



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

BUSINESS PAPER
ORDINARY COUNCIL MEETING
WEDNESDAY, 24 FEBRUARY 2021

Notice is hereby given in accordance with the provisions of the *Local Government Act 1993*, and pursuant to Clause 3.3 of Council's Code of Meeting Practice that an **Ordinary Council Meeting** will be held in the RSL Pavilion, rear Memorial Hall, Molesworth Street, Tenterfield and via Zoom, on **Wednesday, 24 February 2021** commencing at **9.30 am**.

Kylie Smith
Actg Chief Executive

COMMUNITY CONSULTATION – PUBLIC ACCESS

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

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

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

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

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

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

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

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

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

CONFLICT OF INTERESTS

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

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

Disclosures to be Recorded (s 453 Act)

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

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## ORDER OF BUSINESS

1. Opening & Welcome
2. Civic Prayer & Acknowledgement of Country
3. Apologies
4. Disclosure & Declarations of Interest
5. 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

## WEBCASTING OF MEETING

This meeting will be 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.

### 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 past, present, and emerging 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

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### 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

- (ITEM COM4/21) REBEL RADIO NETWORK OUTSTANDING RENT PAYMENTS
- (ITEM COM5/21) LEASING OF COUNCIL OWNED PROPERTY
- (ITEM ECO1/21) TENTERFIELD COUNCIL INDUSTRIAL ESTATE - PROPOSED SALE OF LOT 11
- (ITEM ECO2/21) SALE OF INDUSTRIAL LAND/TENTERFIELD INDUSTRIAL PARK - LOTS 14 & 15
- (ITEM ECO3/21) PURCHASE OF LAND FOR FUTURE OPERATIONAL PURPOSES
- (ITEM GOV15/21) WATER PRICING ISSUES - REQUEST FROM LOCAL BUSINESS OPERATOR

## 11. OPEN COUNCIL REPORTS

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| (ITEM COM4/21) | REBEL RADIO NETWORK OUTSTANDING RENT PAYMENTS |
|----------------|-----------------------------------------------|

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)) 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.

|                |                                   |
|----------------|-----------------------------------|
| (ITEM COM5/21) | LEASING OF COUNCIL OWNED PROPERTY |
|----------------|-----------------------------------|

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.

|                |                                                                 |
|----------------|-----------------------------------------------------------------|
| (ITEM ECO1/21) | TENTERFIELD COUNCIL INDUSTRIAL ESTATE - PROPOSED SALE OF LOT 11 |
|----------------|-----------------------------------------------------------------|

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section



10A(2) (c) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

(ITEM ECO2/21) SALE OF INDUSTRIAL LAND/TENTERFIELD INDUSTRIAL PARK - LOTS 14 & 15

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.

(ITEM ECO3/21) PURCHASE OF LAND FOR FUTURE OPERATIONAL PURPOSES

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

(ITEM GOV15/21) WATER PRICING ISSUES - REQUEST FROM LOCAL BUSINESS OPERATOR

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals.

**16. MEETING CLOSED**

## **CLOSED COUNCIL**

### **Confidential Reports**

#### **(Section 10A(2) of The Local Government Act 1993)**

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representations to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals others than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act provides that Council, or a Committee of the Council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10B(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act,) the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matters referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) The discussion of the matter may:
  - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the Council or committee.

#### **Resolutions passed in Closed Council**

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

**CONFIDENTIAL****(ITEM MIN1/21) CONFIRMATION OF PREVIOUS MINUTES**

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**REPORT BY:** Noelene Hyde, Executive Assistant & Media

**RECOMMENDATION**

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

- **Ordinary Council Meeting – 16 December 2020**
- **Extraordinary Council Meeting – 29 January 2021 (9.30 am)**
- **Extraordinary Council Meeting – 29 January 2021 (10.30 am)**

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

**ATTACHMENTS**

- |          |                                                                      |             |
|----------|----------------------------------------------------------------------|-------------|
| <b>1</b> | Minutes - Ordinary Council Meeting - 16 December 2020                | 14<br>Pages |
| <b>2</b> | Minutes - Extraordinary Council Meeting - 9.30 am - 29 January 2021  | 3 Pages     |
| <b>3</b> | Minutes - Extraordinary Council Meeting - 10.30 am - 29 January 2021 | 3 Pages     |

# MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

## MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY, 16 DECEMBER 2020

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion, rear Memorial Hall, Molesworth Street, Tenterfield on Wednesday 16 December 2020 commencing at 9.33 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 Bob Rogan  
Councillor Gary Verri

### ALSO IN ATTENDANCE

Chief Executive (Terry Dodds)  
Executive Assistant & Media (Noelene Hyde)  
Chief Corporate Officer (Kylie Smith)  
Director Infrastructure (Fiona Keneally)  
Manager Finance & Technology (Paul Della)

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

**WEBCASTING OF MEETING**

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

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

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

**OPENING AND WELCOME**

**CIVIC PRAYER**

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

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

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

Nil.

**DISCLOSURE & DECLARATIONS OF INTEREST**

Nil.

**(ITEM MIN15/20) CONFIRMATION OF PREVIOUS MINUTES**

**271/20** **Resolved** that the Minutes of the following Meeting of Tenterfield Shire Council:

- Ordinary Council Meeting – 25 November 2020

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

(Bob Rogan/Tom Peters)

**Motion Carried**

**TABLING OF DOCUMENTS**

Nil.

**URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS**

**272/20** **Resolved** that the following Addendum Items be accepted for consideration:

- Item MM4/20 – Mayoral Minute – Resignation – Chief Executive Officer Terry Dodds
- Item GOV100/20 – Water Consumption Fee Decrease 2020/2021 Financial Year
- Item GOV101/20 – Delegation for Chief Executive Leave Period

(Greg Sauer/Michael Petrie)

**Motion Carried**

**COMMUNITY CONSULTATION (PUBLIC ACCESS)**

Nil.

**MAYORAL MINUTE**

**(ITEM MM4/20) RESIGNATION - CHIEF EXECUTIVE OFFICER TERRY DODDS**

**SUMMARY**

I have accepted the resignation of our Chief Executive, Mr Terry Dodds, on Tuesday, 15 December 2020.

**273/20** **Resolved:**

Although it has come as a shock to all of us that our Chief Executive, Mr Terry Dodds, has resigned from his position with Tenterfield Shire Council, I wish to speak on his achievements of the past 3 years.

On Terry's arrival, his first priority was to implement a new organisational structure and link the accountabilities of all staff to the 4 Year Delivery Program. His work in achieving this, was recognised in Tenterfield Shire Council winning the Macquarie University's 2019 Voice Project – Change Challenge.

The timber bridge replacement program was the next big challenge and I was proud to work together with Terry to lobby both State and Federal Governments for funding to achieve the replacement of 24 timber bridges during the past 12 months, a massive achievement for our infrastructure staff.

The drought and bushfires created severe water issues in Tenterfield and Terry was instrumental in sourcing bore water to help secure water to supplement the water supply, and working to gain the funding through State Government to finance this project. This work resulted in Tenterfield receiving the RH Dougherty Award – Reporting to your Community – Drought Management.

Sealing of the most roads Council has ever achieved and continued lobbying to gain funding to seal all of the Mt Lindesay Road, together with the completion of

the upgrade of the Legume to Woodenbong Section of the Mt Lindesay Road. Council's biggest project to date.

Terry was able to build great rapport and respect with both our State and Federal members for the betterment of our community. I was always confident while attending these meetings as I did the political stuff and Terry the technical part. We worked together as a good team should.

Although disappointed at Terry's departure, he leaves this organisation in good stead and his footprint is firmly embedded in the many projects we have completed and are currently on-going.

I wish him well into the future and know he will always be interested in the progress of Tenterfield Shire Council.

Cr Peter Petty  
Mayor

(Peter Petty/Greg Sauer)

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

**274/20** **Resolved** that the following items be considered in the Confidential Section of the Meeting.

- Item ECO23/20 – Sale of Lot 4 – Tenterfield Industrial Estate
- Item COM36/20 – Proposal to Lease Lots 2, 3 and 4 – Section 37 DP758959 – Corner Francis Street and Douglas Street, Tenterfield
- Item ECO24/20 – Acquisition of Part of Private Land in Molesworth Street, Tenterfield for Constructed Cycleway – Update
- Item ENV24/20 – Tenterfield Water Treatment Plant – Tender Assessment

(Gary Verri/Brian Murray)

#### **Motion Carried**

#### **OPEN COUNCIL REPORTS**

##### **OUR COMMUNITY**

*Manager Economic Development & Community Engagement, Harry Bolton, entered the meeting, the time being 9.39 am.*

#### **(ITEM COM33/20) TENTERFIELD CHAMBER OF TOURISM, INDUSTRY & BUSINESS - REQUEST FOR FURTHER CONTRIBUTION TO SUPPORT THE PETER ALLEN FESTIVAL**

##### **SUMMARY**

The purpose of this report is to provide Council with information to make an informed decision in relation to making a further contribution to support the Peter Allen Festival.

##### **RECOMMENDATION**

That Council:

- (1) Contribute the sum of \$8,590.31 toward the balance owing of the 2019 Peter Allen Festival for Road Closure, Hall Hire, Skip Bin Service and Park Hire; or
- (2) Make a financial contribution towards the balance owing of the 2019 Peter Allen Festival for Road Closure, Hall Hire, Skip Bin Service and Park Hire; or
- (3) Resolve not to support the Peter Allen Festival in regards to the outstanding balance.

(Michael Petrie/Bob Rogan)

**PROCEDURAL AMENDMENT**

Council adopt Item (1) of the recommendation.

(Bronwyn Petrie/Gary Verri)

**Amendment Carried**

**275/20** **Resolved** that Council contribute the sum of \$8,590.31 toward the balance owing of the 2019 Peter Allen Festival for Road Closure, Hall Hire, Skip Bin Service and Park Hire.

(Bronwyn Petrie/Gary Verri)

**Motion Carried**

*Manager Economic Development & Community Engagement, Harry Bolton, left the meeting, the time being 9.46 am.*

*Manager Property & Buildings, Heidi Ford, entered the meeting, the time being 9.46 am.*

**(ITEM COM34/20) TENTERFIELD WAR MEMORIAL BATH - MASTER PLAN**

**SUMMARY**

The purpose of this report is to present the Draft Master Plan & Feasibility Study of the Tenterfield War Memorial Bath for Council's consideration. This Plan is to provide guidance and direction for Council staff with regards to development and future maintenance.

**276/20** **Resolved** that Council:

- (1) Endorse and place on public exhibition, Option two (2) in the draft Master Plan and Feasibility Study to assist with future development and maintenance on the Tenterfield War Memorial Bath.
- (2) Note that Option two (2) in the plan is a guide for future works and that any option contained in the plans are outside the Capacity of Council to fund the initial works, or ongoing costs associated with such a large community asset.
- (3) If at the conclusion of the exhibition period no submissions are received, adopt the option identified and advertised as the preferred option and tailor future asset maintenance and works at the Tenterfield War Memorial Bath around this option.

