the Parkes' Elvis Festival for Parkes. In light of this, Tenterfield Shire Council was a major supporter of the 2018 Peter Allen Festival, assisting with marketing, grant applications and subsidising the road closure.

Our Economy No. 12 Cont...

REPORT:

Preparation for the 2019 Peter Allen Festival is well and truly underway, with tickets on sale and significant enquiries being received. It is anticipated that there could be up to 2,000 attendees to the festival this year, which would have an expected direct injection of \$700,000 to the town and region.

Following the success of the Peter Allen Boulevard last year, the Committee is working hard to ensure this event can take place and be a feature of the 2019 Peter Allen Festival.

Based on Council's current fees and charges, the cost of securing the road closure on the Saturday of the 2019 Festival is \$8,614.50.

The Peter Allen Festival Committee have written to Tenterfield Shire Council, requesting support in regards to traffic management and this road closure. As a result of the above potential expenditure cost, it is not viable for the Festival to proceed with the road closure and the Peter Allen Boulevard.

Tenterfield Shire Council is currently a major sponsor of the Festival, and this additional sponsorship to the Peter Allen Festival for traffic management supports a major economic driver for the Tenterfield region without resulting in significant direct additional costs for Council.

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

The Peter Allen Festival was identified as a key tourism and economic priority for Tenterfield during workshops held in 2017.

2. Policy and Regulation

Nil.

3. Financial (Annual Budget & LTFP)

No change required to the annual budget however the value of sponsorship will be recorded to demonstrate Council support.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Our Economy No. 12 Cont...

Terry Dodds
Chief Executive

Prepared by staff member:	Caitlin Reid, Acting Manager Economic Development & Community Engagement
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 Finance & Technology
Reference:	ITEM ECO13/19
Subject:	FUNDING FOR BRIDGE OVER THE CLARENCE RIVER ON HOOTONS ROAD (ASSET ID 13345, BRIDGE NO. 61112)

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 to seek Council approval to part fund the replacement of the Bridge over the Clarence River on Hootons Road (Asset ID 13345, Bridge Number 61112).

OFFICER'S RECOMMENDATION:

That Council:

- (1) Approve a payment of up to \$550,000 to Kyogle Council for the purpose of replacing the bridge over the Clarence River on Hootons Road (Asset ID 13345, Bridge Number 61112) subject to the design being satisfactory to the Tenterfield Shire Council's Director of Engineering/Infrastructure and on the condition that any cost overruns are borne by Kyogle Council.**
- (2) That a request be made to Kyogle Council for Tenterfield Shire Council's Engineering Department to have a representative/s involved in the project.**
- (3) That Council's contribution to this project be funded by:**
 - a) A fixed or variable interest rate loan; or**
 - b) Grant funding; or**
 - c) Use of unrestricted cash; or**
 - d) a combination of the above**

at the determination of the Chief Executive on advice from the Manager Finance & Technology when the payment falls due to Kyogle Council (in recognition of the fact that some payments may not fall due immediately).

- (4) That Council be kept up to date on the progress of this matter via Monthly Capital Expenditure Report.**

Our Economy No. 13 Cont...

BACKGROUND

Kyogle Council have approached Tenterfield Shire Council to part fund the Bridge over the Clarence River on Hootons Road (Asset ID 13345, Bridge Number. 61112).

Kyogle Council applied for a grant (extract from their grant application attached) under the New Bridges renewal Program (Round4) to upgrade this bridge from timber to concrete at a cost of \$1.8m.

An amount of \$700,000 was allocated to Kyogle from this funding source and it has been proposed that Tenterfield Shire Council and Kyogle Council share the remaining cost of \$1.1m ie \$550K each.

REPORT:

While the request to fund this bridge falls outside of Tenterfield Shire Council's proposed bridge works for the current financial Year, the bridge does have a condition rating of 4 and a 9 Tonne load limit in place.

Given the bridge is of strategic economic importance to both Tenterfield and Kyogle and that it is used extensively by the blueberry farm in the area, crossing between Tenterfield and Kyogle Councils, there is a strong argument that as a grant has been provided to Kyogle Council to part fund the bridge, now is the ideal time to undertake this work, remove a load limit and bring this bridge to a level 1 condition.

Further, Council had this bridge totally on its books (in error), with a replacement value of \$1.2M – timber bridge for timber bridge. Under the proposed works and cost of \$1.8M, the timber would be replaced with concrete so the level of service will be upgraded and Council will be obtaining this asset for a fraction of the full cost.

In terms of funding the \$550K there are a few options including:

- a) Exploring additional Grant funding;
- b) Taking out an additional loan;
- c) Using Councils own unrestricted cash once the final outcome of the 2018/19 Financial Year is determined;

or a combination of the above.

While Council could also consider deferring other bridge projects to make this a priority, the Engineering/Infrastructure Department are loathe to do this given the urgency for the work that is currently planned.

It is proposed that the Chief Executive, with advice from the Manager Finance & Technology determine an appropriate funding source when payment becomes due to Kyogle Council.

The key question is whether Council believes it is a good idea to proceed with contributing \$550K to Kyogle Council to a fixed amount of \$550K.

While there are advantages to Council in having Kyogle Council undertake the bridge construction and there are no procurement issues in doing so, the risks include a lack of Council control over the bridge design and the possibility of project overruns.

Our Economy No. 13 Cont...

To mitigate this risk, a recommendation has been included that Kyogle Council be advised that Tenterfield Shire Council's contribution is fixed to a maximum of \$550K and that the contribution is subject to the bridge design being satisfactory to the Acting Director Engineering and Council having some involvement in the oversight of the project.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil.

2. Policy and Regulation

Nil.

3. Financial (Annual Budget & LTFP)

As replacement of this bridge had not been planned in the foreseeable future, there will be some impact on the Annual Budget and LTFP depending on the funding that eventuates for this project.

While it is not ideal for Council to approve on an ad hoc basis large capital projects outside of the Operational and Asset Management Plan for the year in question, in this case Council is afforded an opportunity to upgrade this bridge for a fraction of the full replacement cost and therefore, on this occasion, it appears to be a worthwhile addition to the Capital Expenditure budget for the 2019/20 Financial Year.

In terms of depreciation costs. Council's share of the bridge would be \$900,000 and depreciation would be \$9,000 per annum. This compares favorably to the \$15,000 per annum Council has been paying in depreciation on this building (based on the full replacement cost of \$1.2M like for like replacement cost ie timber bridge for timber bridge) admittedly, the depreciation Council should have been paying for this bridge was \$7,500 but even so, for an additional \$1,500 per annum Council is receiving a concrete bridge.

4. Asset Management (AMS)

Incurring this expenditure will bring the bridge over the Clarence River on Hootons Road (Asset ID 13345, Bridge Number. 61112) to a condition rating of 1 up from level 4. Council will be responsible for half of the depreciation and replacement cost in the future and this will be reflected in Council's Asset Management Plan moving forward.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

As indicated, there is a risk of cost overruns by Kyogle Shire Council in relation to this project, however these are mitigated by Council approving funding of up to \$550,000. If agreed to, it will be made clear that any cost overruns on the project will be the responsibility of Kyogle Council.

7. Performance Measures

Nil.

Our Economy No. 13 Cont...

8. Project Management

While Kyogle Council will be responsible for this project, it may be beneficial for Council to have a representative involved in the project management committee (or equivalent) in relation to this project.

Kylie Smith
Chief Corporate Officer

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

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

Department: Office of the Chief Corporate Officer

Attachments: **1** Extract from Kyogle Councils Grant Application - Bridge over the Clarence River (Hootens Road) 4 Pages

PROJECT BUDGETS

Bridge Names

Hootons Bridge Hootons Road

Project Cost Category	Total (\$)	Comments
Client Management and Oversight Costs	180,000	Administration of the project
Design and Investigation	50,000	Investigated and designed in house
Insurance, Fees and Levies		
Acquisition Costs		
Environmental Works	49,000	Sedimentation and erosion controls installed at the commencement of works and any stream bank planting at the end of construction
Traffic Management and Temporary Works	24,000	Traffic control plans enacted
Public Utilities Adjustment		
Bulk Earthworks	65,000	preparation for pile boring and construction of approaches
Retaining Walls		
Drainage		
Bridge Costs	1,180,000	construction costs which includes the steel and concrete
Pavements	104,000	sealing the approaches
Finishing Works		
Traffic Signage, Signals and Controls	1,000	
Design (if by Contractor)		
Other		
PROJECT COST	1,653,000	
Contingency amount (if applicable)	147,000	
TOTAL PROJECT COST	1,800,000	

Criterion 1	Structural Improvements Contributing to Productivity and safety		
<p>The specific objectives of the Program are to:</p> <ul style="list-style-type: none"> - Upgrade bridges to enhance access for local communities and facilitate higher productivity vehicle access. <p>Using as much detail as possible, outline how the structural improvements of your project will enhance access for local communities and/or facilitate higher productivity vehicle access?</p> <p>Structural improvements can be demonstrated by (but not limited to):</p> <ul style="list-style-type: none"> - Increasing load limits; - Increasing the number of lanes or the bridge capacity; or - Extending the operational life of bridge. <p>Claims against this criteria should be specific and measurable.</p>			
Bridge name		Hootons Bridge Hootons Road	
		Current	Post Construction
Dimensions	Bridge Length (m)	31.8	32
	Bridge Width (m)	3.8	4.2
	No. of Lanes	1	1
Load Limits	Load Limit of the bridge	9T rigid, 12T semi rigid	unlimited
	Load limit of the road the Bridge is located on	general mass limit	general mass limit
Future Load Limits - Given normal maintenance arrangements	In 5 years what will be the load limit	bridge will be untrafficable	unlimited
	In 10 years what will be the load limit	bridge will be untrafficable	unlimited
	In 25 years what will be the load limit	bridge will be untrafficable	unlimited
Useful Life	Useful life given standard maintenance	1-2 years	100
Detours	Detours for semi-trailers and larger, if load limit reduced (km)	The distances are different from the southern side to the northern side however the longest alternative is 52km. This involves a significant amount of travel time as these roads are gravel, winding and rough. This also depends if you want to access the Brukner Highway (NSW RMS road which runs east west) or Clarence Way (regional road running north south). All heavy vehicles are travelling around this bridge presently. Those most affected are those who live close to the site and want on or off farm products delivered.	The detours as the bridge will be available for all heavy mass vehicles
	Detour for cars if bridge is closed (km)	If the bridge is closed the same goes for cars, which includes all emergency services. The closer you are to the bridge site the longer the travel times to your destination.	no detours
Flooding	Number of days the bridge is unpassable due to flooding on an annual basis	4	4
Location	Latitude (decimal degrees)	-28.465	-28.465
	Longitude (decimal degrees)	152.3158	152.3158
	Name of the Road the Bridge is located on	Hootons Road	Hootons Road
	Name of water course the bridge crosses (if named)	Clarence River	Clarence River
	Name of Bridge (if given a name)	Hootons Bridge	Hootons Bridge
	Other Location Information (local description of bridge location)	15.1km along Hootons Road from the intersection with Clarence Way. The bridge is a on the LGA boundary with Tenterfield. The bridge is accessible from the southwest off Paddys Flat Road	
Owner of Road and Bridge	Owner of the bridge and road, if not proponent explain why.	Council	
Construction dates	Scheduled Commencement of Construction	5/01/2020	
	Scheduled Completion of Construction	31/12/2022	
Funding	Australian Government Contribution Sought	\$700,000	
	Kyogle \$1 055 000 Tenterfield \$30 000	\$1,085,000	
	State/Territory Contribution	0	
	Mountain Blue	\$15,000	
	Total Funding Sought	\$700,000	
Additional Works	Project Description of any additional works to be undertaken other than demolition of existing bridge, construction of new concrete bridge and undertaking a reasonable amount of approach roads.	no other works, as the site will not be side tracked	
Engineering Assessment - If you have had an engineering assessment completed on the bridge, what were the top three points it advised?	Summary Point 1 - LIMIT 50 words	The bridge is not suitable for traversing by all the legally loaded trucks, with the bridge being restricted to a GVM weight of 9 tonnes with a maximum axle load of 5 tonnes (this document is attached for further reference Bridge Load Rating & Inspection.pdf)	
	Summary Point 2 - LIMIT 50 words	Though there were some defective beams the low SAL can be attributed to the lack of support for the deck from the piers and the abutments. If the supports could be improved the bridge would be capable of at least compliance for all legally loaded fixed axle trucks and with permit some infrequent use by multi axle trucks.	
	Summary Point 3 - Limit 50 words	For improving the supports we would recommend concrete toe beams with steel columns into steel cross heads, directly supporting the existing beams, either through new corbels or removing the corbels, with the beams being directly supported by the steel crossheads. For compliance with ALL of the categories, additional steel beams, a steel trough deck with light reinforcement filled with 25Mpa concrete.	
	Did the report give options? If yes what were they and why did you pick this proposal option	The report gave the above descriptions and summarised all defective components. This bridge is at the end of its useful life and needs to be replaced this is the option Council has taken	

Criterion 2	Quantified Benefits	
<p>The economic and social benefits to the community or heavy vehicle operators of the project including evidence to support these claims.</p> <p>Benefits could include (but not limited to):</p> <ul style="list-style-type: none"> - Increased safety outcomes; - Increased load limits; - Improved community access, including for emergency services; - Improved heavy vehicle access; or - reduced travel times. <p>Evidence could include (but not limited to):</p> <ul style="list-style-type: none"> - General and heavy vehicle counts; - Costs incurred by alternative routes; - BCR's (where available); - Extent to which detours are avoided; - Letters of support that provides statements as to how industry or the community will benefit. 		
Bridge Name	Hootons Bridge Hootons Road	
	Current	Post Construction
AADT		
Average Annual Daily Traffic (AADT)	12	60
Source used for AADT	Electronic traffic recording device	Estimate
Heavy Vehicle Traffic (AADT)	0	30
Source used for HV AADT	Electronic traffic recording device	Estimate
BCR (optional)		
Comments (Limit 100 words)		
What is the first reason why the Australian Government should assist for funding the replacement of this bridge	This bridge is one of the capital upgrades of the Tabulam Agribusiness Precinct Infrastructure Improvements. This area needs an open access route with certainty for freight movements to the main distribution centres. The primary focus of this project is the renewal of the existing timber bridge and its connectivity to the Bruxner Highway and/or Clarence Way as the major transport routes. A wide range of economic benefits will be created this includes primary industry investment which in turn will allow entry into the industry for young farmers, exit plans for aged farmers, better methods for production, processing, marketing and distribution leading to sustainable industries.	
Optional - What is the second reason why the Australian Government should assist for funding the replacement of this bridge	The bridge renewal will optimise transport options to premium markets and make for a safer ride for all vehicles. Tourism Australia is pushing food tourism, which gives this region an advantage with international destinations at the Gold Coast, Brisbane and Byron Bay as well as the local airports at Lismore and Ballina. An innovative, vibrant and competitive agriculture sector will create jobs, encourage investment and help build stronger rural and regional communities. An innovative, vibrant and competitive agriculture sector will create jobs, encourage investment and help build stronger rural and regional communities.	
Optional - What is the third reason why the Australian Government should assist for funding the replacement of this bridge	There is no risk associated with the monetary contributions from Council, with cultural issues or environmental health such as pollution. The main risks associated with this type of work is wet weather and fast flowing water. This type of construction is done within the road reserve so no planning approvals are required. Estimate is based on known costs (design and investigation), quoted rates (piles), known material costs (steel girders and precast deck units) and historical rates that Council has achieved on similar projects. The project is clearly understood and well defined as there is a high level of in house experience in estimating and constructing bridges and roads.	
Is this listed in the State Freight Plan or a direct link to this plan? If so where and how	yes: Transport for NSW - Regional Transport Strategy; Regional Economic Development Strategy for the Northern Rivers 2018/2022. Part 3 lists the Tabulam Agribusiness Precinct Infrastructure Upgrades as a candidate project	
Is it mentioned in the RDA regional Freight strategy? If yes where and ranking	yes: Freight & Supply Chain Strategy 2018/2019 identifies the Tabulam Agribusiness Precinct Infrastructure Upgrades. This bridge replacement project is one of the items listed in the document	
Is this listed in the Council Freight Strategy. Explain	Kyogle Council does not have a Freight Strategy however this bridge is listed in the Tabulam Agribusiness Precinct Infrastructure Upgrades and Council has attached the Business case prepared by MorrisonLow	
What recent (or in the immediate future) Roads to Recovery or Blackspots roadworks have you undertaken that supports the importance of this bridge?	There has not been any other funding received to improve infrastructure needs along Hootons Road or over the Clarence River in this area.	

Criterion 3		Construction Readiness and Risk
<p>The aim of the BRP is to award funding to projects that are ready to proceed shortly after formal funding has been approved, with completion and submission of documentation occurring in a timely manner.</p> <p>The Department will assess all proponents with prior funding under either BRP or the Heavy Vehicle Safety and Productivity Program based on their demonstrated history of managing projects in earlier rounds of these Programs. Proponents demonstrating a largess in the management of their earlier projects may receive a score of 2 or below in this Criteria.</p>		
Details regarding the design work undertaken on this project to up to the submission of your project?		
What stage are the designs?	Tenterfield Council organised the level 3 Bridge Inspection which is attached for your perusal. Both Council's are working together however our neighbours are cash poor and have little in the way of monetary support, Kyogle Council has a concept bridge design plan for this 32 metre bridge. Council is very familiar with these types of works	
Approvals		
Development Approval	Does the project require these approvals ? If yes where are they up to or how long will it take.	No
Heritage Approval	Does the project require these approvals ? If yes where are they up to or how long will it take.	No
Cultural Approval	Does the project require these approvals ? If yes where are they up to or how long will it take	No
Environmental and/or Fisheries Approval	Does the project require these approvals ? If yes where are they up to or how long will it take.	Yes NSW Fisheries Permit Application which takes 28 days to acquire
Utilities Relocation	If you need to relocate utilities, have you gained the utilities consent and been advised of the costs involved and timing?	No Utilities need moving
Consultations		
Community Consultations	What Community Consultations have occurred?	This bridge is on the LGA boundary between Kyogle and Tenterfield Council's. In both areas the load limit has been noted on Council's website and NSW My Road Info. All industry players are fully aware of these severe restrictions
Industry Consultations	What industries and local business have been consulted?	All local businesses and residents both north and south of the bridge site have been informed of the severe bridge restriction which has been in place for approximately 12 months. The main primary industry is beef production. This area is relatively isolated from regional town centres and markets and for some there is a long time frame with the alternative route. The numerous local residents have a keen interest in this bridge and genuine concerns regarding safety and continued access.
Costings		
Preparation of Costings	Who completed costing and their experience in projects of this size.	All costing have been completed in house. Kyogle Council staff are very experienced in cost estimates in particular bridges. Kyogle Council carries out the types of work proposed (bridge construction) on a regular basis for our own works and RMS works. Council staff are very familiar and competent with the processes required to construct this bridge. Planning works for this project are ready and on the shelf, this includes risk register and a cost estimate.
Land Acquisition	Will there be any need to acquire land? If yes explain what steps have been taken to achieve this.	No, the bridge will remain on the same alignment within the road reserve
Risk Management	Has the council applied its risk management plan/processes to this proposal?	Yes, Council is very familiar with bridge construction works. Council's main risk is the weather

Department:	Office of the Chief Executive
Submitted by:	Chief Executive
Reference:	ITEM ENV10/19
Subject:	REVIEW OF NSW ENERGY FROM WASTE POLICY STATEMENT

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

The purpose of this report is to provide Council with information relating to a review of the NSW Energy from Waste Policy Statement conducted by Chief Executive Terry Dodds and Angus Witherby, Director of Planning & Community Development, Moree Plains Shire Council.

OFFICER'S RECOMMENDATION:

That Council receive and note the report.

BACKGROUND

The current Energy from Waste Policy Statement 2015 is prescriptive versus outcome focused. As with more regulation underpinning legislation, by being prescriptive almost guarantees it to be out of date almost as fast as it is written. Apart from restricting technologies that could be used to reduce landfilling in NSW, the regulation as it stands at present also fails to take into account wider global market economics, the tyranny of distance, and international risk management standards.