(Gary Verri/Donald Forbes)

**Motion Carried**



Manager Property & Buildings, Heidi Ford, left the meeting, the time being 10.06 am.

Manager Economic Development & Community Engagement, Harry Bolton, entered the meeting, the time being 10.06 am.

**(ITEM COM35/20) UPDATE ON FUNDING REGIONAL TOURISM BUSHFIRE RECOVERY GRANT - STREAM 1 - PETER ALLEN, ORACLES OF THE BUSH & SADDLER MOUNTAIN BIKE CLUB TENTERFIELD**

**SUMMARY**

This report is to provide Council with updated information in relation to Regional Tourism Bushfire Recovery Funding – Stream 1 for Peter Allen Festival and additional funding applications for Oracles of the Bush 2021 and Saddler Mountain Bike Club, Tenterfield.

**277/20 Resolved** that Council:

- (1) Accept the updated information from Peter Allen Festival; and
- (2) Endorse the application to apply for the maximum total of \$30,000 from the Regional Tourism Bushfire Recovery Funding – Stream 1 to be shared evenly between Oracles of the Bush & Saddler Mountain Bike Club Tenterfield.

(Greg Sauer/Bronwyn Petrie)

**Motion Carried**

Manager Economic Development & Community Engagement, Harry Bolton, left the meeting, the time being 10.13 am.

**OUR ECONOMY**

Nil.

**OUR ENVIRONMENT**

Manager Open Space, Regulatory & Utilities, Mark Cooper, entered the meeting, the time being 10.13 am.

**(ITEM ENV23/20) TENTERFIELD SHIRE - DRAFT TREE MANAGEMENT PLAN**

**SUMMARY**

The purpose of this report is to adopt the Tenterfield Shire Council Draft Tree Management Plan. This Plan is to provide direction for the regular care and maintenance of all existing trees, undertaking regular tree assessments and inspection, and set out a plan for future tree planting and budgets for replacements.

**RECOMMENDATION**

That Council adopt the Tenterfield Shire Council Draft Tree Management Plan.

(Greg Sauer/Gary Verri)

**AMENDMENT**

That Council endorse the Draft Tree Management Plan and place on public exhibition with:

- Further information to be provided on tree species on Logan Street; and
- Additional Item (4.3) noting Liston community input in planting and providing trees; and
- Further information regarding Tenterfield Park.

(Greg Sauer/Bronwyn Petrie)

**Amendment Carried**

**278/20** **Resolved** that Council endorse the Draft Tree Management Plan and place on public exhibition with:

- Further information to be provided on tree species on Logan Street; and
- Additional Item (4.3) noting Liston community input in planting and providing trees; and
- Further information regarding Tenterfield Park.

(Greg Sauer/Gary Verri)

**Motion Carried**

*Manager Open Space, Regulatory & Utilities, Mark Cooper, left the meeting, the time being 10.32 am.*

**OUR GOVERNANCE**

**(ITEM GOV95/20) MONTHLY OPERATIONAL REPORT - NOVEMBER 2020**

**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 2020/2021 Operational Plan.

**279/20** **Resolved** that Council receives and notes the status of the Monthly Operational Report for November 2020.

(Michael Petrie/Brian Murray)

**Motion Carried**

**SUSPENSION OF STANDING ORDERS**

**280/20** **Resolved** that Standing Orders be suspended.

(Brian Murray/Michael Petrie)

**Motion Carried**

*The Meeting adjourned for Morning Tea, the time being 10.40 am.*

*The Meeting reconvened with the same members present, the time being 11.01 am.*

**RESUMPTION OF STANDING ORDERS**

**281/20** **Resolved** that Standing Orders be resumed.

(Greg Sauer/Brian Murray)

**Motion Carried**

**(ITEM GOV96/20) COUNCIL RECESS PERIOD - 2020/2021 & DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD**

**SUMMARY**

The purpose of this report is for Council to approve recess arrangements and provide the Mayor and/or Deputy Mayor, and the Chief Executive with delegations over the recess period and provide delegation for Acting Chief Executive during period of leave of Chief Executive.

**282/20 Resolved** that Council:

- (1) Be in recess from 19 December 2020 to 24 February 2021.
- (2) Pursuant to Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and/or Deputy Mayor, and the Chief Executive jointly to exercise any function of Council during the recess period with the exception of:
  - Determination of applications for all dwelling types and ancillary structures where significant objections have been received;
  - Rezoning matters;
  - Subdivision applications; and
  - Entering into Leases and Licences.
- (3) That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2021 Ordinary Council Meeting of Council to be held on 24 February 2021.

(Michael Petrie/Bob Rogan)

**Motion Carried**

*Manager Economic Development & Community Engagement, Harry Bolton, entered the meeting, the time being 11.02 am.*

**(ITEM GOV97/20) REVIEW - COMMUNITY ENGAGEMENT POLICY & COMMUNITY ENGAGEMENT STRATEGY**

**SUMMARY**

This report is to advise Council of a review of the current Community Engagement Policy and the Community Engagement Strategy review.

**283/20 Resolved** that Council receive and adopt amendments to the Community Engagement Policy and Community Engagement Strategy.

(Bronwyn Petrie/Gary Verri)

**Motion Carried**

*Manager Economic Development & Community Engagement, Harry Bolton, left the meeting, the time being 11.15 am.*

**(ITEM GOV98/20) FINANCE & ACCOUNTS - PERIOD ENDED 30 NOVEMBER 2020**

**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.

**284/20** **Resolved** that Council receive and note the Finance and Accounts Report for the period ended 30 November 2020.