By adopting regulation that is outcome driven the environment, social and economic paradigms can be maintained at world's best practice and held NSW councils substantially reduce landfilling.

REPORT:

There are a number of key policy principles relating to the current document.

Comment is made on these as follows:

1. **Hierarchy of waste.** Whilst the hierarchy of waste appears to be a sound principle, there are concerns that it is being applied, in practice, in a fairly rigid fashion.
For example, when looking at Section 1, energy from waste is seen as a valid pathway where *"further material recovery through reuse, reprocessing or recycling is not financially sustainable or technically achievable"*.

Comment: There is a challenge in assessing issues of both financial sustainability and technical achievability.

Our Environment No. 10 Cont...

Whilst on the surface these criteria both appear reasonable, in practice there are often expectations that certain types of waste stream are financially feasible to recycle when they are not.

Another issue relates to technically achievable outcomes. The significant restrictions placed on a variety of technical solutions through the policy document of itself limits potentially available technological outcomes.

Further, financial sustainability and technical achievability should only be seen through the lens of positive environmental benefit. There are examples where technical solutions are available, and economic, but do not offer positive environmental benefit.

In addition, environmental benefit needs to be considered broadly whereas at the present time the policy is really focusing on the local social license to operate and direct neighbour impacts (see point 5 below). Similarly, when looking at "waste avoidance" there needs to be a recognition of the different actors in the overall process.

For example, Local Government has minimal influence on waste avoidance as it has no control over manufacturing streams nor the consumerist economy. Instead, local government is the receiver of waste streams.

There is a risk that the waste hierarchy, rigidly applied, is exclusionary in terms of the real role that individual actors play in the total product life cycle.

- The hierarchy of waste should be considered as overlapping "bands" as compared to rigid divisions. This recognises that in different contexts and situations wastes which might fall into one category actually fall into another.

2. **No increase in risk.** The policy seeks both this outcome and an outcome that seeks "to ensure outcomes are below levels which may pose a risk of harm to the community".

Comment: The policy has an unsophisticated approach to the issue of risk. Overall, the policy is more focused on risk avoidance than risk management. There are obvious situations where an increase in risk is manageable within overall outcome thresholds which do not threaten environmental or human health.

In this respect the policy should be refocused around management of risk in a way that acknowledges the following:

- Risk relates to facility scale, technology, location and context. For example "ceramic works" at an industrial scale is a relatively high risk industrial operation. A 300 mm by 300 mm electric fired furnace in a garage used by a small-scale commercial potter operating a home business in a residential area is not.

Our Environment No. 10 Cont...

- Within this context, the ISO 31000 risk management framework should be explicitly adopted as an operational framework that is internationally acknowledged, recognised and proven.

3. **Arbitrary exclusion of feedstock.** The policy identifies that unprocessed mixed waste streams are excluded.

Comment: At the end of the day the type of feedstock is irrelevant. The policy is pre-emptively excluding certain feedstocks without a knowledge of the potential and available technologies that may be able to address feedstocks. In this respect the focus of the policy needs to shift from an “input” focus to an “output” focus.

- Any inputs should be acceptable provided that the process achieves acceptable outcomes.

4. **Division of feedstock into two categories only.** The policy identifies a list of eligible waste fuels with non-eligible waste fuels needing to meet different criteria under part 4 of the policy.

Comment: This again highlights the input focus rather than output focus. Waste streams are arbitrarily directed into two main categories based on inclusion within a list where the selection criteria for inclusion are opaque, and where there is an excessive emphasis on consistency in the input stream.

The consistency standard can easily be applied as an arbitrary “bar” to exclude waste streams that would otherwise meet the criteria.

- This arbitrary distinction into “low-risk” and “high-risk” ignores that the risk management framework needs to be more sophisticated, and that relative risks may vary significantly between technologies in terms of how the same wastes might be able to be handled.
- Eligible waste fuels also focuses heavily on notions of consistency. Again, the level of consistency in the composition of the incoming waste stream is not significant in its own right. The issue, instead, is that within the range of the variability of feedstocks likely, environmental outcomes can still be reliably and consistently achieved. This suggests a revised focus on “proof of performance” not consistency of inputs.

5. **Public consultation and good neighbour.** This identifies “effective information and public consultation”.

Comment: While this principle is sound, again there are issues to do with scale, technology, context and location.

Our Environment No. 10 Cont...

A small-scale facility, located within an existing waste management facility, that would cause no measurable outputs beyond the facility boundary, requires a totally different approach to community engagement and consultation than a major industrial facility directly adjoining a metropolitan residential area. There are a great many existing examples, such as methane capture and conversion to energy (or flaring), that are not of a concern.

- As a principal, consultation needs to be relevant to both the potential hazards and the risk management strategy.

6. **Macro level environmental offsets.** The policy is rigid in relation to the “least worse” versus “theoretical” outcome by failing to take into consideration macro level environmental costs. Whilst it would be an ideal world to have the circular economy operating in an economic, social and environmental context, the tyranny of distance and smaller scale in regional NSW with exception of the handful of larger centres, indicates that the cost environmental gains in one aspect would be largely offset (or worse) by environmental losses. Particularly when the cost of transport, fossil fuel power and landfill environmental damage is taken into full context.

- Other environmental offsets and costs need to be understood in context, not as at present, where a one-size-fits-all policy is mandatory.

7. **Global market economics.** The policy, in particular the waste hierarchy (especially plastics), does not take into consideration changing market-driven economics. The “value” of recyclables to industry, either in Australia and overseas (in a truly global economy), will determine demand – not an artificial law.

For Australia which represents only 1.47% of the World’s GDP, to believe the world will follow is pure folly.

- To have an edict that effectively (artificially) forces industry in Australia to act contradictory to the rest of the global market is fraught with risk. It will encourage illegal activity at worst, or avoidance at best. (There have been a great many examples of illegal shipping of plastics from Australia to SE Asia very recently.)

Section 4 of the Energy from Waste Policy Statement (2015) addresses energy recovery facilities.

Comments:

The screening process of the policy as it stands means that there is a very high likelihood of the majority of proposals falling into this category rather than the lower threshold category of “eligible waste fuels”.

Our Environment No. 10 Cont...

The key criteria here are:

"These facilities must therefore demonstrate that they will be using current international best practice techniques, particularly with respect to:

- Process design and control
- Emission control equipment design and control
- Emission monitoring with real-time feedback to the controls of the process
- Arrangements for the receipt of waste
- Management of residues from the energy recovery process".

There is a clear tension between "best practice" and "proven technology". Best practice is often at the cutting edge and does not necessarily have lengthy operational track records.

Further, reliance on international best practice has, in practice, meant "international best practice as operating somewhere else within New South Wales using proven technology".

- **If one can only use technologies that are already in use and demonstrated within NSW how can industry demonstrate best practice in the first place?**

(Red flag laws were laws in the United Kingdom and the United States enacted in the late 19th century, requiring drivers of early automobiles to take certain safety precautions, including waving a red flag in front of the vehicle as a warning. Are we going to remain that draconian and not use modern risk management doctrines to manage?)

- **How does a society advance if only technology from yesterday is acceptable?**

Rather than a focus on best practice techniques in the assumption that these are automatically acceptable, the policy needs to be more focused on the consistent achievement of acceptable environmental outcomes in the circumstances of the case – especially with regards to rural and sub-regional NSW.

This again relates to scale, technology, location and context and "prove-ability" through operational experience.

- There is a specific need to provide a framework for technological trials with appropriate risk management frameworks in place. This is virtually **impossible under the current policy where specific advice was provided by the EPA** that their licensing criteria specifically excluded the possibility of trials.

Our Environment No. 10 Cont...

This suggests that there needs to be a review of the policy application in practice as well as the policy itself.

The thermal efficiency criteria are also limiting. For example, utilising these technologies primarily for waste disposal may have significant benefits in reduced methane generation from landfill and reduced environmental impacts from the transport of wastes using fossil fuel powered vehicles.

Instead, there needs to be a broader focus on environmentally positive outcomes in a way that takes into account a wide range of criteria rather than one single narrow criteria around thermal efficiency. (Macro versus micro environmental economics.)

The approach to resource recovery criteria sees waste to energy as “complementary” and therefore sitting “outside” the preferred waste management approach rather than being seen as an integral tool within it.

The criteria also require source separation systems which are not feasible in smaller communities. Table 1 sets up a range of arbitrary criteria around these systems.

- A key element here is to recognise the feasibility and practicality of various waste stream management protocols in different sized communities at different spatial densities.

Relationship with the planning system

The planning system offers another level of control, which can complement the EPA licencing processes. This goes beyond the issuing of general terms of approval on DAs, but can also use the DA process as a means of managing development, including trials. There is strong benefit in using the two systems together to manage these types of projects.

Conclusion

Waste to Energy or Energy from Waste, if viewed as an integral solution and not a ‘tack-on’, pragmatically regulated with scale, economics and distance taken into (real) consideration, will create environmental, social and economic opportunities which in NSW we’re missing out on.

The EfW industry has overcome jurisdictional hurdles in other States in Australia, but only recently. As a country we’ve been very slow in adopting technologies that have been reducing landfilling in a great many countries – with commendable environmental benefits.

Having a policy that in effect thwarts EfW, especially in rural NSW, will continue to force local government to landfill.

Our Environment No. 10 Cont...

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

This is about NSW Government Policy. Until or if the Energy from Waste Policy Statement 2015 is modernised there will continue to be nothing to communicate about.

2. Policy and Regulation

- The NSW Energy from Waste Policy Statement (2015)

3. Financial (Annual Budget & LTFP)

Nil

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

7. Performance Measures

N/A

8. Project Management

Nil

Terry Dodds
Chief Executive

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

Department:	Engineering Department
Submitted by:	Technical Projects Engineer
Reference:	ITEM ENV11/19
Subject:	MT LINDESAY ROAD WASTE COLLECTION SERVICE 2019 UPDATE

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:	Town and Village planning supports and enhances local place making principles and practice celebrating the diversity of our natural environment.
CSP Delivery Program	Identify, plan and enhance local environments in partnership with the community and stakeholders.

SUMMARY

The purpose of this report is to provide Council with further information to aid making a decision on whether to continue the Mt Lindesay Road Waste collection service or otherwise.

OFFICER'S RECOMMENDATION:

That Council:

- (1) Continues the Mt Lindesay Waste Collection service - the service will be mandatory for those along the Mt Lindesay between the Boonoo Boonoo landfill and Urbenville (as well as the townships of Liston and Legume). If others off the road wish to use the service, they may do so if they take their wheelie bins to the Mt Lindesay Road, or;**
- (2) Discontinue the service of the Mt Lindesay Waste Collection service - the service will not be available for those along the Mt Lindesay Road between the Boonoo Boonoo landfill and Urbenville. The service will be discontinued for Liston and Legume, or;**
- (3) Continue with an opt-in waste collection service between the Boonoo Boonoo landfill and Urbenville (as well as the townships of Liston and Legume) on a permanent basis (business as usual).**

BACKGROUND

In the 2016/2017 financial year Council effected a trial waste collection service for those residents along the Mt Lindesay Road and villages along the route over which a Council truck travels weekly to Urbenville. This service was trialed for 2 reasons:

1. Council took over the kerbside collection service at Urbenville, which was previously undertaken by contractors;
2. During community consultation during the closure of the Liston, Legume and Dalman Landfills, some residents expressed a desire for a kerbside collection service.

Our Environment No. 11 Cont...

The original report proposed the trial be mandatory, however it did provide an opt-in service as an alternative. This alternative was not supported by Council Officers due to logistical difficulties.

At the February 2017 Council Meeting, it was moved that the survey that was to be conducted in May 2017 be bought forward to March 2017. It was resolved that the survey be undertaken at the earliest possible opportunity. The survey results showed that more residents were not using the service than were using it.

There was a lot of discussion in the Council reports as to the practicality of implementing a 'user pays' approach to a rural pick up service outside of the major urban areas. Three matters for consideration were raised:

1. Precedent set for other areas seeking the same. Whilst this approach is out of step with the normal approach of charging all ratepayers along a route whether service is taken up or not, and possibly might be referred to by some communities in the future as a precedent, Council in the future might need to look at similar implementations on the circumstances of the time and just not buy the "precedent" reasoning.
2. Simplicity or otherwise of system administration. Council truck operators need to be able to discern at any point in time who is in the collection scheme and who is not without adding to back office administrative/system management costs. It has been suggested that people could be putting out bins they have or procure, and just not pay for the service. For those that wanted the service they could be provided with a unique sticker to place on the top of their bin for ease of 'paid up' identification and additionally the Council waste collection drivers could be given a means for identifying which ratepayer locations were paying for the service.
3. In relation to the frequency of service, there should not be a combination of some people being provided a weekly service and others a fortnightly service. Such will quickly become unworkable with mistakes being made.

As the community has already voiced concerns about cost of the service, some people not generating enough rubbish to warrant the service, and aging population, it is suggested a compromise could be to do what a number of Councils do and that is revert to a fortnightly 120L bin pick up and in so doing halve the "user pays" annual 120L bin pick-up fee to \$219/annum. A fortnightly service was not implemented, with the weekly service going ahead instead.

In June 2017, Council resolved to change the service to an opt in/opt out service for a further trial period of 2 years. The decision regarding if the service will continue will be based on a survey of all residents along the route and an economic assessment based on if the service is financially viable to continue.

As in the urban setting where a pick-up service is available, a service fee of \$297 per annum per ratable property is applied irrespective of service use. This equates to \$5.70 per week pick-up.

However, while Council keeps the rates and fees and charges to a minimum, the real cost of a pick-up services is spread throughout the community as a Waste Management Charge.

Our Environment No. 11 Cont...

The Waste Management Charge aids Council to maintain assets and infrastructure including the current 5 transfer stations and 2 landfills across the Shire.

Providing waste management is a balance of provision of services to the community, and in undertaking additional services, is recognised by Council staff as ultimately needing to exceed the urban environment by providing services to the rural community.

These services are recognised by Council as essential as dealing with the hazards of waste as well as the stringent legislation for dealing with waste, is a large impost on individuals as well as the wider community and environment. Council is required to provide these services in a sustainable way, however purely on economics of scale dealing with a fewer number of pickups spread out over a larger area increases costs to the community making the sustainability of service an issue.

REPORT:

Council Survey

Council conducted a survey of all ratepayers with dwellings on their properties along the Mt Lindesay Road route travelled by the Council truck, regardless of whether they are currently receiving this service.

The information of the ratepayers was compiled by comparing the previous survey responses along the route to remove any that had returned the form stating that there were no residential dwellings on the property or that a survey was not received. The list also included any new Development Assessments along the route for dwellings that had been submitted since the service was introduced in 2016.

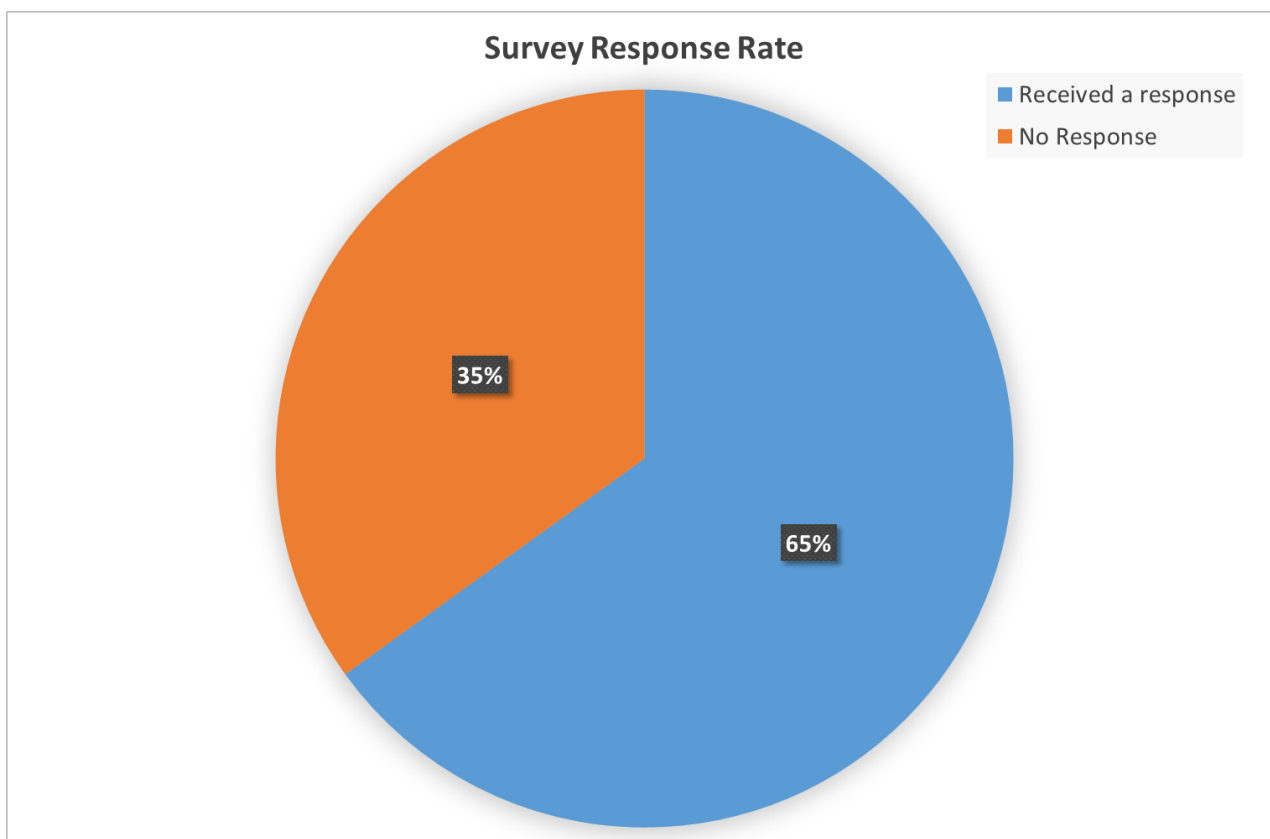
It was determined that there would be one (1) survey issued to a ratable assessment, regardless of how many properties are associated with that assessment. Non-ratable properties, such as churches or community halls were not surveyed. Despite this process, Council still received phone calls, letters and emails of residents who had not received the survey. Some of these respondents had been mailed the survey, but it never arrived so a replacement survey was issued. Some of the respondents were unintentionally left off the mailing list, these people received a survey only if it was determined that they were eligible.

The initial mail out included 178 properties. An additional 9 surveys were issued based on respondents contacting Council. 2 people also contacted Council during the survey period asking if they are able to get a wheelie bin for their properties along the route.

The responses have been mapped to identify any trends to assist in the decision making process. The majority of the residents not wanting the service are between Tenterfield and Liston, and those who are interested in the service are typically those in the northern part of the route (see map at Attachment 1 (Attachment Booklet 1)).

From the survey, the response rate was 65%, meaning that of the 187 final total of issued surveys, 118 surveys were returned to Council, as shown in Figure 1. Council asked 6 questions in the survey to help gain an understanding on who is using the service, what they think of the service; if they have the service and if they would like to continue the service.

Our Environment No. 11 Cont...

**Figure 1**

From the 65% of residents who submitted the survey, 47% currently have the service. Of the people who currently have the service, 95% (71% and 34%) were satisfied with the service. 3% of respondents were not satisfied with the service, and 2% didn't respond to the question.

Figure 2 shows the breakdown of responses.

Our Environment No. 11 Cont...

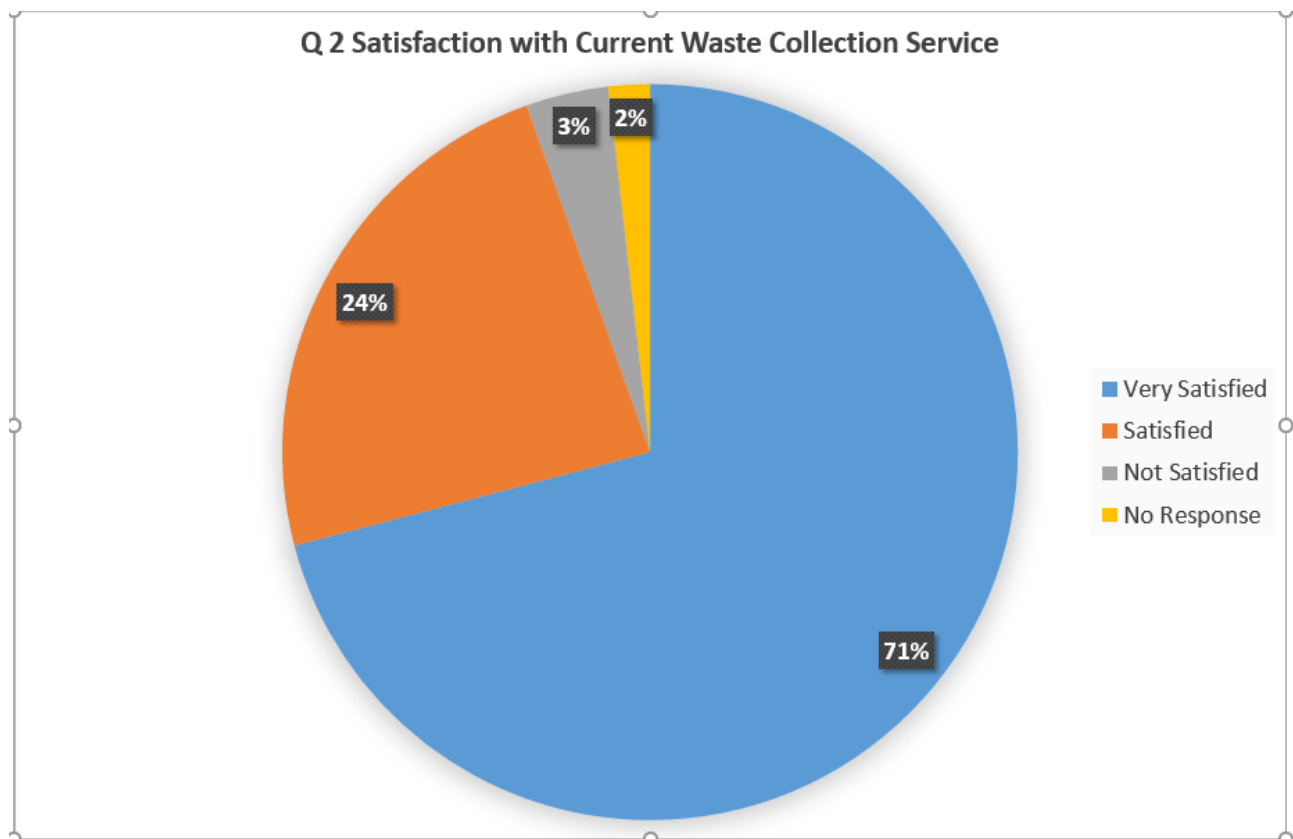
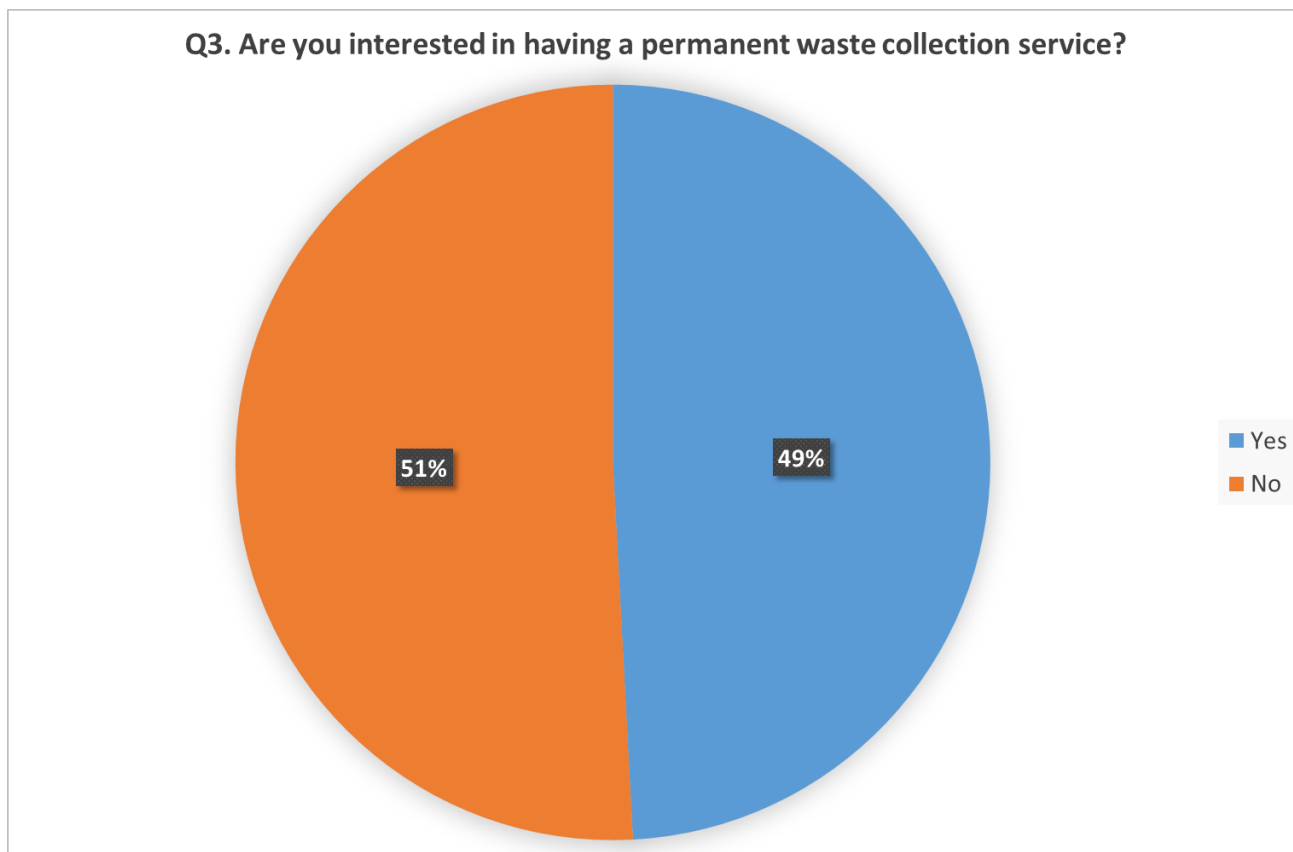


Figure 2

The response to the survey have been very closely divided from the 65% who responded; with 49% of the responses saying that they would like the service to continue, as shown in Figure 3.

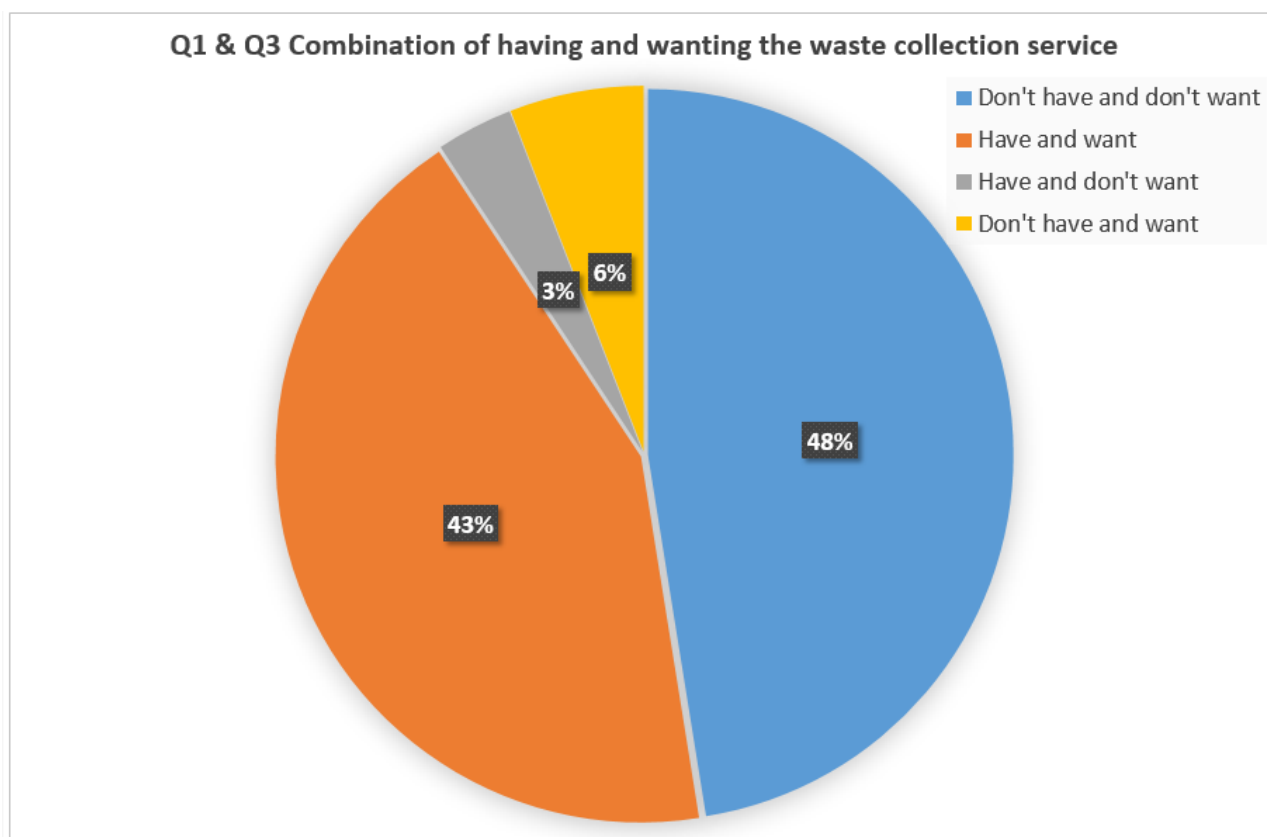
Our Environment No. 11 Cont...

**Figure 3**

By linking the questions in the survey, combinations can be examined to provide detail statistically. For example of the 65% of respondents to the survey, from the residents who currently have the service, 93% of the residents would like the service to continue.

Whereas 89% of the people who currently do not have the service also do not want to have the service in the future, as shown in Figure 4.

Our Environment No. 11 Cont...

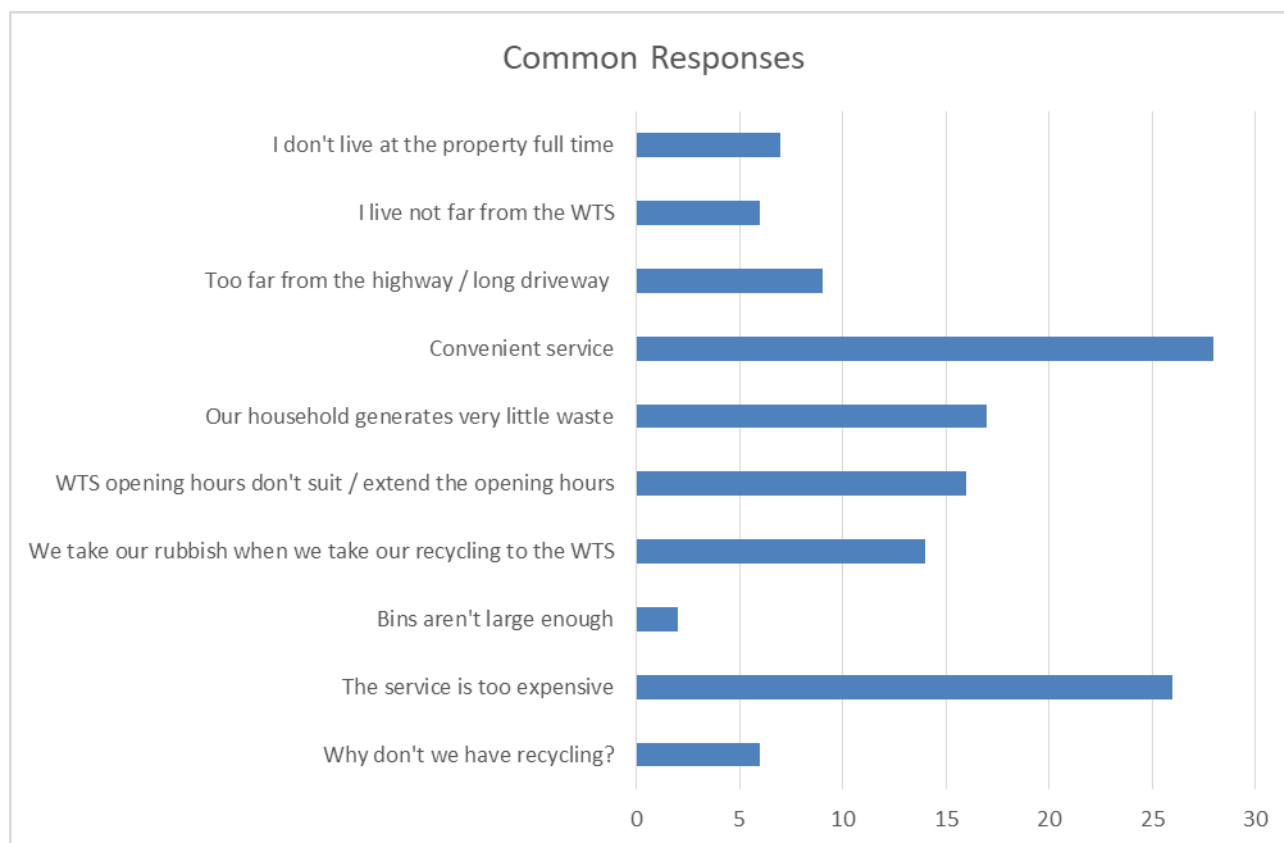
**Figure 4**

There appeared to be some common themes in the written comments back to Council.

A summary of these are shown in Figure 5 below. The most common responses are highlighted below:

- The waste collection service is very convenient (28 responses) for numerous reasons, such as:
 - It is too far to drive to the nearest WTS
 - Due to work commitments they cannot dispose of waste at the WTS during opening hours
 - Not having a trailer to transport waste to the WTS's
 - Due to their age they find it difficult to transport their waste to the WTS's.
- The waste collection service is too expensive (26 responses)
- My household generates very little waste (17 responses)
- The current WTS opening hours don't suit / the WTS opening hours should be extended (16 responses).

Our Environment No. 11 Cont...

**Figure 5****Revenue**

Currently the Mt Lindesay Road waste collection route has 94 subscribers, 77 with a 120L bin and 17 with a 240L bin. In the 2018/2019 financial year, this resulted in revenue of \$35,198.

The revenue for the Urbenville waste collection service for 2018/2019 is \$74,398, which includes residential and non-residential wheelie bins (120L and 240L).

Therefore, the total revenue for the Mt Lindesay Road/Urbenville waste collection service is \$109,596 for the 2018/2019 financial year, where the Mt Lindesay Road is opt in/opt out.

Operating Costs

The calculation of the operating costs of the Mt Lindesay Road waste collection route is difficult to determine on its own as the Urbenville collection is completed at the same time.

The Urbenville collection service is a service that was offered before the Mt Lindesay Road collection service and was historically undertaken by contractor. The contractor indicated to Council that they would be unable to continue the service, so the decision was made within Council to take over this service with Council staff. There will be no further discussion on the Urbenville service within this report, as it is an issue beyond the scope of the Mt Lindesay Road collection route and is only mentioned here to outline the difficulties in separating out the operating costs for the Mt Lindesay Road collection route as its own cost.

Our Environment No. 11 Cont...

The total operating cost for the Mt Lindesay Road/Urbenville collection routes is approximately \$74,329.97 for the 2018/2019 financial year. It should be noted that this cost is only the cost of the side loader and the operator's time.

This does not take into account the cost to landfill the waste or to manage the landfill with the waste. As all of the waste from the Shire (excluding Torrington) is handled at Boonoo Boonoo Landfill, it is difficult to proportion the cost of managing the waste just from the Mt Lindesay Road waste collection route, however an estimate for a year based on tonnes is approximately \$27,000. This increases the operational cost per year to approximately \$101,000.

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

A community survey was issued to residents along the route. Surveys have also been completed in the past about this issue.

Residents along the route will be required to be contacted via letter regarding the outcome of this report.

2. Policy and Regulation

- The Local Government Act States:

496 Making and levying of annual charges for domestic waste management services

(1) A council must make and levy an annual charge for the provision of domestic waste management services for each parcel of rateable land for which the service is available.

(2) A council may make an annual charge for the provision of a domestic waste management service for a parcel of land that is exempt from rating if:

- (a) the service is available for that land, and
- (b) the owner of that land requests or agrees to the provision of the service to that land, and
- (c) the amount of the annual charge is limited to recovering the cost of providing the service to that land.

501 For what services can a council impose an annual charge?

(1) A council may make an annual charge for any of the following services provided, or proposed to be provided, on an annual basis by the council:

- water supply services
- sewerage services
- drainage services
- waste management services (other than domestic waste management services)
- any services prescribed by the regulations.

(2) A council may make a single charge for two or more such services.

(3) An annual charge may be levied on each parcel of rateable land for which the service is provided or proposed to be provided.

3. Financial (Annual Budget & LTFP)

Any change in operations unless increasing services will impact waste's sustainability.

Our Environment No. 11 Cont...

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Under obligations to the EPA and the community in the provision of waste services; high risk activities such as burning of domestic household wastes fall under legislation contained in the Clean Air Act (updated to the POEO, 2010 as outlined below)

Protection of the Environment Operations (Clean Air) Regulation 2010

Current version for 8 January 2019 to date (accessed 15 July 2019 at 12:19)

[Part 3 Division 2 Clause 10](#)

10 General obligation to prevent or minimise air pollution

- (1) A person who burns anything in the open or in an incinerator must do so by such practicable means as are necessary to prevent or minimise air pollution.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of an individual).

- (2) Without limiting subclause (1), the means of preventing or minimising air pollution may include the following:

- (a) taking into account the potential for smoke impacting on any person having regard to:

- (i) wind direction, and
- (ii) weather conditions, and
- (iii) the length of time that the material being burnt is likely to burn,

- (b) taking reasonable measures to ensure that the material being burnt is not wet,

- (c) burning only material that is suitable for disposal by burning, having regard to possible effects on human health and the environment.

Protection of the Environment Operations (Clean Air) Regulation 2010

Current version for 8 January 2019 to date (accessed 15 July 2019 at 12:20)

[Part 3 Division 2 Clause 11](#)

11 Prohibition on burning certain articles

- (1) A person must not burn a prohibited article:

- (a) in the open, or
- (b) in an incinerator that is not authorised or controlled by a licence under the Act.

Maximum penalty: 100 penalty units (in the case of a corporation) or 50 penalty units (in the case of an individual).

(6) In this clause, **prohibited article** means any of the following:

- (a) tyres,
- (b) coated wire,
- (c) paint containers and residues,
- (d) solvent containers and residues,

Our Environment No. 11 Cont...

- (e) timber treated with copper chromium arsenate (CCA) or pentachlorophenol (PCP).

7. Performance Measures

While performance measures for waste are typically based on complaints received; statistically from the Mt Lindsay Road survey, 95% are satisfied with the service provided. These figures aid in balancing the key drivers of performance in waste.

8. Project Management

Nil.

Fiona Keneally

Acting Director Engineering/Infrastructure

Prepared by staff member:	Melissa Blum, Technical Projects Engineer; Gillian Marchant, Manager Water & Waste; Erika Bursford, Manager Customer Service, Governance & Records; Paul Della, Manager Finance & Technology
Approved/Reviewed by Manager:	Fiona Keneally, Acting Director Engineering/Infrastructure
Department:	Engineering Department
Attachments:	1 Attachment 1 (Attachment Booklet 1) - Mt Lindesay Road - Waste Service Indicators 1 Page

Department:	Engineering Department
Submitted by:	Technical Projects Engineer
Reference:	ITEM ENV12/19
Subject:	BOONOO BOONOO LANDFILL HYDROLOGY STUDY

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:	Waste from our operations is managed to reduce the volume and take advantage of recycling opportunities available to us.
CSP Delivery Program	Provide effective and efficient delivery of sewerage services across to the townships of Tenterfield and Urbenville.