(Greg Sauer/Bob Rogan)

**Motion Carried**

**(ITEM GOV99/20) CAPITAL EXPENDITURE REPORT AS AT 30 NOVEMBER 2020**

**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.

**285/20** **Resolved** that Council receive and note the Capital Expenditure Report for the period ended 30 November 2020.

(Michael Petrie/Gary Verri)

**Motion Carried**

**(ITEM GOV100/20) WATER CONSUMPTION FEE DECREASE 2020/2021 FINANCIAL YEAR**

**SUMMARY**

The purpose of this report is to reduce water consumption fees as a result of increased water consumption above the estimated consumption used in the budget setting process for 2020/2021.

**286/20** **Resolved** that Council approves the following reductions in residential water charges for the 2020/21 Financial Year effective from the first billing period for 2020/21:

- (1) A reduction in the fee for Residential Tier 1 Water Consumption from \$5.90 per kl to \$4.75 per kl;
- (2) A reduction in the fee for Residential Tier 2 Water Consumption from \$8.85 per kl to \$7.50 per kl;
- (3) A reduction in the fee for Rural/Mount Lindesay Tier 1 Water Consumption from \$5.90 per kl to \$4.75 per kl;
- (4) A reduction in the fee for Rural/Mount Lindesay Tier 2 Water Consumption from \$8.85 per kl to \$7.50 per kl;

(5) A reduction in the fee for Non-Residential Tier 1 Water Consumption from \$4.35 per kl to \$3.90 per kl; and

(6) A reduction in the fee for Non-Residential Tier 2 Water Consumption from \$6.60 per kl to \$6.15 per kl.

(Greg Sauer/Brian Murray)

**Motion Carried**

**(ITEM GOV101/20) DELEGATION FOR CHIEF EXECUTIVE LEAVE PERIOD**

**SUMMARY**

The purpose of this report is for Council to provide delegation for an Acting Chief Executive in the absence of the Chief Executive.

**287/20** **Resolved** that Council approve the temporary appointment of the Director Engineering, Fiona Keneally, from 19 December 2020 to 3 January 2021, Manager Finance and Technology, Paul Della, from the period 4 to 10 January 2021, then the Chief Corporate Officer, Kylie Smith, commencing from 11 January 2021 onwards, to the position of Acting Chief Executive.

(Bob Rogan/Michael Petrie)

**Motion Carried**

**REPORTS OF DELEGATES & COMMITTEES**

**(ITEM RC29/20) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC**

**SUMMARY**

Delegate's Report for November 2020 as provided by the Murray Darling Association provided for the information of Council.

**288/20** **Resolved** that Council receive and note the Delegates Report for the Murray Darling Association Inc for November 2020.

(Greg Sauer/Gary Verri)

**Motion Carried**

**(ITEM RC30/20) REPORT OF COMMITTEES & DELEGATES - BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - MEETINGS OF 13 NOVEMBER 2020**

**SUMMARY**

The Annual General Meeting and Ordinary Meeting of BROC was held at Bingara (Gwydir Shire Council hosting) on Friday, 13 November 2020.

**289/20** **Resolved** that the report of the Border Regional Organisation of Councils (BROC) meetings of 13 May 2016 be received and noted.

(Peter Petty/Brian Murray)

**Motion Carried**

**(ITEM RC31/20) REPORTS OF COMMITTEES & DELEGATES - TOURISM  
ADVISORY COMMITTEE MEETING - 26 NOVEMBER 2020**

**SUMMARY**

A meeting of the Tourism Advisory Committee was held on Thursday, 26 November 2020 at Tenterfield.

**290/20** **Resolved** that the report of the Tourism Advisory Committee meeting of 26 November 2020 be received and noted.

(Bob Rogan/Tom Peters)

**Motion Carried**

**NOTICES OF MOTION**

**(ITEM NM9/20) NOTICE OF MOTION - SUBMISSION TO NSW NATIONAL  
PARKS & WILDLIFE SERVICE REGARDING MT MACKENZIE LOOKOUT  
AREA**

**SUMMARY**

A Meeting of the Tenterfield Tourism Advisory Committee on 26 November resolved to approach Council to officially make a submission to NSW National Parks & Wildlife Service requesting an upgrade to the Mt Mackenzie Lookout area.

**291/20** **Resolved** that Council:

- (1) Receive a report on possible upgrades to the Mt Mackenzie Lookout, including the upgrade of toilet facilities (and where possible partnership) with NSW National Parks & Wildlife Service, with a view to enhance visitor experience; and
- (2) Include in the upcoming review of the Road Network Management Plan, the provision for upgrading the current access to Mt Mackenzie Lookout to a standard that will allow coaches to access the area.

(Bob Rogan/Gary Verri)

**Motion Carried**

**RESOLUTION REGISTER**

**(ITEM RES11/20) COUNCIL RESOLUTION REGISTER - DECEMBER 2020**

**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.

**292/20** **Resolved** that Council notes the status of the Council Resolution Register to December 2020.

(Michael Petrie/Gary Verri)

**Motion Carried**

**SUSPENSION OF STANDING ORDERS - CONFIDENTIAL BUSINESS**

**293/20** **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/Bob Rogan)

**Motion Carried**

*The recording device was turned off and the meeting moved into Closed Committee, the time being 11.39 am.*

**(ITEM ECO23/20) SALE OF LOT 4 - TENTERFIELD INDUSTRIAL ESTATE**

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 inform Council of an offer to purchase Lot 4 of the Tenterfield Industrial Estate.

**294/20** **Resolved** that Council agree to proceed with the sale of Lot 4 of the Tenterfield Industrial Park as stated in the report.