SUMMARY

The purpose of this report is to provide Council with information about the hydrology of Cell 5 of Boonoo Boonoo Landfill.

OFFICER'S RECOMMENDATION:

That Council receive and note the report.

BACKGROUND

Council is rapidly running out of landfill void space at the Boonoo Boonoo Landfill. Council are currently looking into options for the construction of a new landfill cell. One option is to reassess the viability of Cell 5 due to potential groundwater, as discussed below.

During the construction of 'Cell 5' at Boonoo Boonoo landfill (2012), water was encountered and the construction of the cell was stopped. At the time, it was assumed that a groundwater spring had been encountered, making the cell unable to be used for its intended purpose. A geology study undertaken in 2012 suggested that it was likely that the cell was below the groundwater table, however, it did not confirm this.

The water encountered filled the cell in 2012 and was bright blue. The level in the cell declined and it has been dry for the past 4 years, even though there has been heavy rainfall in the area since that time.

Our Environment No. 12 Cont...

**Figure 1****Cell 5 February 2012****Figure 2****Repairs to Cell 5 August 2012**

Our Environment No. 12 Cont...

*Figure 3**Cell 5 January 2013**Figure 4 Cell 5 as of November 2017*

Council have since undertaken a Hydrogeology study of the cell to determine the nature of the water encountered and to determine if the cell could be used for its intended purpose. This has been done in conjunction with a Review of Environmental Factors (REF) assessment of this option and 2 others to determine the impact of these options.

The Review of Environmental Factors is presented in a separate report to the July 2019 Ordinary Council Meeting.

REPORT:

In February 2019, Tonkin was awarded the hydrology study for the Boonoo Boonoo Landfill, including the installation of 2 new monitoring bores. The bores and site inspection were undertaken in April 2019, with the final report being issued in June 2019.

The geology of the area was found to be consistent with the weathering profile of the Stanthorpe Adamellite, with granitic derived highly plastic sandy and silty yellow brown clays. This is interlaced with coarse grained sands overlaying moist weathered granite and fresh granite rock.

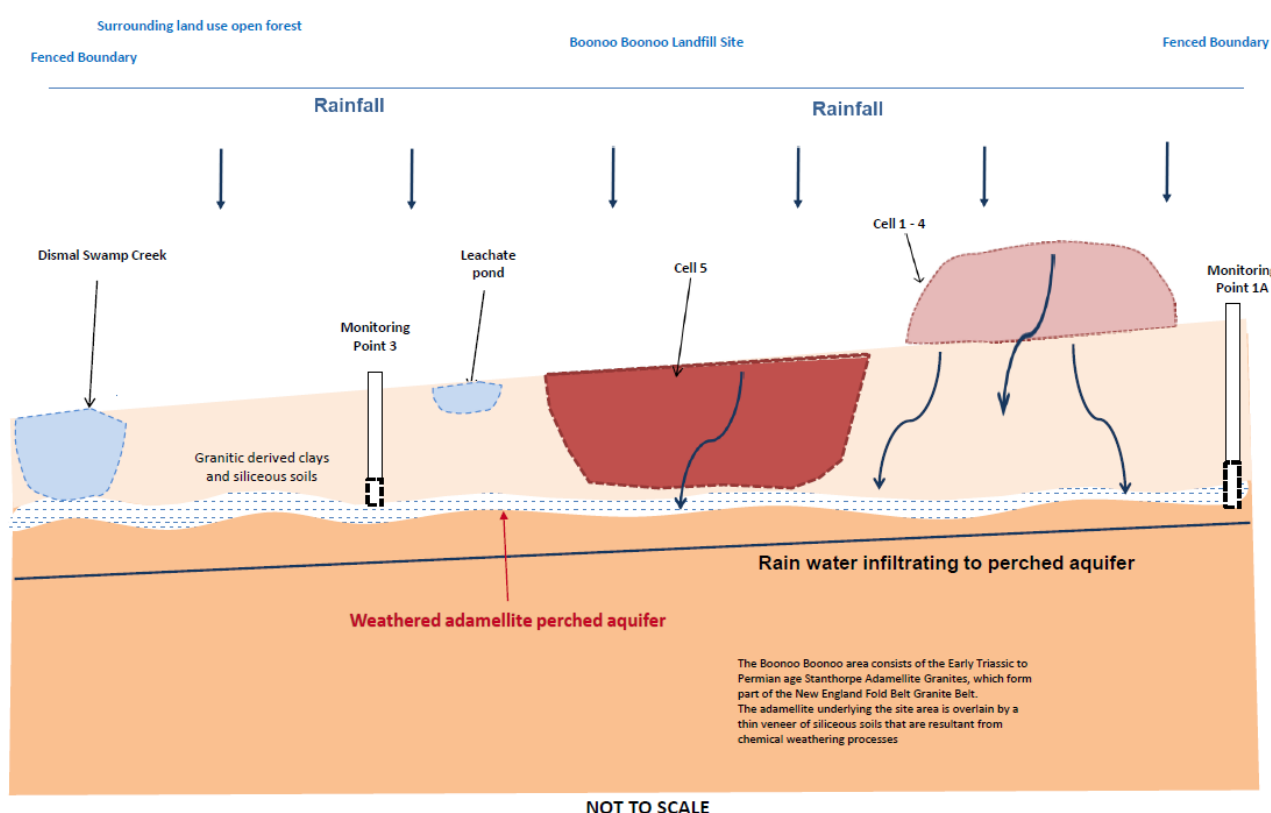
The study identified that there were no users of groundwater within a 2 km radius of the site. This is likely due to the shallow, low yield and likely discontinuous nature of the groundwater within the upper weathered granitic soils.

Our Environment No. 12 Cont...

The hydrology study concluded that the water historically identified within the Cell 5 pit is representative of a surficial or 'perched' groundwater aquifer that occurs within the highly permeable and unconfined weathered granitic material. The dimensions of perched aquifers are typically small, dictated by climate conditions and the size of aquitard layers. When the aquifer is fully charged, it may intrude into Cell 5. It should be noted that the weathered zone encompassing the perched aquifer was not encountered within the profile of Cell 5. Below is the hydrogeological conceptual model of the Boonoo Boonoo Landfill site.

CONCEPTUAL HYDROGEOLOGICAL MODEL

Boonoo Boonoo Landfill, NSW



COUNCIL IMPLICATIONS:

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

2. Policy and Regulation
Nil.

3. Financial (Annual Budget & LTFP)
Impacts to Council's Long Term Financial Plan for undertaking construction of a new cell at Boonoo Boonoo Landfill site.

Our Environment No. 12 Cont...

4. Asset Management (AMS)

This report, combined with the Review of Environmental Factors (REF) will determine the future direction of the Boonoo Boonoo Landfill.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Report as a function to reducing risk to construction of new cell. Legislative requirement for EPA.

7. Performance Measures

Nil

8. Project Management

Nil

Fiona Keneally

Acting Director Engineering/Infrastructure

Prepared by staff member: Melissa Blum, Technical Projects Engineer;
Gillian Marchant, Manager Water & Waste

Approved/Reviewed by Manager: Fiona Keneally, Acting Director
Engineering/Infrastructure

Department: Engineering Department

Attachments: **1** Attachment 2 (Attachment Booklet 23
1) - Hydrogeological Review - Pages
Bonoo Boonoo Landfill

Department:	Engineering Department
Submitted by:	Technical Projects Engineer
Reference:	ITEM ENV13/19
Subject:	BOONOO BOONOO LANDFILL - REVIEW OF ENVIRONMENTAL FACTORS (REF)

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:	Waste from our operations is managed to reduce the volume and take advantage of recycling opportunities available to us.
CSP Delivery Program	Provide effective and efficient delivery of sewerage services across to the townships of Tenterfield and Urbenville.

SUMMARY

The purpose of this report is to provide Council with information about the Review of Environmental Factors (REF) report relating to Boonoo Boonoo Landfill site.

OFFICER'S RECOMMENDATION:

That Council receive and note the report.

BACKGROUND

Council is rapidly running out of landfill void space at the Boonoo Boonoo Landfill. Council are currently looking into options for the construction of a new landfill cell, including:

- using Cell 5 - the currently dug but abandoned cell due to groundwater issues;
- enacting stage 1 of the landfill masterplan, which would include a large amount of clearing; and
- reopening cell 3 and 4.

Each of these options has potential for impact to the environment. The updated Biodiversity Conservation Act requires that a Review of Environmental Factors (REF) assessment be undertaken before commencing works. Council commissioned an REF of each option, along with an assessment of the final landform as proposed by the Landfill Masterplan, to assist Council in determining which option would be preferable.

This has been undertaken in conjunction with a Hydrology Study to determine the composition of the water encountered in Cell 5, and whether it is suitable for use as a landfill cell.

The Hydrology Study is presented in a separate report to the July 2019 Ordinary Council Meeting.

REPORT:

In 2019, Council engaged Birdwing Ecological Services to undertake a 3 option REF for the Boonoo Boonoo Landfill site, as well as an Environmental Assessment of the final proposed landform, as per the Boonoo Boonoo Landfill Masterplan.

Our Environment No. 13 Cont...

These documents are to be used, in conjunction with the Hydrogeological Assessment of Cell 5, to determine Council's preferred option for the construction of a new landfill cell. These reports, along with our preferred option, will be forwarded to the NSW EPA for approval before works begin onsite.

Birdwing Ecological Services has highlighted that the assessments undertaken are for use in planning only, as they form Part 5 assessments under the Environmental Planning and Assessment Act 1979. As development consent would be required for the construction of a new cell, a detailed Part 4 assessment would be required. A part 4 assessment is more involved than a Part 5 assessment, so it was determined to undertake the Part 5 to guide Council's decision, as different options have different impacts on the environment.

The REF assessment showed that:

- Undertaking Stage 1 of the Masterplan will have the greatest impact to the environment, as it requires clearing of approximately 1.38 ha of New England Blackbutt, dry, healthy, open forest. However, it would not result in a significant impact on any threatened species or communities.
- Use of Cell 5 or reopening Cells 3 and 4 would not likely have an impact on the local ecology.

If Council were to proceed with Stage 1 of the Landfill Masterplan, then additional assessments would be required. It would also trigger the NSW Biodiversity Offsets Scheme under the Biodiversity Conservation Act, as the amount of native vegetation being cleared exceeds the threshold.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil

2. Policy and Regulation

- Environmental Planning and Assessment Act 1979
- Environment Planning and Assessment Regulation 2000
- Biodiversity Conservation Act 2016
- Environmental Protection and Biodiversity Conservation Act 1999
- Protection of the Environment Operations Act 1997
- Heritage Act 1977
- NSW State Environmental Planning Policies:
 - Infrastructure 2007
 - 44 – Koala Habitat Protection
 - Primary Production and Rural Development 2019
 - 33 – Hazardous and Offensive Development

3. Financial (Annual Budget & LTFP)

Council's Long Term Financial Plan for undertaking construction of cell at Boonoo Boonoo Landfill Site.

4. Asset Management (AMS)

The attached reports contain the Executive Summary only. A copy of the full report is available on request.

Our Environment No. 13 Cont...

These reports, combined with the Hydrogeological Study will determine the future direction on the Boonoo Boonoo Landfill.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Report as a function to reducing risk to construction of new cell. Legislative requirement for EPA.

7. Performance Measures

Nil

8. Project Management

Nil

Fiona Keneally

Acting Director Engineering/Infrastructure

Prepared by staff member: Melissa Blum, Technical Projects Engineer;
Gillian Marchant, Manager Water & Waste

Approved/Reviewed by Manager: Fiona Keneally, Acting Director
Engineering/Infrastructure

Department: Engineering Department

Attachments:

1	Review of Environmental Factors - Boonoo Boonoo Landfill	6 Pages
2	Final Landform Environmental Assessment - Boonoo Boonoo Landfill	5 Pages

Review of Environmental Factors

Boonoo Boonoo Landfill



PO Box 525
Tenterfield NSW 2372
T 0401 751 796

Prepared for: Tenterfield Shire Council
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Table of Contents

EXECUTIVE SUMMARY	5
1. INTRODUCTION	1
1.1 PURPOSE OF REPORT	1
2. PROPOSAL DESCRIPTION	2
2.1 SITE LOCATION	2
2.2 LANDFILL MASTERPLAN	2
2.3 THE PROPOSAL	3
3. LEGISLATIVE FRAMEWORK	7
3.1 NSW LEGISLATIVE ACTS AND REGULATIONS	7
3.1.1 Environmental Planning and Assessment Act 1979 (EP&A Act)	7
3.1.1 Environmental Planning and Assessment Regulation 2000	7
3.1.2 Biodiversity Conservation Act 2016 (BC Act)	7
3.1.3 Protection of the Environment Operations Act 1997 (POEO Act)	8
3.1.4 Heritage Act 1977	8
3.2 NSW STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)	9
3.2.1 State Environmental Planning Policy (Infrastructure) 2007	9
3.2.2 State Environmental Planning Policy 44 – Koala Habitat Protection	9
3.2.3 State Environmental Planning Policy (Primary Production and Rural Development)	
2019 9	
3.2.4 State Environmental Planning Policy 33—Hazardous and Offensive Development	
10	
3.3 NSW PLANNING INSTRUMENTS	10
3.3.1 Tenterfield Local Environmental Plan 2013 (TLEP 2013)	10
3.4 COMMONWEALTH LEGISLATIVE ACTS	10
3.4.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	10
3.5 OTHER NSW LEGISLATIVE ACTS	10
4. STAKEHOLDER CONSULTATION	13
4.1 ISEPP CONSULTATION	13
4.2 ABORIGINAL COMMUNITY	13
5. ENVIRONMENTAL ASSESSMENT	14
5.1 ECOLOGY	14
5.1.1 Existing environment	14
5.1.2 Biodiversity offsets	24
5.1.3 Potential impacts	26
5.1.4 Recommended mitigation measures	26
5.2 TRAFFIC AND ACCESS	28
5.2.1 Existing environment	28
The Mount Lindesay Road would be used to access the proposed work area at the	
Boonoo Boonoo landfill. This road experiences a relatively low volume of traffic.	28
5.2.2 Potential impacts	28
5.2.1 Recommended mitigation measures	28
5.3 SOILS, EROSION AND SEDIMENTATION	28
5.3.1 Existing environment	28
5.3.2 Potential impacts	29

5.3.1	Recommended mitigation measures.....	30
5.4	WATER QUALITY	31
5.4.1	Existing environment.....	31
5.4.2	Potential impacts.....	31
5.4.1	Recommended mitigation measures.....	31
5.5	NON-ABORIGINAL HERITAGE.....	32
5.5.1	Existing environment.....	32
5.5.2	Potential impacts.....	32
5.5.1	Recommended mitigation measures.....	32
5.6	ABORIGINAL HERITAGE	32
5.6.1	Existing environment.....	32
5.6.2	Potential impacts.....	33
5.6.1	Recommended mitigation measures.....	33
5.7	NOISE AND VIBRATION	33
5.7.1	Existing environment.....	33
5.7.2	Potential impacts.....	34
5.7.3	Recommended mitigation measures.....	34
5.8	AIR QUALITY	35
5.8.1	Existing environment.....	35
5.8.2	Potential impacts.....	35
5.8.3	Recommended mitigation measures.....	35
5.9	VISUAL ENVIRONMENT.....	36
5.9.1	Existing environment.....	36
5.9.2	Potential impacts.....	36
5.9.3	Safeguards and management measures.....	36
5.10	SOCIO-ECONOMIC	36
5.10.1	Existing environment.....	36
5.10.2	Potential impacts.....	36
5.10.3	Recommended mitigation measures.....	37
5.11	WASTE	37
5.11.1	Existing environment.....	37
5.11.2	Potential impacts.....	37
5.11.3	Safeguards and management measures.....	37
5.12	CLIMATE CHANGE.....	38
5.12.1	Existing environment.....	38
5.12.2	Potential impacts.....	38
5.12.3	Recommended mitigation measures.....	38
5.13	CUMULATIVE IMPACTS.....	38
5.14	ECOLOGICALLY SUSTAINABLE DEVELOPMENT.....	39
5.14.1	Precautionary principle	39
5.14.2	Inter-generational equity.....	39
5.14.3	Conservation of Biological Diversity and Ecological Integrity	39
5.14.4	Improved valuation, pricing and incentive mechanisms	40
6.	ENVIRONMENTAL MANAGEMENT.....	41
7.	SUMMARY OF CONSIDERATION OF ENVIRONMENTAL FACTORS	45
7.1	CLAUSE 228 CHECKLIST (NSW LEGISLATION).....	45
7.2	EPBC ACT MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE (MNES) ASSESSMENT	47
8.	CONCLUSION	49

CERTIFICATION	50
REFERENCES	51

Figures

FIGURE 2.1 SITE LOCALITY	4
FIGURE 2.2 THE SITE	6
FIGURE 5.1 PLANT COMMUNITY TYPES	17
FIGURE 5.2 FAUNA HABITAT FEATURES	22

Tables

TABLE 3.1 SUMMARY OF ADDITIONAL NSW LEGISLATION	11
TABLE 5.1 AREA CLEARING THRESHOLDS FOR BAM AND OFFSETS SCHEME	25
TABLE 6.1 SUMMARY OF MITIGATION MEASURES	41
TABLE 7.1 CLAUSE 228 CHECKLIST	45
TABLE 7.2 MNES CONSIDERATIONS	48

Plates

PLATE 2.1 EXISTING SITE INFRASTRUCTURE SHOWING ACTIVE LANDFILL CELL AND PREVIOUSLY CAPPED CELLS IN FOREGROUND	5
PLATE 2.2 FORESTED VEGETATION WITHIN THE SITE	5
PLATE 5.1 PCT 992 - NEW ENGLAND BLACKBUTT DRY HEATHY OPEN FOREST ON GRANITES OF THE EASTERN NEW ENGLAND TABLELAND BIOREGION IN OPTION 1 SITE	18
PLATE 5.2 PCT 1287 - UPLAND HEATH SWAMPS OF THE NEW ENGLAND TABLELAND BIOREGION ADJACENT TO OPTION 1 SITE IN THE BROADER STUDY AREA	18
PLATE 5.3 VEGETATION IN PREVIOUSLY CLEARED AREAS IN OPTION 2 SITE	19

Appendices

APPENDIX A – BOONOO BOONOO LANDFILL FINAL LANDFORM ENVIRONMENTAL ASSESSMENT (BIRDWING ECOLOGICAL SERVICES 2019)
APPENDIX B – EPA ENVIRONMENTAL PROTECTION LICENCE (11435)
APPENDIX C – AHIMS SEARCH RESULT

Executive Summary

The Proposal

Tenterfield Shire Council (TSC) is currently organising the detailed design of three different options for establishing a new area for landfilling at the Boonoo Boonoo Landfill:

1. Completing of Stage 1 in the Landfill Masterplan (Option 1);
2. Using the existing Cell 5 (abandoned at the time due to hydrology issues. Council are currently undertaking a hydrology study to determine if utilising this existing void space is possible) (Option 2); and
3. Reopening Cell 3 & 4 and continuing landfilling on that cell (Option 3).

Birdwing Ecological Services has been engaged by TSC to prepare a review of environmental factors (REF) for the current stage of works (i.e. the three options). To accompany this REF, an environmental assessment has been prepared that details the potential impacts of the final landform (refer to Appendix A) as shown in the Landfill Masterplan.

Statutory and Planning Framework

All relevant statutory planning instruments have been examined in relation to the proposal. The nature of the proposal indicates that it must be assessed as a local development requiring approval under Part 4 of the EP&A Act. However, TSC has indicated that although the proposal would ultimately require a DA, in the first instance it is commissioning the REF and environmental assessment to determine the likely impacts of the proposal to assist in making relevant planning decisions.

Environmental Impacts

The proposal may result in some environmental impacts (most notably in relation to biodiversity for Option 1); however, these would not result in a significant impact on any threatened species or communities and these impacts can be effectively managed through the implementation of the mitigation measures in this REF, as well as existing conditions under the EPA Environment Protection Licence for the landfill.

The proposal is unlikely to significantly affect threatened species or ecological communities or their habitats, within the meaning of the *Biodiversity Conservation Act 2016* or *Fisheries Management Act 1994*. The proposal is also unlikely to affect Commonwealth land or have an impact on any matters of national environmental significance and therefore referral to the Commonwealth Environment Minister is not required.

Option 1 would trigger the NSW Biodiversity Offsets Scheme under the BC Act in relation to the amount of native vegetation being cleared exceeding a threshold. If Option 1 is pursued, further ecological assessment using the BAM methodology by a BAM accredited assessor (under the BC Act) will be required along with a Biodiversity Development Assessment Report (BDAR) to establish the nature of the

biodiversity offsets required. This must be completed prior to any works for Option 1 being undertaken. It is also recommended that a flora survey be undertaken by an ecologist for threatened flora within PCT 1287 occurring in the study area during summer to establish if these species are present.

Justification and Conclusion

With effective implementation of the mitigation measures in this REF, as well as existing conditions under the EPA Environment Protection Licence for the landfill, the proposal is considered unlikely to have any significant environmental impacts and it is expected to have beneficial outcomes for the community by supporting the effective operation of the existing Boonoo Boonoo landfill in the long term and ensure that Tenterfield's waste and environment are both managed responsibly.

Final Landform Environmental Assessment

Boonoo Boonoo Landfill



PO Box 525
Tenterfield NSW 2372
T 0401 751 796
Prepared for: Tenterfield Shire Council
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Table of Contents

EXECUTIVE SUMMARY	4
1. INTRODUCTION	1
1.1 THE PROPOSAL	1
1.2 LEGISLATIVE CONTEXT	1
1.3 THE SITE AND STUDY AREA	2
2. METHODOLOGY	6
2.1 DESKTOP REVIEW	6
2.2 FIELD SURVEYS	6
2.3 SURVEY LIMITATIONS	7
3. RESULTS	8
3.1 DESKTOP REVIEW	8
3.1.1 BioNet Atlas search results	8
3.1.2 Protected Matters Search Tool (PMST) results	10
3.1.3 Wildlife corridors and key habitats	10
3.1.4 NSW DPI key fish habitat	11
3.1.5 Weeds	11
3.1.6 Landscape features	11
3.1.7 Vegetation mapping review	12
3.2 FLORA SURVEY	12
3.2.1 PCT 992 - New England Blackbutt dry heathy open forest on granites of the eastern New England Tableland Bioregion	12
3.2.2 PCT 1287 - Upland heath swamps of the New England Tableland Bioregion	13
3.2.3 Vegetation in previously cleared areas	14
3.2.4 Threatened flora	17
3.2.5 Threatened Ecological Communities (TECs)	17
3.2.6 Weeds	17
3.3 FAUNA SURVEY	18
3.3.1 Threatened fauna	18
3.3.2 Habitat values	19
3.3.3 Potential for threatened species occurrence	22
4. STATUTORY ASSESSMENT	24
4.1 STATE ENVIRONMENTAL PLANNING POLICY (SEPP) 44 – KOALA HABITAT PROTECTION	24
4.2 BIODIVERSITY CONSERVATION ACT 2016 (BC ACT)	24
4.2.1 Biodiversity offsets	25
4.3 FISHERIES MANAGEMENT ACT 1994 (FM ACT)	26
4.4 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999 (EPBC ACT)	27
5. IMPACTS AND MITIGATION	30
5.1 POTENTIAL IMPACTS	30
5.1.1 Ecology	30
5.2 RECOMMENDED MITIGATION MEASURES	34
CONCLUSION	36
CERTIFICATION	37
REFERENCES	38

Figures

FIGURE 1.1 SITE LOCALITY	4
FIGURE 1.2 THE SITE	5
FIGURE 3.1 PLANT COMMUNITY TYPES	15
FIGURE 3.2 FAUNA HABITAT FEATURES.....	21

Tables

TABLE 3.1 THREATENED FLORA RECORDED WITHIN 10 KM OF THE SITE.....	8
TABLE 3.2 TECs KNOWN TO OCCUR WITHIN 10 KM OF THE SITE.....	9
TABLE 3.3 THREATENED FLORA RECORDED WITHIN 10 KM OF THE SITE.....	9
TABLE 3.4 FAUNA RECORDS.....	18
TABLE 3.5 DETAILS OF HABITAT FEATURES.....	22
TABLE 4.1 AREA CLEARING THRESHOLDS FOR BAM AND OFFSETS SCHEME.....	26
TABLE 4.2 ASSESSMENT OF MNES	28

Plates

PLATE 1.1 EXISTING SITE INFRASTRUCTURE SHOWING ACTIVE LANDFILL CELL AND PREVIOUSLY CAPPED CELLS IN FOREGROUND.....	3
PLATE 1.2 FORESTED VEGETATION WITHIN THE SITE	3
PLATE 3.1 PCT 992 - NEW ENGLAND BLACKBUTT DRY HEATHY OPEN FOREST ON GRANITES OF THE EASTERN NEW ENGLAND TABLELAND BIOREGION.....	16
PLATE 3.2 PCT 1287 - UPLAND HEATH SWAMPS OF THE NEW ENGLAND TABLELAND BIOREGION	16
PLATE 3.3 VEGETATION IN PREVIOUSLY CLEARED AREAS	17
PLATE 3.4 LARGE HOLLOW IN NEW ENGLAND BLACKBUTT	20
PLATE 3.5 CHEWED BLACK SHE-OAK CONES INDICATING GLOSSY BLACK-COCKATOO USAGE	20

Appendices

APPENDIX A – DATABASE SEARCH RESULTS
APPENDIX B – FLORA INVENTORY
APPENDIX C – POTENTIAL OCCURRENCE ASSESSMENT
APPENDIX D – TESTS OF SIGNIFICANCE

Executive Summary

Tenterfield Shire Council (TSC) is currently organising the detailed design of three different options for establish a new area for landfilling at the Boonoo Boonoo Landfill:

1. Completing of Stage 1 in the Landfill Masterplan (Option 1);
2. Using the existing Cell 5 (abandoned at the time due to hydrology issues. Council are currently undertaking a hydrology study to determine if utilising this existing void space is possible) (Option 2); and
3. Reopening Cell 3 & 4 and continuing landfilling on that cell (Option 3).

TSC has engaged Birdwing Ecological Services to prepare a review of environmental factors (REF) for the current stage of works (i.e. the three options) (Birdwing Ecological Services 2019). To accompany this REF, TSC has also engaged Birdwing Ecological Services to prepare an environmental assessment that details the potential impacts of the final landform as shown in the Landfill Masterplan (this report). This assessment focuses on biodiversity impacts in particular, and whether biodiversity offsets may be required for impacts to biodiversity relating to vegetation clearing required for the final landform.

Based on the site assessment and consideration of the work required, the following biodiversity matters apply to the proposal:

- The proposal would result in removal of up to 3.42 ha PCT 992 - New England Blackbutt dry heathy open forest on granites of the eastern New England Tableland Bioregion
- PCT 1287 occurring within the study area is characteristic of the BC Act Threatened Ecological Community (TEC) *Montane Peatlands and Swamps of the New England Tableland, NSW North Coast, Sydney Basin, South East Corner, South Eastern Highlands and Australian Alps bioregions*.
- No threatened flora species were recorded during site surveys. However, considering the limitations of the survey, two species the Tenterfield Eyebright (*Euphrasia orthocheila subsp. peraspera*) and Swamp Foxglove (*Centranthera cochinchinensis*) are considered potential occurrences in PCT 1287 in the study area.
- Evidence of one threatened fauna species – the Glossy Black Cockatoo (*Calyptorhynchus lathamii*) were recorded at the site. There is potential for various additional threatened fauna species to occur based on available site habitats.
- A number of mitigation measures have been recommended to manage potential impacts relating to biodiversity.
- It was determined that the proposal is unlikely to significantly affect any species, populations, communities or their habitat listed under the BC Act or the EPBC Act.
- The proposal would trigger the NSW Biodiversity Offsets Scheme under the BC Act in relation to the amount of native vegetation being cleared exceeding a

threshold. Further ecological assessment using the BAM methodology by a BAM accredited assessor (under the BC Act) will be required along with a Biodiversity Development Assessment Report (BDAR) to establish the nature of the biodiversity offsets required. This must be completed prior to any works for being undertaken. It is also recommended that a flora survey be undertaken by an ecologist for threatened flora within PCT 1287 occurring in the study area during summer to establish if these species are present.

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV39/19
Subject:	MONTHLY OPERATIONAL REPORT - JUNE 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 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 3 (Attachment Booklet 187 2) - Monthly Operational Report - Pages June 2019

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Customer Service, Governance & Records
Reference:	ITEM GOV40/19
Subject:	DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD - 28 JULY 2019 TO 11 AUGUST 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 compliance with regulatory and statutory requirements and that operations are supported by effective corporate management.

SUMMARY

The purpose of this report is for Council to approve temporary appointment and delegation arrangements for the leave period of the Chief Executive, Terry Dodds, being from Sunday 28 July 2019 to Sunday 11 August 2019 inclusive.

OFFICERS RECOMMENDATION:

That Council:

- (1) Approve the temporary appointment of Tenterfield Shire Council's Manager Planning & Development Services, Tamai Davidson, to the position of Acting Chief Executive for the period Sunday 28 July 2019 to Saturday 3 August 2019 inclusive;**
- (2) Approve the temporary appointment of Tenterfield Shire Council's Chief Corporate Officer, Kylie Smith, to the position of Acting Chief Executive for the period Sunday 4 August 2019 to Sunday 11 August 2019 inclusive;**
- (3) Subject to Section 377 of the NSW Local Government Act 1993, confer the delegations of Council to the Chief Executive on Council's Acting Chief Executive Tamai Davidson for the period Sunday 28 July 2019 to Saturday 3 August 2019 inclusive, and**
- (4) Subject to Section 377 of the NSW Local Government Act 1993, confer the delegations of Council to the Chief Executive on Council's Acting Chief Executive Kylie Smith for the period Sunday 4 August 2019 to Sunday 11 August 2019 inclusive.**

BACKGROUND

Council is required to approve temporary appointment and delegation arrangements for any period of leave or absence of Council's Chief Executive.

Our Governance No. 40 Cont...

REPORT:

Council's Chief Executive, Terry Dodds, will be absent from Tenterfield Shire during annual leave, for the period Sunday 28 July 2019 to Sunday 11 August 2019 inclusive.

Council's Chief Corporate Officer, Kylie Smith, will not be available to undertake the Acting Chief Executive duties until Sunday, 4 August 2019. Council's Manager Planning & Development Services, Tamai Davidson, will be available to undertake the Acting Chief Executive duties during the first week of the Chief Executive's leave period, being Sunday 28 July 2019 to Saturday 3 August 2019 inclusive. The Chief Corporate Officer, Kylie Smith, will then be available to undertake the Acting Chief Executive duties from Sunday 4 August 2019 to Sunday 11 August 2019.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Nil.

2. Policy and Regulation

Nil.

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

The approval of temporary appointment and delegation arrangements during the Chief Executive's leave period ensures that Council is operating within the legal framework of the NSW Local Government Act 1993, and ensures continuity of delivery of operations and services to Tenterfield Shire.

7. Performance Measures

Nil.

8. Project Management

Nil.

Terry Dodds
Chief Executive

Prepared by staff member:	Erika Bursford, Manager Customer Service, Governance & Records
Approved/Reviewed by Manager:	Terry Dodds, Chief Executive
Department:	Office of the Chief Corporate Officer
Attachments:	There are no attachments for this report.

Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM GOV41/19
Subject:	2019 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - SUBMISSION OF MOTIONS

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:	Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region.
CSP Delivery Program	Provide sound and inclusive decisions using the Community Engagement Strategy to guide our interactions.

SUMMARY

The purpose of this report is for Council to consider motions for submission to the 2019 Local Government NSW Annual Conference for inclusion in the Business Paper.

OFFICER'S RECOMMENDATION:

- (1) That Council approve the following motions for submission to Local Government NSW for inclusion in the 2019 Annual Conference Business Paper.**
- (2) Motion 1 - That LGNSW seek support from the Australian Local Government Association (ALGA) to lobby the Federal Government for a further review of the Higher Education Loan Program (HELP), including, inter alia, the possible reduction or removal of the HELP liability for new graduates who secure employment in rural Council areas.**
- (2) Motion 2 - That LGNSW lobbies the NSW State Government to request that NSW National Parks & 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.**

BACKGROUND

Council considered a report at the Ordinary Council Meeting of 26 June 2019 to determine representation at the 2019 Local Government NSW Annual Conference at Warwick Farm, Sydney, 14 to 16 October 2019.

REPORT:

At the Workshop of 9 July 2019, Councillors were requested to submit motions for consideration and adoption by Council for submission to LGNSW by midnight, Monday 19 August 2019.

The following submissions have been received for consideration:

Our Governance No. 41 Cont...

Chief Executive Terry Dodds – HELP Debt Reduction

Motion: That LGNSW seek support from the Australian Local Government Association (ALGA) to lobby the Federal Government for a further review of the Higher Education Loan Program (HELP), including, inter alia, the possible reduction or removal of the HELP liability for new graduates who secure employment in rural Council areas.

Motion Category: Economic (B) – Local Government promotes local and regional economic development and employment growth.

Supporting Information: It has been widely documented that many Councils in rural areas around Australia are suffering from skill shortages, particularly in the professional and technical fields. The shortages aren't limited to just councils, communities in general often have difficulty attracting professional staff. In March 2019, there were an estimated 47,000 job vacancies in regional Australia.

Although there have been many studies completed contributing to some innovative approaches to address this issue by all levels of governments, educational institutions and communities – the situation largely remains unresolved.

In 2016, LGNSW in collaboration with the NSW Office of Local Government, Local Government Professionals Australia, NSW, Institute of Public Works Engineering (IPWEA) (NSW Division), the NSW Public Sector Industry Training Advisory Body (ITAB) and the Institute for Public Policy and Governance, University of Technology Sydney (formerly a partner in the Australian Centre of Excellence for Local Government, ACELG) released the *NSW Local Government Workforce Strategy 2016-2020*.

Research undertaken in the development of the Strategy found the greatest challenges facing Councils in developing their workforce for the future were (in descending order):

1. Ageing workforce
2. Uncertainty due to possible future local government reforms
3. Skills shortages in professional areas
4. Limitations in leadership capability
5. Gender imbalance in senior roles
6. Lack of skills and experience in workforce planning
7. Lack of workforce trend data
8. Difficulty in recruiting staff
9. Resistance to more flexible work practices
10. Lack of cultural diversity

According to the Australian Taxation Office, the number of people with outstanding HELP debts reached 2.7 million in 2016–17, up from 2.5 million in 2015–16.

This included people who borrowed for Commonwealth supported (HECS-HELP) or full-fee (FEE-HELP) higher education qualifications, and vocational education qualifications (VET Student Loans, previously VET FEE-HELP).

It also included SA-HELP, for higher education students to defer the cost of their student services and amenities fees, and OS-HELP, for higher education students to defer the cost of eligible overseas study.

Our Governance No. 41 Cont...

The number of people with HELP debts has increased fairly steadily since HELP was introduced as the replacement for HECS in 2005, as access to tertiary education and HELP loans has expanded. However, after 11 percent growth per year from 2013–14 to 2015–16, growth during 2016–17 was down slightly to 8 percent.

The number of debts above \$50,000 also continued to grow in 2016–17, reaching 159,475, up from 125,650 in 2015–16. Among people with debts above \$50,000, 14,046 have debts above \$100,001, up from 10,996 in 2015–16.

However, since HELP is an asset on the Government's balance sheet, the proportion of outstanding debt not expected to be repaid (DNER) is arguably more important than the overall size of the loan portfolio. The latest DNER estimate from the Australian Government Actuary is 18 per cent (according to the Department of Education and Training Annual Report 2017–18 (p. 44)). Taking into account DNER and the concessional nature of HELP loans, the 'fair value' of HELP debts was estimated at \$42.4 billion at 30 June 2018 in the 2018–19 Budget papers (p. 9-39).

In 2018, the Higher Education Support Legislation Amendment (Student Loan Sustainability) Bill was passed. The purpose of this Bill was to improve the sustainability of the Higher Education Loan Program (HELP) and debt recovery of the Student Financial Supplement Scheme (SFSS) by:

- setting new repayment thresholds for HELP from 1 July 2018, starting with a lower minimum repayment threshold of \$45,000 with a one per cent repayment rate, with a further 17 thresholds and repayment rates, up to a top threshold of \$131,989 at which ten per cent of income is repayable;
- aligning the indexation of the HELP repayment thresholds to the Consumer Price Index (CPI) instead of Average Weekly Earnings (AWE);
- bringing repayment thresholds for SFSS managed by the Social Services portfolio in line with the HELP repayment thresholds from 2019–20, and making changes to the order of repayment of student loan debts with consequential implications for Student Start-up Loans and Trade Support Loan debt repayment;
- retaining the current three-tier repayment threshold for SFSS, with the existing indexation, for 2018–19; and
- introducing a new combined loan limit to how much students can borrow under HELP to cover their tuition fees from 1 January 2019. The combined limit is \$150,000 for students studying medicine, dentistry and veterinary science courses, and \$104,440 for other students.

While the legislative changes focussed on the fiscal sustainability of the student loan programs, the sustainability of rural areas was not widely considered. This critical issue could be addressed with further amendments (such as fee relief options) to the provisions to foster and encourage medium to long term rural placements for new graduates.

It would benefit all of society, not only the 18% of bad debtors, if HELP recipients were encouraged, through faster debt reduction, to apply their skills in regional areas.

Our Governance No. 41 Cont...

Mayor Peter Petty – Request for Increased Hazard Reduction and Water Infrastructure

Motion: That LGNSW lobbies the NSW State Government to request that NSW National Parks & 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.

Motion Category: Economic (B) – Local Government promotes local and regional economic development and employment growth.

Supporting Information: The combination of a severe, long, dry spell and a buildup of fuel in the National Parks and State Forests caused considerable losses in the Local Government areas of Armidale, Inverell and Tenterfield (together with cross border, Queensland local government area of Southern Downs Regional Council) in the Section 44 Emergency wildfire events of February 2019. This loss is still having a huge impact on the well being (both emotional and financial) of the residents and business communities in these areas.

Australia's native forest areas have long been managed by the use of fire and the decision to restrict control burning and hazard reduction during the past 25 years has had a devastating impact on the native flora and fauna and communities right across Australia. The forecast of ever hotter and drier conditions brought about by climate change will bring an increase to these devastating events.

In addition, the lack of water infrastructure for firefighting activities within the National Parks and State Forests was severely tested during the February operations with local landowners having their depleted personal and stock water supplies taken to assist with fire control, leaving them in a perilous situation which could not be rectified immediately.

COUNCIL IMPLICATIONS:

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

2. Policy and Regulation
Nil.

3. Financial (Annual Budget & LTFP)
Nil.

4. Asset Management (AMS)
Nil.

5. Workforce (WMS)
Nil.

6. Legal and Risk Management
Nil.

Our Governance No. 41 Cont...

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:	There are no attachments for this report.

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV42/19
Subject:	FINANCE & ACCOUNTS - PERIOD ENDED 30 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 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 30 June 2019.

BACKGROUND

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

REPORT:

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

(a) Reconciliation of Accounts

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

Cash Book Balances on this date were as follows:-

General (Consolidated)	\$	7,924,514.72	Credit
General Trust	\$	313,266.50	Credit

Our Governance No. 42 Cont...

(b) Summary of Investments

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

Please note that due to timing of investments and their maturity, Council could not have a 45% cap on funds invested with one financial institution as per the Investment Policy, however this was rectified on 1 July 2019.