(Greg Sauer/Donald Forbes)

**Motion Carried**

**(ITEM COM36/20) PROPOSAL TO LEASE LOTS 2, 3 AND 4 SECTION 37 DP758959 - CORNER FRANCIS STREET AND DOUGLAS STREET, TENTERFIELD**

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)) 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.

**SUMMARY**

The purpose of the report is to deal with an application from an adjoining owner regarding a long term lease over the land identified as Lot 2 Section 37 DP758959 and Lots 3 and 4 Section 37 DP758959 annexing the land to their existing lease which fronts Francis Street Tenterfield.

**295/20 Resolved** that Council:

- (1) Advertise Councils' intention enter into a new lease over Lots 2, 3 and 4 Section 37 DP758959, for a period of 14 days and seek any objections to the proposal;
- (2) Delegate authority to the Chief Executive to enter into a new lease over Lots 2, 3 and 4 Section 37 DP758959 for a 3 year period with a 10 year optional extension to the lease, subject to the summarised terms and conditions included in the report;
- (3) Authorises the lease be signed under seal of Council by the Mayor and the Chief Executive subject to no objections being received to the proposal.

(Brian Murray/Michael Petrie)

**Motion Carried**

**(ITEM ECO24/20) ACQUISITION OF PART OF PRIVATE LAND IN MOLESWORTH STREET, TENTERFIELD FOR CONSTRUCTED CYCLEWAY - UPDATE**

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals.

**SUMMARY**

The purpose if this report is to provide an update to Council to legalise and contain part of Council's constructed cycleway within Council land rather than private land, based on a historic agreement between Council and the property owner which was meant to create an easement over which the cycle way traverses.

**296/20 Resolved** that Council proceed with the recommendations as contained within this report to finalise this matter regarding the land in question that encompasses the Council constructed cycleway.

(Gary Verri/Tom Peters)

**Motion Carried**

**(ITEM ENV24/20) TENTERFIELD WATER TREATMENT PLANT - TENDER ASSESSMENT**

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 for Council to approval and endorse awarding of the tender for the Tenterfield Water Treatment Plant.

- 297/20** **Resolved** that Council accept the tender of Laurie Curran Water Pty Ltd for the new Tenterfield Water Treatment Plant for a contract price of \$8,368,506 excluding GST, in accordance with the DPIE *Safe and Secure Water Program – Funding approval, assurance and reporting requirements, October 2019.*

(Greg Sauer/John Macnish)

**Motion Carried**

**RESUMPTION OF STANDING ORDERS**

- 298/20** **Resolved** that Standing Orders be resumed.

(Gary Verri/Michael Petrie)

**Motion Carried**

*The meeting moved out of Closed Committee and the recording device was turned on, the time being 12.18 pm.*

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

**MEETING CLOSED**

In closing the meeting, Mayor Peter Petty offered his sincere congratulations to Chief Officer Terry Dodds, wishing him well in his new role.

He thanked staff for their dedication during the year and Councillors for their support in making the tough decisions which needed to be taken in this difficult year.

There being no further business the Mayor declared the meeting closed at 12.20 pm.

.....  
Councillor Peter Petty  
Mayor/Chairperson

# MINUTES



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

## MINUTES OF EXTRAORDINARY COUNCIL MEETING FRIDAY, 29 JANUARY 2021

MINUTES OF THE **Extraordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion, rear of Tenterfield Memorial Hall on Friday, 29 January 2021 commencing at 9.33 am.

### ATTENDANCE

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

### ALSO IN ATTENDANCE

Actg Chief Executive & Chief Corporate Officer  
(Kylie Smith)  
Executive Assistant & Media (Noelene Hyde)  
Director Infrastructure (Fiona Keneally) (via Zoom)  
Manager HR, Workforce Development & Safety  
(Wes Hoffman)  
Manager Finance and Technology (Paul Della)

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

**WEBCASTING OF MEETING**

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

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

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

**OPENING AND WELCOME**

**CIVIC PRAYER**

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

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

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

**1/21**

**Resolved** that the apology of Councillor Michael Petrie be received and accepted.

(Donald Forbes/Brian Murray)

**Motion Carried**

**DISCLOSURE & DECLARATIONS OF INTEREST**

Nil.

**BUSINESS OF THE MEETING**

**(ITEM GOV2/21) CHIEF EXECUTIVE - RECRUITMENT & SELECTION PROCESS**

**SUMMARY**

The purpose of this report is to commence recruitment and selection of a Chief Executive to fill the current senior staff vacancy. This report is to seek quotations from qualified persons to act as the Recruitment Consultant to assist with the recruitment of the position.

**2/21**

**Resolved** that Council:

- (1) Seek quotes to select and engage a Recruitment Consultant to conduct the recruitment process for the position of Chief Executive of Tenterfield Shire Council.
- (2) Ensure that the quotations expressly state that the recruitment be facilitated by the preferred Recruitment Consultant in conjunction with a Council selection panel comprising of all Councillors.
- (3) Hold an Extra Ordinary Council Meeting to select the successful quotation upon the close of the quotation period.

(Bob Rogan/Greg Sauer)

**Motion Carried**

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 9.46 am.

.....  
Councillor Peter Petty  
Mayor/Chairperson

# MINUTES



**QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE**

## **MINUTES OF EXTRAORDINARY COUNCIL MEETING FRIDAY, 29 JANUARY 2021**

MINUTES OF THE **Extraordinary Council Meeting** OF TENTERFIELD SHIRE held at the RSL Pavilion, rear of Tenterfield Memorial Hall on Friday, 29 January 2021 commencing at 10.30 am.