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 June 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. 42 Cont...

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

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

Department: Office of the Chief Corporate Officer

Attachments: **1** Investment Summary 30 June 2019 1 Page

TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 30 JUNE 2019

Financial Institution	Issuer Rating	Investment Term	Maturity Date	Interest Rate	Amount	Percentage Exposure
Commonwealth Bank	AA-	At Call		1.25%	833,412.90	8.07%
Commonwealth Bank	AA-	365 Days	25/Sep/19	2.72%	1,000,000.00	9.68%
Commonwealth Bank	AA-	90 Days	01/Jul/19	2.34%	3,500,000.00	33.87%
TOTAL CBA INVESTMENTS					5,333,412.90	51.61%
Bankwest	AA-	90 Days	01/Jul/19	2.35%	5,000,000.00	48.39%
TOTAL BANKWEST INVESTMENTS					5,000,000.00	48.39%
INVESTMENTS TOTAL					10,333,412.90	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.*

By:


Responsible Accounting Officer

P. Della

* Except as highlighted in the associated Council Report.

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV43/19
Subject:	CAPITAL EXPENDITURE REPORT AS AT 30 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 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 30 June 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, new Grant funded items and other changes were included in the report via the Quarterly Budget Review process and additional loan funds of \$1.051M were secured, for finalisation of the Dam Wall Project.

COUNCIL IMPLICATIONS:

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

Our Governance No. 43 Cont...

2. Policy and Regulation

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

3. Financial (Annual Budget & LTFP)

It should be noted that the information presented in this report is not final as accruing of invoices back to 2018-19 is ongoing.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil.

Kylie Smith
Chief Corporate Officer

Prepared by staff member:	Paul Della, Manager Finance & Technology
Approved/Reviewed by Manager:	Kylie Smith, Chief Corporate Officer
Department:	Office of the Chief Corporate Officer
Attachments:	1 Attachment 4 (Attachment Booklet 3) - Capital Expenditure for Period June 2019 5 Pages

Department:	Office of the Chief Corporate Officer
Submitted by:	Manager Finance & Technology
Reference:	ITEM GOV44/19
Subject:	REPORT ON LOAN BALANCES

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan.
CSP Strategy:	Council is a financially sustainable organisation, delivering value services to the Community.
CSP Delivery Program	Ensure that financial sustainability and the community's capacity to pay inform adopted community service levels.

SUMMARY

The purpose of this report is to inform Council of its loan balances as at 30 June 2019.

OFFICER'S RECOMMENDATION:

That Council notes the loan balance as at 30 June 2019 was \$10,055,186.18 (\$7,209,272.39 as at 31 March 2019).

BACKGROUND

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

REPORT:

Loan payments are being made in accordance with the loan agreements. Council's loan balance as at 30 June 2019 was \$10,055,186.18 (\$7,209,272.39 as at 31 March 2019.)

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

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

While Council received a response to its request for access to TCORP borrowings and was invited to demonstrate how it would meet the benchmarks associated with the reassessment process, this process was not expected to be completed until the new Financial Year and Council needed to borrow these funds before the end of this Financial Year.

Our Governance No. 44 Cont...

Council approved additional borrowings of \$1,029,534.58 at the November 2018 Council Meeting in relation to the Dam Wall Project and then an additional \$21,595.41 at the April 2019 Ordinary Council Meeting for that same purpose. So \$3.051M was the total amount borrowed for this purpose.

As it transpired, the interest rate Council was able to obtain from a commercial lender was lower than Council could have obtained from TCORP if that facility were available so our inability to access these funds was not an issue on this occasion.

It was also determined that the \$830K that was budgeted as borrowings for the Saleyards Truck Wash Project was not required this financial year and so the final amount borrowed in the 2018/19 Financial Year was the \$3.051M for the Dam Wall Project.

An amended borrowings return was completed and submitted to the OLG as is required to reflect these changes.

The net effect was an increase in borrowings of \$221K above the original estimate.

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Council's projected loan borrowings are included in the 2018/19 Operational Plan.

2. Policy and Regulation

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

3. Financial (Annual Budget & LTFP)

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. 44 Cont...

Prepared by staff member: Paul Della, Manager Finance & Technology;
Jessica Wild, Management Accountant

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

Department: Office of the Chief Corporate Officer

Attachments: **1** Loan Balances as at 30 June 2019 1 Page

Tenterfield Shire Council
Loans Schedule
30-June-2019

Loans Details								Principal
FUND	PURPOSE	AMOUNT	OBTAINED FROM	DATE OBTAINED	DUE DATE	RATE OF INTEREST	INTERVALS AT WHICH PAYABLE	Principal Balance as at 30 June 2019
General Fund	Urbenville Medical Centre	150,000	National Australia Bank	14/05/2010	14/05/2020	9.20%	Half Yearly	21,419.05
General Fund	Construction of two bridges on Mt Lindsay Road	1,000,000	Commonwealth Bank of Australia	30/06/2010	30/06/2020	8.02%	Half Yearly	138,839.95
General Fund	Main Street Upgrade	1,200,000	National Australia Bank	25/02/2015	25/02/2025	3.70%	Half Yearly	772,050.62
Sewer	New Sewerage Treatment Plant	2,500,000	National Australia Bank	30/05/2008	30/05/2033	7.81%	Half Yearly	1,928,806.00
Water	Dam Wall Construction (1)	3,460,000	ANZ	25/05/2018	25/05/2038	3.95%	Half Yearly	3,333,916.10
Water	Dam Wall Construction (2)	3,051,000	CBA	5/05/2019	6/06/2022	2.52%	Half Yearly	3,051,000.00
Water	Urbenville Water Treatment Plant	375,000	National Australia Bank	5/02/2009	5/02/2033	6.47%	Half Yearly	293,092.44
Waste	Rehabilitation	1,250,000	National Australia Bank	21/12/2012	21/7/2022	5.45%	Quarterly	516,062.02
TOTAL								10,055,186.18

(ITEM RC14/19) REPORTS OF COMMITTEES & DELEGATES - PARKS, GARDENS & OPEN SPACE ADVISORY COMMITTEE - 20 JUNE 2019

REPORT BY: Councillor Brian Murray, Chairperson

A meeting of the Parks, Gardens & Open Space Advisory Committee was held on Thursday, 20 June 2019 at the Council Chambers.

Minutes of the Meeting are attached.

RECOMMENDATION

That the report and recommendations from the Parks, Gardens & Open Space Advisory Committee meeting of 20 June 2019 be received and noted.

ATTACHMENTS

- | | |
|---|---------|
| 1 Minutes of Parks, Gardens & Open Space Advisory Committee - 20 June 2019 | 4 Pages |
|---|---------|



MINUTES OF
PARKS, GARDENS & OPEN SPACE
ADVISORY COMMITTEE
THURSDAY, 20 JUNE 2019

MINUTES OF THE **Parks, Gardens & Open Space Advisory Committee** OF TENTERFIELD SHIRE held at the Council Chambers on Thursday 20 June 2019 commencing at 10.07 am.

ATTENDANCE

Councillor, Brian Murray (Chairperson)
Deputy Mayor, Greg Sauer
Parks Horticulture & Landscape Coordinator (Craig Milton)
Jeff McKillop, (Liston)
Jan Evans, (Tenterfield)
Kerrie Andrew (Tenterfield)
Tom Short (Tenterfield)
Colleen Knight, (Tenterfield)

ALSO IN ATTENDANCE

Open Space, Regulatory & Utilities Manager (Mark Cooper)

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.

MINUTES OF PARKS, GARDENS & OPEN SPACES ADVISORY COMMITTEE -
20 JUNE 2019

DISCLOSURE OF INTERESTS

Nil.

APOLOGIES

Apologies received from Glen Lamb (Legume), Steve Goldthorpe (Urbenville), Mayor Peter Petty (Chairperson), Chief Executive (Terry Dodds).

CONFIRMATION OF MINUTES

Resolved that the Minutes of the Parks, Gardens & Open Space Advisory Committee meeting held on Thursday, 21 March 2019, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

Jeff McKillop/Jan Evans

BUSINESS ARISING FROM THE MINUTES

- 1. Information Booklet on Trees in the Tenterfield Area**
 - To be updated with correct trees
 - New Park book currently being updated (copy to come to meeting once completed)
- 2. Playground from Jubilee Park**
 - Playground to be auctioned off
 - 2 playgrounds to be auctioned one(1) from drake, one (1) from Urbenville
- 3. Tree Identification Database**
 - Looking at GPS trees and keep records of issues etc.
 - Will be on MapInfo
 - Staff are to go out and document
- 4. Bruxner Park Sign – Rouse Street, Tenterfield**
 - Lettering has been cut out and ready to be installed
- 5. Interpretative Panels**
 - Bruxner Park
 - o Gone back to the Heritage committee for wording
- 6. Investigation - War Helmet**
 - Grant has been applied for \$4000.00
 - No word on if we have received the grant
 - Option to do 3D and coat in brass
 - Once received then need to look at cost of installation
 - Getting a scan of the replica cup but it is not to leave the eye of the person takin it.
- 7. Granite Country Platypus Trail**
 - Water and Fisheries were contacted and they advised we can advertise

This is page 2 of the Minutes of the Parks, Gardens & Open Spaces Advisory Committee held on Thursday, 20 June 2019

MINUTES OF PARKS, GARDENS & OPEN SPACES ADVISORY COMMITTEE -
20 JUNE 2019

- that Platypus may inhabit the area but not in a certain location
- Sticker to be added to the existing park signs

GENERAL BUSINESS

1. Grant Funding – Stronger Community Grants

- General discussion on progress

Toilets

- In design and at tender stage
- Will be keeping with similar design as Drake to keep each village the same

Playground

- Drake and Urbenville will be installed starting 12 July
- Shade structure BBQ in Drake

2. Tree Management Plan

- Currently being developed

3. Drought Management

- Watering of trees – water vehicle is going along watering trees but most of the water is going on the road not the plants
- Street trees can be watered once a month through winter in spring will go fortnightly summer may be weekly

4. Park Brochure –

- Currently being worked on once completed in draft copy will go to committee meeting.

5. Rouse Street Future Planting Plan

- Handout of what plants are being looked at (Attached)
 - We need colour, frost resilient plants all year round with a cottage garden feel
 - Planting needs to be low maintenance and low at intersections and crossings
 - Irrigation system (drip line) will be installed this will save water
 - Irrigation will be installed in July
 - When water restrictions are relaxed to level 2 then Council will look at getting plants
- Media release to public advising of what is happening with the plants and being water wise within the Tenterfield shire - to go out in the next "Your local News" & Tenterfield in Touch.

6. Urbenville Garden

Garden at the entrance of Urbenville needs maintenance to it – Council Staff at Urbenville has been contacted and this has been actioned

MINUTES OF PARKS, GARDENS & OPEN SPACES ADVISORY COMMITTEE -
20 JUNE 2019

7. Trees in Western Car Park

There was discussion about the 350 bare rooted trees being planted and what is happening with this

- Need to work out what land is owned by Council and privately owned
- Car park Strategy may be needed to be adopted
- *Refer to Traffic Committee consider Car parking issues and a car park strategy being developed*

8. Town Entry Signs

- Progress associations feel that they need to be given 2 weeks to a month notice so they have time to discuss
- Idea of Size, types, how much money
- Stuart is preparing drafts and this will be sent out a month prior to the meeting

NEXT MEETING

Thursday, 20 June 2019 at 11.05 am in the Council Chamber.

There being no further business the Chairperson declared the meeting closed at 10.50 am.

.....
Councillor Brian Murray
Chairperson

(ITEM RC15/19) REPORTS OF COMMITTEES & DELEGATES - TOURISM ADVISORY COMMITTEE (TENTERFIELD MEETING) - 3 JULY 2019

REPORT BY: Councillor Bob Rogan (Chairperson)

A meeting of the Tourism Advisory Committee was held at Tenterfield on Wednesday, 3 July 2019.

Minutes of the Meeting are attached.

MOUNTAIN BIKING

The Tourism Advisory Committee have identified mountain biking as an achievable tourism activator for the northern region of Tenterfield Shire and are requesting additional support.

Background

The Tourism Advisory Committee was formed late 2018. Since its inception, the Committee has spent their time gaining an understanding of the current tourism situation, including what tourism assets already exist, and what the motivation is for growing tourism, particularly in the northern part of the Shire (including Liston, Legume and Urbenville).

Through a number of meetings held both in Tenterfield and Woodenbong since the formation of the Committee, much positive discussion has been generated. This has culminated in a workshop for the northern region, facilitated by the Tilma Group and jointly funded by Tenterfield Shire Council and Kyogle Council, to determine the current assets and future tourism priorities of the region, as well as identifying the next steps required.

Much of the initial discussion has centred on the potential for Mountain Biking in the region. There are already a couple of private operators within Tenterfield Shire who are developing mountain biking tracks, and work was done a number of years ago, in conjunction with National Parks, mapping fire trails and scenic drives which are accessible for off-road touring and mountain biking.

While the region is full of potential for other tourism ventures, the Committee has identified that promotion of Mountain Biking is achievable without requiring a large amount of resources.

RECOMMENDATION

- (1) That the report and recommendations from the Tourism Advisory Committee meeting of 3 July 2019 be received and noted; and**
- (2) That the Chief Executive be requested to have Council staff, in conjunction with the Tourism Advisory Committee, provide costings with regard to developing mountain biking services in the form of mapping, signage and marketing and that these costings be presented to the Tourism Advisory Committee; and**
- (3) That the Tourism Advisory Committee, together with Council staff, seek appropriate funding sources once an estimated cost has been established,**

Report of Committee No. 15 Cont...

to fund the development of mountain biking services in the form of mapping, signage and marketing.

- (4) Once costing and funding sources have been identified that they be presented to Council for approval, with the estimated cost and funding source to be included in the next available quarterly budget review together with details as to whether the work is to be outsourced to contractors or undertaken in-house by Council staff.**

ATTACHMENTS

- | | | |
|----------|---|----------|
| 1 | Minutes of Meeting | 2 Pages |
| 2 | Kyogle Mountain Bike Trail Development Strategy | 19 Pages |

Tenterfield Tourism Advisory Committee Meeting

Tenterfield Shire Council Chambers, July 3rd. 2019, 5.10 pm.

Present: Councillor Bob Rogan (chairman), Terry Dodds (TSC chief executive), Peter Petty (Mayor), Gary Verri (councillor), Caitlin Reid (Tourism Officer), Tere Bonner (Aloomba Lavender), Stuart and Wendy Bell (Liston accommodation & camping), Di O'Connor (Tenterfield Lodge), Michael Lieberman (National Parks), Liz Robertson (Liston bike trails), Peter Robinson (VIC volunteer, secretary).

Chairman Bob Rogan welcomed all present and acknowledged the traditional owners and elders of the venue, past and present.

Apologies: Chris White, Tanya Jobling, Harry Bolton.

Chairman Bob tabled a Kyogle Council document 'Mountain Bike Trail Development Strategy' and suggested a similar format could be utilised for promoting other interests to visitors.

Minutes of meeting of 1st May: Peter R. pointed out that the main body of the minutes of the meeting held on 1st May are an exact copy of the minutes for the meeting held on 20th March, so an analysis of discussions at the last meeting had no records to work from.

Tilma workshop in Woodenbong - In the absence of a full copy of the report (reportedly due to Kyogle council not wishing the report to be released yet) an informed analysis was not possible. However Stuart, Tere and Peter R. all questioned the expense and value of the 'workshop', with much of the original contract agreement not having been implemented, with no discussion of integrating attractions or distilling of ideas, or of resulting branding. Chairman Bob proposed to request Council to investigate the financing and implementation of the workshop and whether the delivered product was satisfactory. Council's response will be referred back to committee members.

'Guide to Primitive Camping' - Gary mentioned this recently-published guide, and the benefits of presenting such guide information in a Powerpoint format, which is easily accessible and easy to read. Stuart spoke highly of the document, and it was suggested that Council's planning staff be requested to consider transferring more local information for visitors into a Powerpoint format.

Council meeting in Ward A – residents of ward A spoke highly of a recent community meeting held by Council to exchange information and ideas about the local environment and local tourist attractions as part of the Economic Development Strategy village visits. Tere complemented the organisers, and Peter P. thanked the community for providing the stimulation for Council assistance to support local community initiatives. Stuart proposed that a letter be sent to Harry Bolton concerning the re-branding of the Liston area in relation to the its various tourist attractions.

Mountain bike trails – following the presentation of Kyogle's Mountain Bike Trail Development Strategy booklet, Bob outlined progress with the proposed mountain bike trail near Woodenbong, and Liz Robertson outlined plans for a mountain bike trail and camping facilities on her property to the east of Liston. The access to roads and tracks were discussed, including council roads and state roads, and the roads and tracks including fire trails in national parks, state forests, and on private land. The fees for setting up such a venture were outlined.

Terry described how the Enclosed Land Act has been modified to recognise that practical access by road is now also considered the legal access, because in practice (for instance due to geographical factors) the registered legal access may not be usable.

Gary pointed out that mountain biking fits well into Council's operational and strategic plans and its overarching tourism policy, and Stuart included 'back road' bike tours in the Stanthorpe and Tenterfield shires as a growing attraction. Caitlin stated that a policy document on the topic has been in preparation for several months, and offered to circulate maps and other related information to all members of the committee. The final document should be completed in about 6 weeks.

Michael confirmed that nearly all National Park trails are open to bikers, except some trails which are reserved exclusively for walkers, and he proposed the linking of trails, e.g. between Bald Rock and Boonooboonoo parks. The biking concept is supported by National Parks, who will promote the idea and encourage the use of bikes in appropriate park locations. A variety of trail types is required to cater for all levels of cycling ability and fitness.

The need of support services such as accommodation, camping facilities, and possibly cycle transport was discussed, plus the possibility of some Council support such as provision of signposts and maps. Terry suggested funding may be available for the clearing of fallen trees and other obstructions on cycle tracks.

Bob proposed that a report should be sent to Council outlining the committee's current position including work on a Mountain Bike Strategy. Di asked how long would it take for Council to develop a strategy, and Terry replied that once the relevant information had been exchanged it should be the Committee which develops the strategy and then submit it to Council. He suggested the creation of specific apps for e.g. biking information and associated accommodation details. With the provision of more information a better tourism website can be developed, which is now in preparation. The Geospatial Information System was mentioned as an adjunct in the provision of specific information for visitors.

Bob proposed a motion that "This committee officially approach Tenterfield Shire Council with a request for support for the development of mountain biking and ancillary services." Carried.

The chairman appealed to all committee members to bring to the next meeting ideas for the development of other activities for visitors such as photography, bird-watching and walking.

Gary mentioned murals as a growing attraction for visitors, and will take the concept to the next Arts Committee meeting. The Heritage Committee will have a controlling interest, but Bob indicated that our committee would support the proposal to create murals in appropriate locations.

Meeting closed at 7.10 pm. Next Tenterfield meeting at 5 pm on 4th September, with a meeting on 17th July at Woodenbong Golf Club also at 5 pm.



INTRODUCTION

Kyogle, known as the 'Gateway to the Rainforests', is a town of approximately 3000 people located in north-east New South Wales. The existence of significant areas of public land on Kyogle's doorstep means the town has significant potential to develop recreation trails that are easily accessible from town. Development of trails will provide residents with improved outdoor recreation opportunities whilst also serving as an attractor to tourists and visitors from within and outside of the region. Kyogle's proximity to the major population centres of Brisbane and the Gold Coast as well as the popular tourist destination of Byron Bay contributes to its potential to attract tourists and visitors seeking a quality mountain biking experience in an appealing landscape.

This Strategy outlines Kyogle Council's intention to support and develop trail networks and ancillary facilities in proximity to Kyogle to provide improved outdoor recreation opportunities for residents and to also capitalise on potential to generate additional visitation. Bringing additional tourists and visitors to Kyogle will benefit the town's businesses including cafes, pubs and accommodation.



View over Kyogle from Fairymount

Trail development assets of Kyogle

- Close proximity to Boorabee State Forest where mountain biking (MTB) is recognised as an appropriate activity with excellent potential for a variety of world class trails:
 - Potential to expand current access into broader Boorabee State Forest is feasible and extremely valuable for future trail network expansion
- Potential trail access to and from the main street via Fairymount to Boorabee State Forest, that caters for a wide range of residents and visitors
 - High potential to create a 'trailhead' and car parking in the CBD of Kyogle
 - New trails may include shared use trails (walking and MTB) close to town improving health, wellbeing and lifestyles of residents
 - New and improved town lookout facilities adds to broader tourism appeal of Kyogle

MTB tourism potential of Kyogle

- Close proximity to the large population base of Brisbane and Gold Coast means Kyogle has potential to cater for weekend MTB visitors
 - 2hrs, 25min from Brisbane (164km)
 - 2hrs from Gold Coast (125km)
 - 1 hr 18min from Byron Bay (90km)

MTB tourism potential of Kyogle cont.

- Relative undersupply of MTB riding opportunities in SE Qld and NE NSW
- MTB trails and soft adventure options have significant potential to increase day visits and short stay holidays to Kyogle amongst a variety of tourism niche markets that are travelling along the coast or staying at Byron Bay. Namely:
 - back packers and students (eg: Byron Bay MTB Tours)
 - soft adventure seeking grey nomads
 - international tourists seeking soft adventure
- Major trail event potential is significant, for both participation and competitive events, along with positive community support for this kind of enterprise
- Australians ride bikes and they want to ride bikes on holiday, even if they have to hire bikes on site. The National Cycling Participation Survey (2015) indicates that Australians:
 - 17 to 18% ride weekly
 - Up to 40% ride (at least once a year)
 - Up to 85% of these Australian cyclists do so for recreation
- Soft adventure mountain bike options can increase stay (bed nights) of the current tourism niche markets that visit Kyogle and the region
- MTB tourism partners well with current tourism activities, gourmet attractions, eateries and numerous coffee shops and cafes in Kyogle

CONTENTS

1. Aims and Objectives 3

2. Kyogle Regional Context 4

3. Strategy Overview and Rationale ... 5

4. Detailed Recommendations... 8

Appendix A: Kyogle Mountain Bike Club Trail Concept Plan..... 14



With the support of NSW Forestry Corporation Kyogle Mountain Bike Club has been constructing trails in Boorabee State Forest



Boorabee State Forest offers recreation opportunities and great views over the surrounding landscape

1. AIMS AND OBJECTIVES OF THIS STRATEGY

Kyogle Council recognises the benefits of developing opportunities for residents and visitors to participate in sports like mountain bike riding and other activities such as walking, jogging and trail running. Benefits include; personal health, improved community interaction and social networks, and economic benefits from increased visitation or increased length of stay.

The Aim of this Strategy is:

To deliver a network of accessible trails and ancillary facilities in proximity to Kyogle that will provide opportunities for residents and visitors to participate in walking, jogging, trail running and mountain bike riding.

The Objectives of the Strategy are:

1. To assist the development of a mountain bike facility in Boorabee State Forest and improve the accessibility and use of this facility.
2. To establish trails and facilities in proximity to town including trails to the summit of Fairymount, a summit lookout and improvements to Mount Street lookout.
3. To investigate opportunities for development of trails to link Fairymount to trails in Boorabee State Forest.
4. To identify future opportunities to create a network of trails in the broader Boorabee State Forest.

The Strategy is consistent with the following Priority Action from Council's Community Strategic Plan 2016-2026:

Enable a range of recreational, heritage, cultural activities and access to places of interest including our World Heritage areas, National Parks and visitor facilities by undertaking a review of existing facilities and services and identifying potential improvements and opportunities for partnerships to realise these improvements.



Mountain bike riders are already enjoying the riding opportunities in Boorabee State Forest

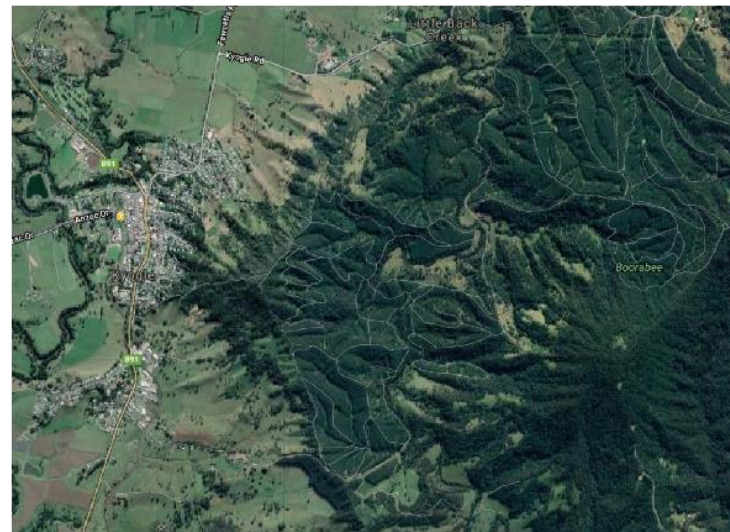


Figure 1 Aerial photo that illustrates the extensive area of State Forest in close proximity to the east of Kyogle
Source: Google Maps

2. REGIONAL CONTEXT

Location

Kyogle, NSW is south-west of Brisbane and west of Byron Bay, with Lismore being the nearest large scale regional centre. Drive times to Kyogle are as follows:

- 2hrs, 25min from Brisbane (164km)
- 2hrs from Gold Coast (125km)
- 1 hr 18min from Byron Bay (90km)
- 36min from Lismore (44km)

Kyogle's relative proximity to major coastal tourism destinations as well as the major population centres of the Gold Coast and greater Brisbane means the town is well positioned to attract increased tourism and visitation.

Existing mountain bike facilities

There are very few existing publicly accessible, purpose built mountain bike facilities in the region; the only current facility with extensive network of trails is Doubleduke State Forest at New Italy. A new mountain bike facility is currently being constructed at Duck Creek between Goonellabah and Ballina. There is also a proposal for a small trail development at the Uki sewage treatment plant land.

Whilst these existing and planned facilities offer good mountain biking opportunities, none combine the attributes of a large area of relatively unconstrained public land and topography ideal for trail building that exists in Boorabee State Forest.

The nearest major MTB destinations outside the region are at Mt Joyce near Beaudesert and Nerang State Forest on the northern Gold Coast.

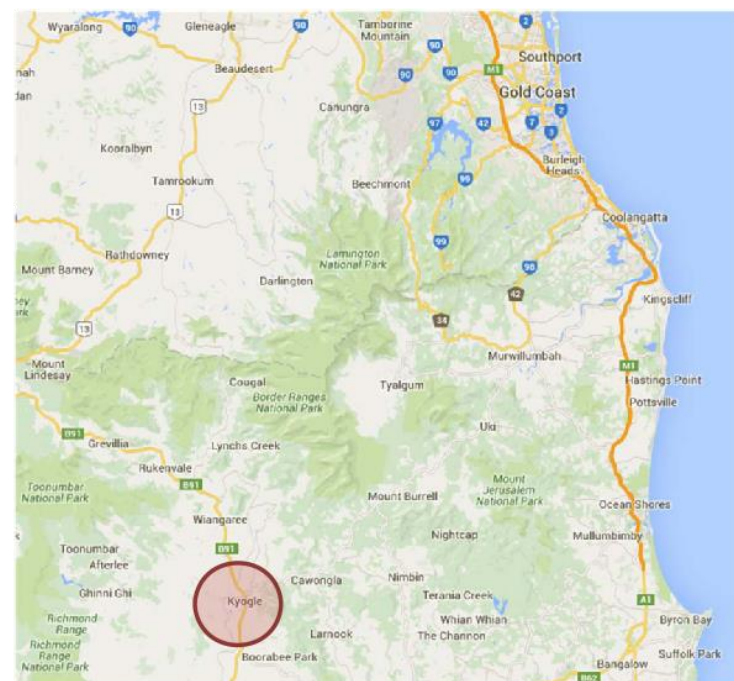


Figure 2 Map showing location of Kyogle within context of NSW North Coast and south-east Qld region
Source: Google Maps

3. STRATEGY OVERVIEW AND RATIONALE

This Strategy seeks to take advantage of the natural features and public land in proximity to Kyogle and proposes initiatives to realise improved public access and recreation opportunities for residents and visitors. The Strategy also seeks to capitalise on and provide support to existing community initiatives including the development of mountain bike trails in Boorabee State Forest by the Kyogle Mountain Bike Club. This is considered to be a low risk strategy that has potential to maximise the benefits of the Club's project and deliver improved outcomes for residents and the Kyogle economy through increasing tourism and visitation.

This Strategy adopts a staged approach to the development of trails and outdoor recreation opportunities in Kyogle. As the Boorabee State Forest mountain bike park development is already occurring, and the Club has a permit from Forestry Corporation for this purpose, this logically forms the first Stage of the Strategy. The Strategy identifies quite specific actions or outcomes for this Stage. Subsequent Stages 2 and 3 are intended to be longer term projects that will require further feasibility investigations and design as well as negotiation with land owners, occupiers and other stakeholders. The actions or outcomes identified for Stages 2 and 3 are less specific as they require further investigation and scoping. The Strategy involves the following three stages:

STAGE 1- Support for development of mountain bike facility in Boorabee State Forest including supporting infrastructure and facilities

Over the past three years Kyogle Mountain Bike Club has been developing a mountain bike facility in a portion of Boorabee State Forest under a permit issued by NSW Forestry Corporation. The facility needs further trail development to realise its potential as a regional attractor as well as improvements to ancillary facilities and infrastructure to improve its useability and accessibility to deliver a quality user experience, which will in turn realise additional visitation. Upgrades are required to the carpark and access road (Yongurra Road) and improved signage is required. Furthermore, additional public information and promotion is expected to increase the use of the park. Stage 1 of this Strategy involves Council assisting the Kyogle Mountain Bike Club to deliver improvements to the facilities, useability and accessibility of the mountain bike park at the top of Yongurra Road as well as establishing information and directional signage to the park.

This Stage also involves a proposal for improvements to a related public facility, being the Kyogle BMX track. The current BMX track has a layout and features which deliver a poor user experience; therefore the track receives limited use. Upgrading this facility to a 'pump track' is expected to dramatically improve its appeal to children and youth and would complement the more advanced and longer trails in Boorabee State Forest by providing a highly accessible and fun cycle facility in town. It is considered the BMX track could easily (and relatively inexpensively) be converted to a pump track with the application of additional fill material that is then shaped and compacted by a professional track builder.



Kyogle Mountain Bike Club has been developing a mountain bike facility in Boorabee State Forest



Pump tracks deliver a fun riding experience and are suitable for all ages

STAGE 2- Creation of walking and mountain bike trails to summit of Fairymount and development of ancillary facilities

Stage 2 proposes the establishment of walking and mountain bike trails to the summit of Fairymount including the development of a viewing platform or lookout near the summit. Trails would start and end at Mount Street lookout and the Strategy proposes upgrades to this lookout. This Stage is intended to deliver walking and mountain bike riding opportunities that are easily accessible to residents of Kyogle and provide an attraction for tourists and visitors.

As the majority of the north-western side of Fairymount is privately owned land, the establishment of trails to the summit will require agreement to be reached with the landowner to formalise public access or transfer land to Council control. Initial discussions have been held with the land owner and they have indicated a willingness to discuss further. Significant further investigation and scoping is required to inform the design of this Stage.



Fairymount offers great views over Kyogle and the surrounding landscape

STAGE 3- Creation of mountain bike trails in remainder of Boorabee State Forest

Stage 3A- The initial draft of this Strategy identified the connection of mountain bike trails in Boorabee State Forest to the township as being an important element to establishing Kyogle as a desirable mountain bike destination. The route originally proposed for this connection has been investigated and removed from the Strategy due to the existence of a Range Danger Area associated with the rifle range on Crown Land at Mount Street. In order to pursue this desirable connection Stage 3 of this Strategy proposes further investigation of the potential to link the trails accessing the summit of Fairymount to the trails in the State Forest via the eastern side of the mountain through land owned by NSW Forestry Corporation (not State Forest) in a manner that avoids the hazard associated with the Range Danger Area. This link will require trails to traverse Lot 442 DP 839444 which is private land owned by NSW Forestry Corporation and is therefore dependant on negotiation of access with them.

Stage 3B- of this Strategy proposes the establishment of longer trails (including an epic loop trail) in the eastern and northern portions of Boorabee State Forest including a crossing of Back Creek at Taveners Road. The initial part of this stage involves utilisation of Lot 442 DP 839444 which is private land owned by NSW Forestry Corporation and is therefore dependant on negotiation of access with them. Significant further investigation and scoping is required to inform the design of this Stage.



Mountain biking is growing in popularity in Australia leading to demand for more trail development

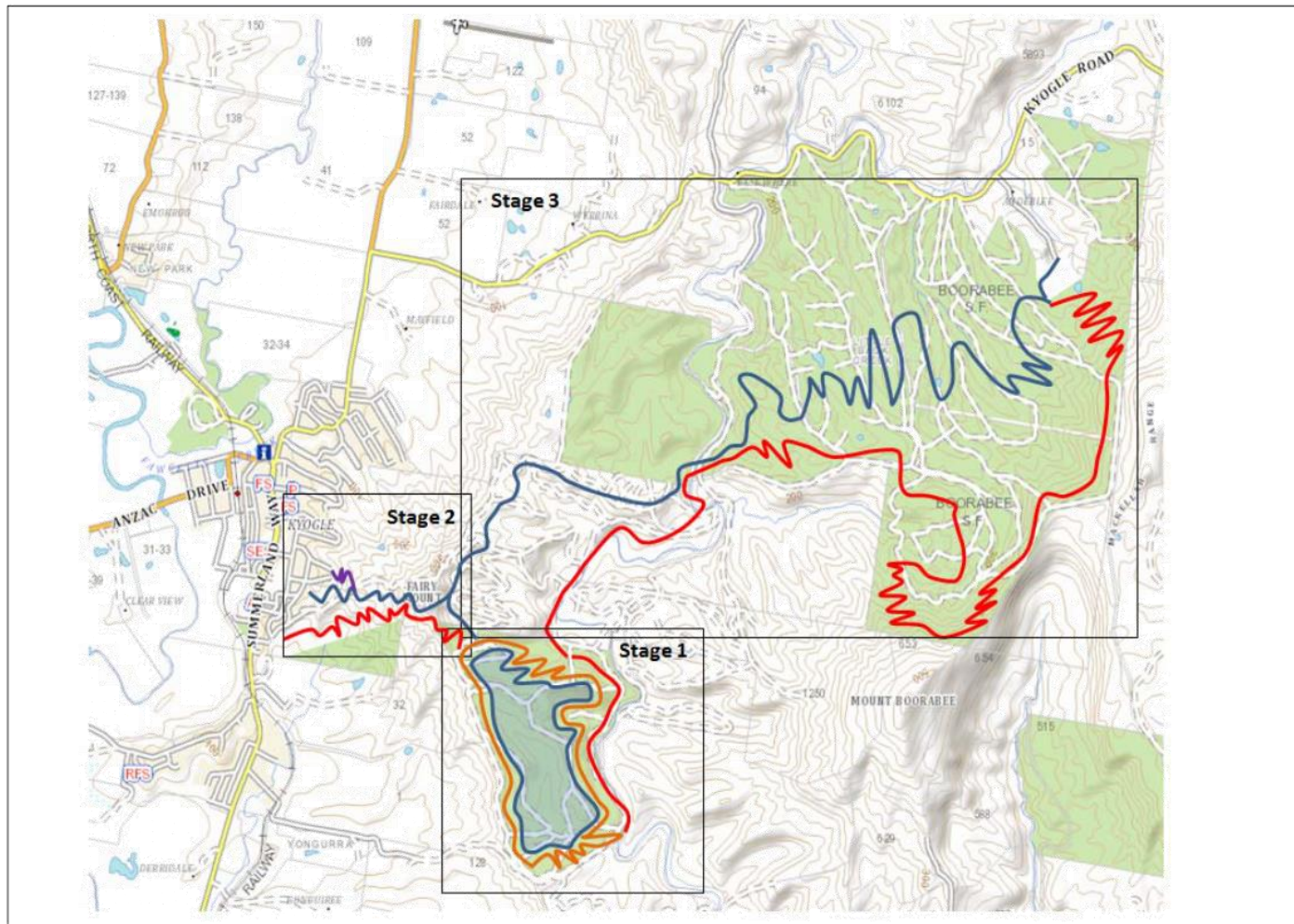


Figure 3 Strategy overview

4. DETAILED RECOMMENDATIONS



STAGE 1 Support for development of mountain bike facility in Boorabee State Forest including ancillary infrastructure and facilities



This stage involves Council supporting the Kyogle Mountain Bike Club to deliver improvements to the facilities, useability and accessibility of the mountain bike park at Yongurra Road as well as improvements to information and directions to the park. This stage also involves a proposal for improvements to a related public facility, being the Kyogle BMX track. There are three Desirable Outcomes for Stage 1:

1. Improvements to the Boorabee State Forest recreation facility to increase mountain bike riding opportunities and create a positive user experience that will attract additional users from outside the Kyogle Council local government area (LGA).
2. Improved accessibility of the Boorabee State Forest recreation area as well as information and directions to assist visitors to locate the facility.
3. Improved supporting facilities to provide opportunities for children and youth participation.

The following Table outlines the Actions required to achieve these Desirable Outcomes.