**ATTENDANCE**

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

**ALSO IN ATTENDANCE**

Actg Chief Executive & Chief Corporate Officer  
(Kylie Smith)  
Executive Assistant & Media (Noelene Hyde)  
Director Infrastructure (Fiona Keneally) (via Zoom)  
Manager Finance & Technology (Paul Della)  
Administration Officer (Jodie Condrick)

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

**WEBCASTING OF MEETING**

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

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

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

**OPENING AND WELCOME**

**CIVIC PRAYER**

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

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

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

**3/21** **Resolved** that the apology of Councillor Michael Petrie be received and accepted.

(Donald Forbes/Brian Murray)

**Motion Carried**

**DISCLOSURE & DECLARATIONS OF INTEREST**

**4/21** **Resolved** that the following Disclosures and Declaration of Interest be received and noted.

| <b>Name</b>       | <b>Type</b>                                                       | <b>Item</b>                                                                                                                                 |
|-------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Mayor Peter Petty | Less than Significant Non Pecuniary – Will remain in the meeting. | COM1/21 - Bushfire Community, Resilience Fund - Council Led Community Grant Applications – Vice President and Life Member of Show Committee |
| Cr Bronwyn Petrie | Less than Significant Non Pecuniary – Will                        | COM1/21 - Bushfire Community, Resilience Fund - Council Led Community Grant Applications –                                                  |

|  |                        |                                                            |
|--|------------------------|------------------------------------------------------------|
|  | remain in the meeting. | NSW Farmers is conducting an event at the Autumn Festival. |
|--|------------------------|------------------------------------------------------------|

(Greg Sauer/John Macnish)

**Motion Carried**

**BUSINESS OF THE MEETING**

**(ITEM COM1/21) BUSHFIRE COMMUNITY, RESILIENCE FUND - COUNCIL LED COMMUNITY GRANT APPLICATIONS**

**SUMMARY**

The purpose of this report is to provide a summary and recommendations on community applications made under the Bushfire Community, Resilience Fund – Council Led Community Grant with funding for projects and events that will provide community wellbeing, social and broader recovery and future disaster resilience.

A total of seven (7) applications were received.

**5/21**

**Resolved** that Council:

(1) Adopts the allocation of funding as recommended by the Council's Assessment Panel as follows:

- Tenterfield Show Society - Lift the Country Spirits Music Concert – Autumn Festival - \$15,000
- Tenterfield Autumn Leaves Festival Inc – Tenterfield Autumn Leaves Festival - \$25,000
- Tenterfield Physical Culture Club - Workshop/Interclub Competition - \$7,500
- The Saddlers Mountain Bike Club Tenterfield – Gravel Ride Cycling Event - \$15,000

(2) Notifies the successful and unsuccessful applicants.

(Bob Rogan/Tom Peters)

**Motion Carried**

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 10.34 am.

.....  
Councillor Peter Petty  
Mayor/Chairperson

|                      |                                                                                               |
|----------------------|-----------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                  |
| <b>Submitted by:</b> | Actg Chief Corporate Officer Paul Della                                                       |
| <b>Reference:</b>    | <b>ITEM COM2/21</b>                                                                           |
| <b>Subject:</b>      | <b>REQUEST TO RELOCATE THE BAND HALL TO LEECHS GULLY ROAD (FORMER LEECHS GULLY HALL SITE)</b> |

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

|                             |                                                                                                                                 |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Community</b> - COMM 5 - The community learns and grows together and fosters an involved community and creative environment. |
| <b>CSP Strategy:</b>        | Promote and recognise the work of volunteers within the community.                                                              |
| <b>CSP Delivery Program</b> | Promote and recognise the commitment of volunteers within the community.                                                        |

#### **SUMMARY**

The purpose of this report is to inform Council of a request from the Leechs Gully Progress Association to have the Band Hall relocated to the site of the old Leechs Gully Hall on Leechs Gully Road.

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

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

- (1) Supports the gifting of the Band Hall to the Leechs Gully Progress Association subject to the association being responsible for:**
  - (a) Ensuring the Band Hall can fit on the property by conducting an identification survey;**
  - (b) Ensuring the Band Hall transfer meets heritage requirements;**
  - (c) Paying for all costs associated with the relocation of the Band Hall;**
  - (d) All upkeep and maintenance on the band hall once ownership is formally transferred to the association.**
- (2) Allocates up to \$50,000 to the Leechs Gully Progress Association towards the costs associated with the items in (1) above.**
- (3) Negotiates with the Leechs Gully Progress Association on the proposed relocation of the Band Hall.**

#### **BACKGROUND**

The Band Hall was originally constructed for use by the town's brass band. Since the demise of the band, it was regularly used as a Highland Band practice and storage building, and is currently being used by the Tenterfield Gem Club and Tenterfield Car Club.

The building is a simple timber and iron, gable roofed, vernacular hall building with vertically proportioned openings. The front gable has a traditional barge roll and timber fascia. A small skillion roof covers the entry porch.



Our Community No. 2 Cont...

Currently the Band Hall is in need of major repairs and needs to be tested for suspected asbestos as identified in Council's Building Maintenance Register. Rough estimates indicate that these repairs may cost in excess of \$200,000 to complete the works required, (this figure is an estimate only and no quotations have been sought for the repairs identified).

At its Ordinary August Council Meeting a Notice of Motion was presented from Councillor Gary Verri and seconded by Councillor Greg Sauer, to see if there is any interest in the community to remove the Band Hall.

At the October Ordinary Council meeting, two (2) expressions of interest were presented to Council where it was resolved not to accept either expression of interest and to approach the Showground Trust to see if they were interested in having the building relocated to the Showground, with a further report to Council after negotiations.

The Showground Trust did not proceed with the option to relocate the Band Hall to that site and Council has now received a further expression of interest in relation to the relocation of the Band Hall.

**REPORT:**

The Leechs Gully Progress Association wrote to Council on 30 January 2021, expressing an interest in having the Band Hall relocated to the site of the former Leechs Gully Hall on Leechs Gully Road (request attached).

A number of matters need to be resolved and discussed with the Leechs Gully Progress Association before proceeding further and these include:

**1) Whether the Band Hall would fit on the proposed site**

To this end, an identification survey would need to be undertaken by the Leechs Gully Progress Association. The Band Hall is approximately 19 m long and 9 m wide, and given the map below there may be an issue with it being able to fit on the block without it extending onto Council's road reserve.

Our Community No. 2 Cont...



## 2) Heritage Requirements and Considerations

The Band Hall is listed in Schedule 5 of the Tenterfield Local Environment Plan 2013 (LEP) as an item of Environmental Heritage – Item I023. As such removal of the Band Hall is subject to the lodgment of a Development Application (DA) with consideration by the applicant of the provisions contained in Clause 5.10 Heritage Conservation of the LEP. As a minimum the DA must be accompanied by a heritage management document assessing the impacts that removal of the building will have on the heritage significance of the heritage item.

Lodgment of the DA and accompanying heritage management document is the responsibility of the person/s seeking to remove the Band Hall building. Council predicts the lodgment of the DA with Council to cost an estimate of \$500.00 And the heritage impact assessment report to be around \$5,000.00. This would need to be paid for by the Leechs Gully Progress Association.

Our Community No. 2 Cont...

### **3) Relocation Costs**

Council does not have funds to move the Band Hall and this would need to be undertaken at the expense of the Progress Association.

The Leechs Gully Progress Association would be responsible for all costs associated with the upkeep and maintenance of the Band Hall should it be successfully relocated to the proposed site. Council would no longer be the owner of the asset.

It is proposed that up to \$50K be allocated to the Leechs Gully Progress Association to assist them in meeting the costs associated with the transfer and the other requirements as listed in this report.

## **COUNCIL IMPLICATIONS:**

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

Community members were invited to submit an expression of interest for the acquisition and removal of the Tenterfield Band Hall. The advertisement was published in the Tenterfield Star, Your Local News, Tenterfield in Touch and on Councils Website, for a period of two (2) weeks.

Concerned Community members have contacted Council to notify Council that they are not happy with the removal of the building and would like to see it retained in its original position. It is expected Council will receive objections from members of the Community once a Development Application is lodged.

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

- Tenterfield Local Environmental Plan (LEP) - 2013

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

Lodgment of the DA and accompanying Heritage management documents is the responsibility of the person/s seeking to remove the Band Hall building. All costs associated with the removal would be at the cost of the successful party. Council would not outlay any funds except to remediate that land once the building has been removed and the up to \$50K proposed contribution towards relocation.

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

Should the building be removed from Council managed land and located on private property, it would no longer be a Council asset and need to be removed from the Asset Management Plans.

Should Council retain the building, the Band Hall would remain on Councils Asset Management Plans

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

Nil

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

Council has concerns whether a favorable Heritage Assessment Report will be provided, and the risk of negative flow on affects.

### **7. Performance Measures**

The Heritage Assessment Report will be the performance measure.

Our Community No. 2 Cont...

**8. Project Management**

This will be determined after further negotiations should the transfer be approved to proceed.

**Kylie Smith**  
**Acting Chief Executive**

|                               |                                                                                                                                     |            |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|------------|
| Prepared by staff member:     | Paul Della                                                                                                                          |            |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                                                                                 |            |
| Department:                   | Office of the Chief Corporate Officer                                                                                               |            |
| Attachments:                  | <b>1</b> Request from the Leechs Gully Progress Association re relocating the Band Hall to the site of the former Leechs Gully Hall | 2<br>Pages |

**Rod & Margaret Dowe**

**From:** "Rod & Margaret Dowe" <rdowe@bigpond.com>  
**Date:** Saturday, 30 January 2021 12:36 PM  
**To:** <p.petty@tenterfield.nsw.gov.au>  
**Attach:** CCF30012021.pdf  
**Subject:** The Band Hall relocation to Leech's Gully

|                              |        |      |
|------------------------------|--------|------|
| TENTERFIELD SHIRE<br>COUNCIL |        |      |
| 2 FEB 2021                   |        |      |
|                              | Action | Info |
| CE                           |        |      |
| CCO                          |        |      |
| DI                           |        |      |
|                              |        |      |
|                              |        |      |

Leech's Gully Progress Association  
 152A Leech's Gully Road  
 TENTERFIELD NSW 2372

27 January 2021

The Mayor  
 Tenterfield Shire Council  
 Rouse Street  
 TENTERFIELD NSW 2372

Dear Sir,

Re: The Band Hall relocation

It has been brought to our attention that the Tenterfield Shire Council is required to move the heritage listed Band Hall from it's present location.

We would be pleased to have the building relocated to the site of the old Leech's Gully Hall and request that you put this to council on our behalf.

We understand that the Hall would be moved to the site at council's expense, including piers and electricity to the building, with other establishment costs and future ongoing maintenance to be with the Progress Committee.

The site has an interesting heritage, having been donated to the people of Leech's Gully by Isabella Leech, legally enacted in 1908.

This site is cleared and level and has good access for a relocation truck.

We see this as an asset to the growing Leech's Gully community. We envisage it being used for our get togethers, Christmas Parties, Club Meetings and many other community events.