ACTIONS/WORKS/ INFRASTRUCTURE REQUIRED	LAND/TENURE/ OWNER	DELIVERY MECHANISM	STAKEHOLDERS OR PARTNERS	ORDER OF PRIORITY
<i>Desirable Outcome 1</i> <i>Improvements to the Boorabee State Forest recreation facility to increase mountain bike riding opportunities and create a positive user experience that will attract additional visitors from outside the LGA</i>				
a) Development of trails 6, 7, 9, 10 and 11 (approximate length 5.5km) as identified in Trail Concept Plan prepared by Kyogle Mountain Bike Club (see Appendix 1). To be built by a professional trail building contractor and maintained by Kyogle Mountain Bike Club.	<ul style="list-style-type: none"> Lot 9 DP 10780 Part of Boorabee State Forest; managed by NSW Forestry Corporation Kyogle Mountain Bike Club hold a permit over this parcel to construct and operate a mountain bike facility 	<ul style="list-style-type: none"> Application to be made for external grant funding through appropriate or relevant grant funding program in partnership with Kyogle Mountain Bike Club. 	Kyogle Mountain Bike Club, NSW Forestry Corporation	1
b) Upgraded public carpark- re-profiling surface, drainage works, gravel sheeting, bollards	<ul style="list-style-type: none"> Lot 9 DP 10780 Part of Boorabee State Forest; managed by NSW Forestry Corporation Kyogle Mountain Bike Club hold a permit over this parcel to construct 	<ul style="list-style-type: none"> Club to submit application to NSW Forestry Corporation for approval to construct. Application to be made for external grant funding through appropriate or relevant grant funding program in partnership with Kyogle Mountain Bike Club. 	Kyogle Mountain Bike Club, NSW Forestry Corporation	2

 <p>Existing car park</p>	<p>and operate a mountain bike facility</p>	<ul style="list-style-type: none"> Kyogle Council contributions may include assistance with design of car park and provision of old bridge timbers for bollards. 		
<p>c) Development of ancillary facilities- picnic tables, shelter, lookout and toilet</p>	<ul style="list-style-type: none"> Lot 9 DP 10780 Part of Boorabee State Forest; managed by NSW Forestry Corporation Kyogle Mountain Bike Club hold a permit over this parcel to construct and operate a mountain bike facility 	<ul style="list-style-type: none"> Application to be made for external grant funding through appropriate or relevant grant funding program in partnership with Kyogle Mountain Bike Club. 	<p>Kyogle Mountain Bike Club, NSW Forestry Corporation</p>	<p>9</p>
<p>Desirable Outcome 2 <i>Improved accessibility of the Boorabee State Forest recreation area as well as information and directions to assist visitors to locate the facility</i></p>				
<p>d) Upgrade Yongurra Road- approximately 900 metres of road requires upgrade to current rural road standard- requires widening, drainage, sub-grade reinforcement, surface profiling and gravel sheeting</p>  <p>Existing section of Yongurra Road</p>	<ul style="list-style-type: none"> Yongurra Road reserve Controlled by Kyogle Council 	<ul style="list-style-type: none"> Council to incorporate upgrade into capital works budget or seek external grant funding through appropriate or relevant grant funding programs with in-kind Council contribution. 	<p>-</p>	<p>3</p>

<p>e) Install blue fingerboard sign on pole at intersection of Andrew Street and Summerland Way to provide directions to park</p>  <p><i>Existing sign post at intersection of Andrew Street and Summerland Way</i></p>	<ul style="list-style-type: none"> • Summerland Way road reserve • Controlled by Kyogle Council 	<ul style="list-style-type: none"> • Delivered through annual capital works budget allocation (estimated cost \$100) 	-	4
<p>f) Install map of the trail network at the Kyogle Visitor Information Centre and/or Amphitheatre carpark</p>  <p><i>Indicative trail map</i></p>	<ul style="list-style-type: none"> • Lot 22 DP 835051, 8-10 Anzac Drive (amphitheatre carpark) • Lots 5 & 6 DP 814241 at 9-11 Summerland Way (visitor information centre) • Council owned and controlled land and facilities 	<ul style="list-style-type: none"> • Application to be made for external grant funding through appropriate or relevant grant funding programs with in-kind Council contribution. 	Kyogle Mountain Bike Club, NSW Forestry Corporation	5
<p>g) Promote trails on Kyogle Council and Visit Kyogle websites</p>	-	<ul style="list-style-type: none"> • Can be carried out by Council staff within existing budget allocations 	Kyogle Mountain Bike Club, NSW Forestry Corporation	6
<p>Desirable Outcome 3 <i>Improved supporting facilities to provide opportunities for children and youth to participate</i></p>				
<p>h) ANZAC Park BMX track upgraded to pump track. Will require additional fill material which is then shaped and compacted by a</p>	<ul style="list-style-type: none"> • Lots 7 & 8 Section 5 DP 4973 • 19-21 Norton Street, Kyogle • Part of Anzac Park; Kyogle Council owned parkland 	<ul style="list-style-type: none"> • Application to be made for external grant funding through appropriate or relevant grant funding programs with in-kind Council contribution. 	Kyogle Mountain Bike Club	7

<p>professional contractor.</p> <p>track building</p>  <p><i>Indicative image of a pump track</i></p>		<ul style="list-style-type: none"> Good opportunity to engage youth and other stakeholders in design of track. 		
<p>i) Investigate opportunities for the pump track to host events or skills days for children and youth in partnership with Kyogle Youth Action, Kyogle Mountain Bike Club or other stakeholders.</p>	<p>As above</p>	<ul style="list-style-type: none"> Subject to discussion and agreement with stakeholders or partners. 	<p>Kyogle Mountain Bike Club, Kyogle Youth Action</p>	<p>8</p>

STAGE 2- Development of walking and mountain bike trails to summit of Fairymount, including development of ancillary facilities

A. DESIRABLE OUTCOMES

The Desirable Outcomes to be achieved in Stage 2 are:

1. A network of trails and ancillary facilities providing access to Fairymount to provide residents with a convenient outdoor recreation opportunity.
2. Ancillary facilities that provide visitors with a positive experience and destination activity.

Trails would start and end at the Mount Street lookout and the Strategy proposes upgrades to this lookout. This would deliver walking and mountain bike riding opportunities that are easily accessible to residents of Kyogle as well as tourists and visitors. A viewing platform or lookout near the summit is required to achieve views and provide a destination for trail users. As the majority of the north-western side of Fairymount is privately owned land, the establishment of trails to the summit will require agreement to be reached with the landowner to formalise public access or transfer land to Council control/ownership. Initial discussions have been held with the land owner and they have indicated a willingness to hold further discussions.

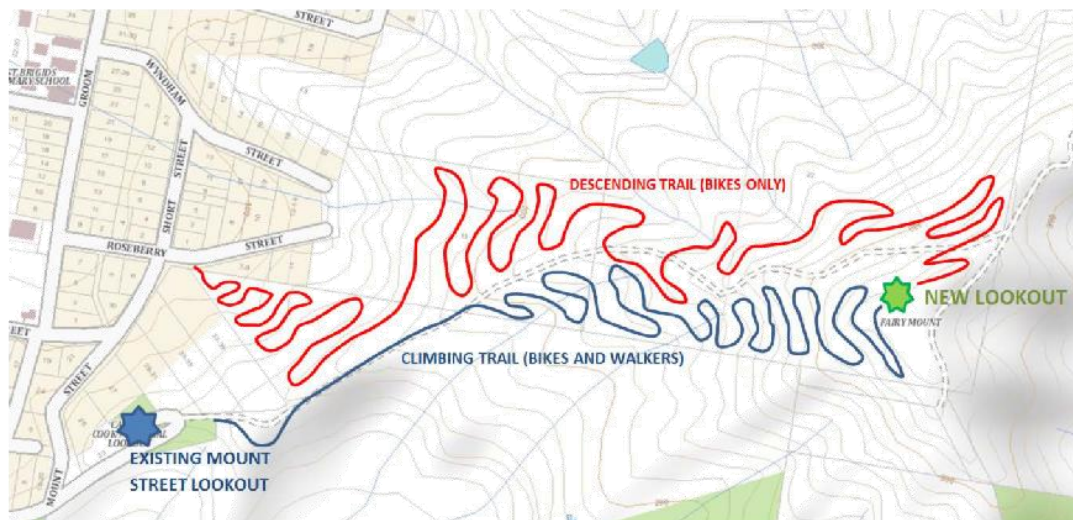


Figure 4 Proposed Fairymount trail network

LAND INFORMATION

- Lot 131 DP 755734, Crown Land reserved for public recreation, currently leased for grazing and rifle range.
- Lot 1 DP 781680, Owner: Kyogle Council
- Lots 331-334 DP 5037, private ownership.

TRAIL DESIGN

- Figure 4 shows conceptual trail alignments only. More site investigation and design required.
- Trail alignment to follow contours in order to deliver as low trail grades as possible.
- Separate climbing and descending trails for safety and best user experience.

B. RECOMMENDED TRAIL AND FACILITY DEVELOPMENT

The following Actions are recommended to be undertaken to achieve the Desired Outcome:

1. Establish trails to summit of Fairymount from Mount Street lookout.

- Further negotiation with land owners to secure public access is required.
- More detailed trail route investigation is required, along with detailed design.
- Very steep gradients will be challenging for trail design and construction and will influence trail design.
- Separate climbing and descending trails are recommended for safety and best user experience. Climbing bike trail could be combined with walking trail.
- Trails would begin and end at Mount Street lookout, with the dedicated bike descending trail ending at Roseberry Street.

2. Construct a lookout or viewing platform near the summit.

- Negotiation with land owners to secure public access is required.
- Detailed investigation and feasibility assessment is required to inform design.
- Promote trails and lookout on 'Visit Kyogle' and corporate websites.

3. Carry out improvements to Mount Street lookout to improve its aesthetics and functionality.

- Current lookout facility has poor aesthetic and limited attraction for visitors.
- Investigate options to improve its functionality and appearance.
- Suggestions may include- install map of trails, re-surfacing of carpark, new bollards/guardrails, seating and/or shelters, planting and bins.
- Promote trails and lookout on 'Visit Kyogle' and corporate websites.



Existing track leading to summit of Fairymount



Lookouts provide a destination for visitors



Existing Mount Street lookout

STAGE 3- Creation of mountain bike trails in remainder of Boorabee State Forest including possible trails linking Fairymount trails to mountain bike park at Yongurra Road

A. DESIRABLE OUTCOMES

Stage 3 has the following Desirable Outcomes:

1. Trails that link the Fairymount trails to other areas of Boorabee State Forest (Stage 3A).
2. Trail network in the northern and eastern sections of Boorabee State Forest (Stage 3B).

Stage 3A: Boorabee link trails

Stage 3A- The initial draft of this Strategy identified the connection of mountain bike trails in Boorabee State Forest to the township as being an important element to establishing Kyogle as a desirable mountain bike destination. The route originally proposed for this connection has been investigated and removed from the Strategy due to the existence of a Range Danger Area associated with the rifle range on Crown Land at Mount Street. As this is a highly desirable connection Stage 3 of this Strategy proposes further investigation of the potential to link the trails accessing the summit of Fairymount to the trails in SF via the eastern side of the mountain through land owned by NSW Forestry Corporation (not State Forest) in a manner that absolves the hazard associated with the Range Danger Area. This link will require trails to traverse Lot 442 DP 839444 which is private land owned by NSW Forestry Corporation and is therefore dependant on negotiation of access with them.

Stage 3B: Mount Boorabee loop

Stage 3B- of this Strategy also proposes the establishment of longer trails in the eastern and northern portions of Boorabee State Forest including a crossing of Back Creek at Taveners Road. The initial part of this Stage involves utilisation of Lot 442 DP 839444 which is private land owned by NSW Forestry Corporation and is therefore dependant on negotiation of access with them.

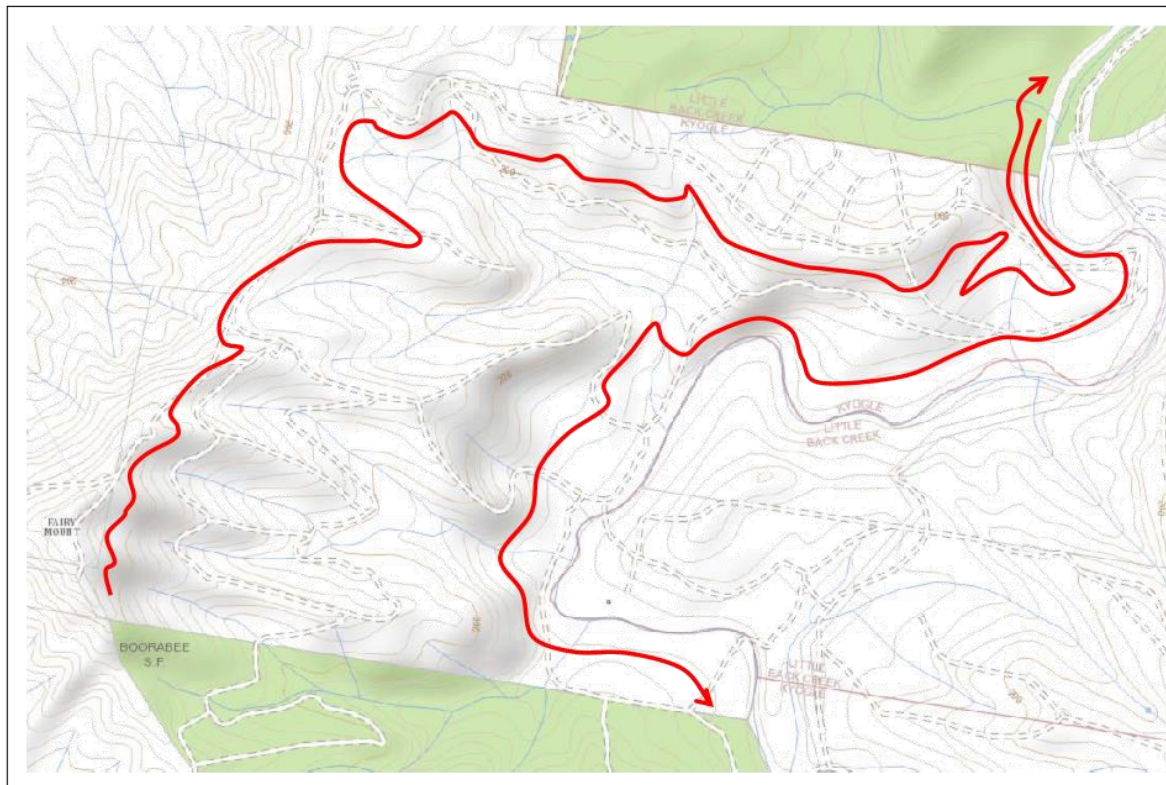


Figure 5 Stage 3A- Boorabee link trails

LAND INFORMATION

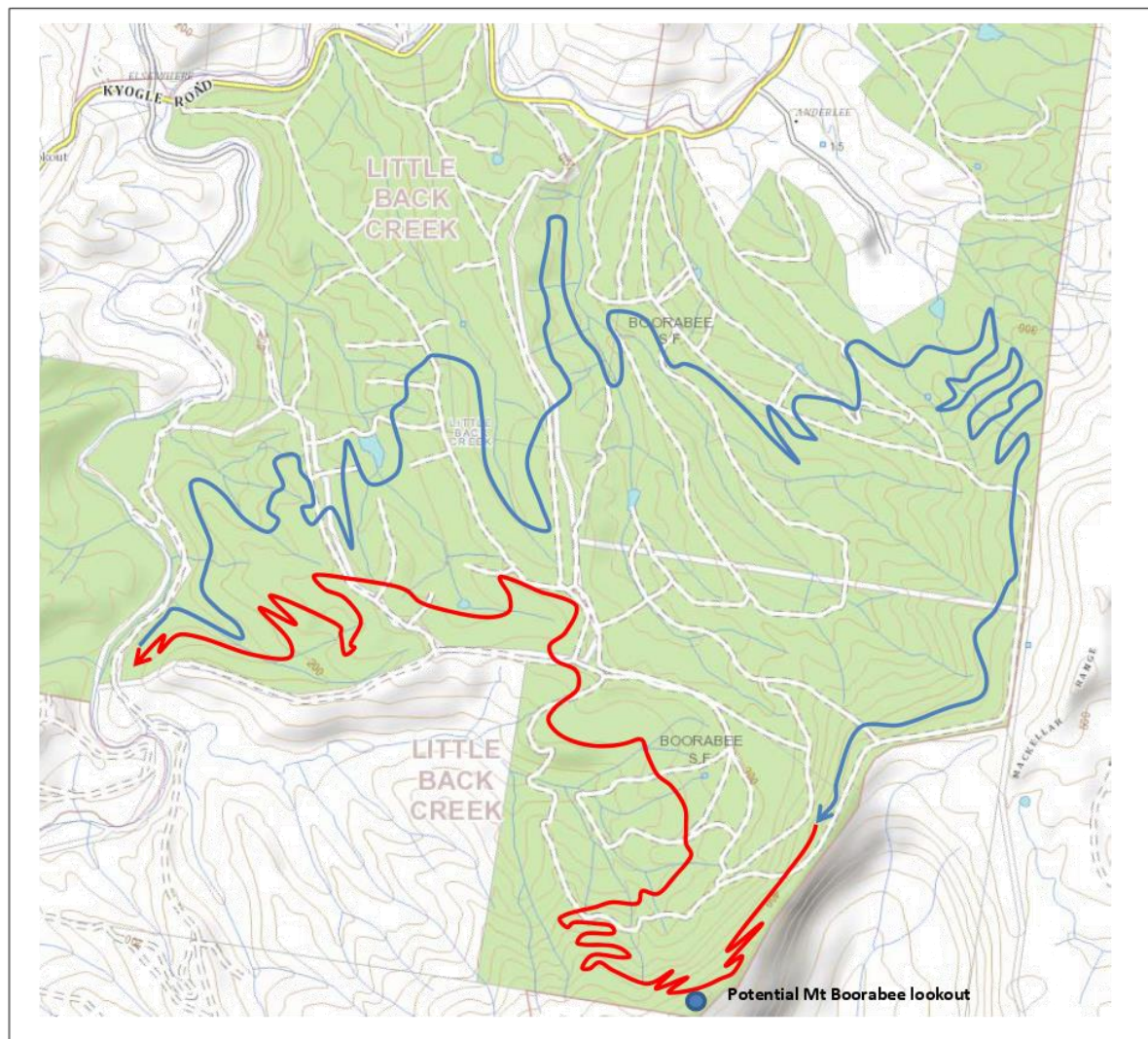
Land Parcel: Lot 442 DP 839444

Land owner: NSW Forestry Corporation

Lease: grazing lease in place

TRAIL DESIGN

- Figure 5 shows a highly conceptual trail alignment and further investigation to establish feasibility and ideal alignments is required.
- Consultation with land managers and lease holders is required to establish agreement for trail development.
- Approximate trail length: 8km



LAND INFORMATION

Land Parcels:

Lot 2 DP 1005177; Lot 1 DP 185483; Lot 1
DP 430610; Lot 5 DP 430016 Lots 3 & 4 DP
12948; Lot 12 DP 883216

Land owner: NSW Forestry Corporation

Lease: grazing leases in place

TRAIL INFORMATION

- Figure 6 shows a highly conceptual trail alignment and further investigation to establish feasibility and ideal alignments is required.
- Consultation with land managers and lease holders is required to inform design and establish agreement for trail development.
- Approximate trail length: 27km

Figure 6 Stage 3B- Mt Boorabee loop

APPENDICES

Appendix A: Boorabee State Forest mountain bike facility- trail plan and location

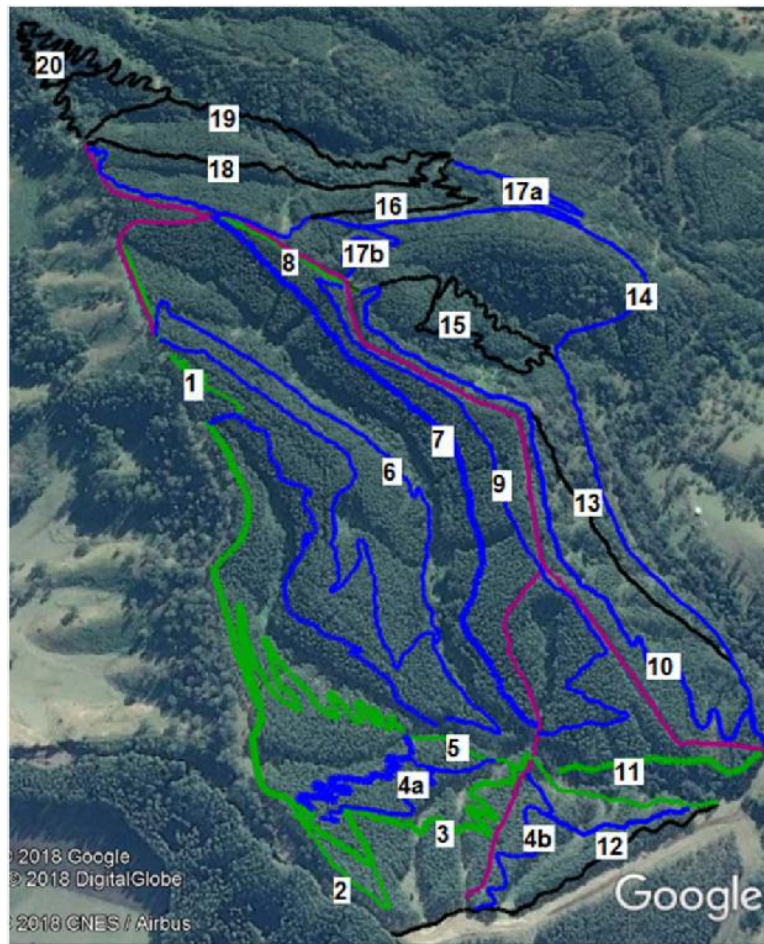


Figure 11 Kyogle Mountain Bike Club trail concept plan



Figure 12 Location of mountain bike facility in Boorabee State Forest



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Department:	Office of the Chief Executive
Submitted by:	Executive Assistant & Media
Reference:	ITEM RES6/19
Subject:	COUNCIL RESOLUTION REGISTER - JULY 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 July 2019.

Terry Dodds
Chief Executive

Prepared by staff member:	Noelene Hyde, Executive Assistant & Media		
Approved/Reviewed by Manager:	Terry Dodds, Chief Executive		
Department:	Office of the Chief Executive		
Attachments:	1	Attachment 5 (Attachment Booklet 3) - Resolution Register - July 2019	33 Pages