In large fire events it could be used for catering and as an emergency community safety refuge.

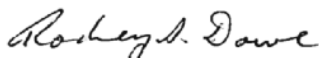
We propose to maintain the name, the heritage, and, the history of the Band Hall.

We are in possession of significant documentation and photographs relating to Leech's Gully from the late 1800's; also legal documents written and signed by J.F.Thomas, Solicitor and Auditor for the earlier Leech's Gully Progress, Industrial, and, Debating Union. The Hall would provide us with a safe place for displaying and storage of this valuable and historic material.

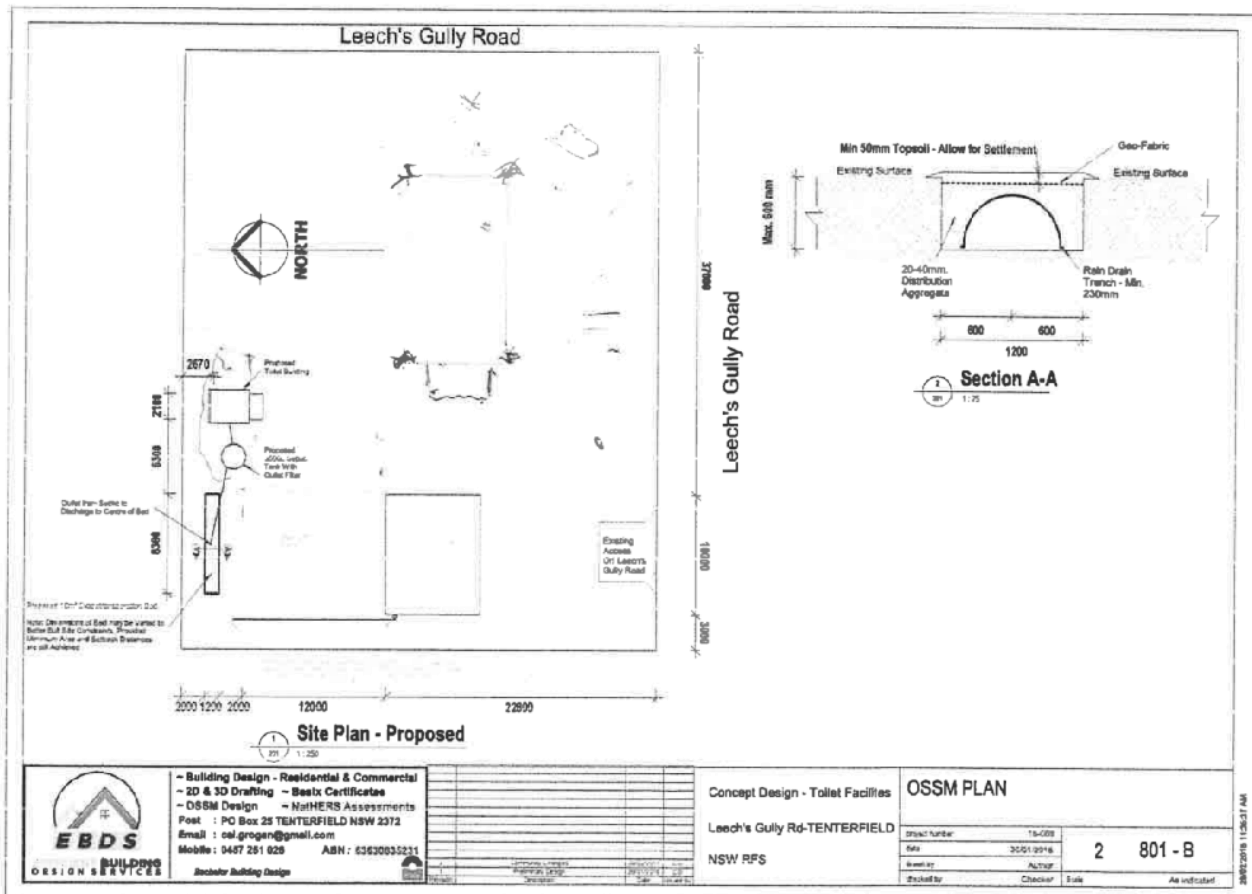
The trustees of the site, Grant Johnston and Gary Smith, Chairman Rod Dowe and members of the active Leech's Gully Progress Association are fully supportive of the proposal and committed to preserving the heritage of both the site and the Band hall.

Yours Sincerely

Rodney Dowe



Attached proposed site plan.



|                      |                                                                                |
|----------------------|--------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                   |
| <b>Submitted by:</b> | Property Specialist                                                            |
| <b>Reference:</b>    | <b>ITEM COM3/21</b>                                                            |
| <b>Subject:</b>      | <b>REQUEST FOR IN PRINCIPLE SUPPORT FOR A LEASE OF LAND AT FEDERATION PARK</b> |

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

|                             |                                                                                                                               |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Community</b> - COMM 2 - Health and quality of life are supported by a wide range of recreation and leisure opportunities. |
| <b>CSP Strategy:</b>        | Relevant community services, sporting facilities, open spaces and cultural infrastructure are maintained and improved.        |
| <b>CSP Delivery Program</b> | Deliver, review and update Parks, Gardens and Open Space, Maintenance Programs across the Shire.                              |

#### **SUMMARY**

Tenterfield Bumblebees Rugby Union Club (TBRC) is in the process of applying for a grant to construct a new club house at Federation Park.

As a requirement of the grant application, TBRC is seeking 'In Principle' support from the Council for a long term lease over approximately 450 square meters of land on which to construct the complex.

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

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

- (1) Provide 'In Principle' support to Tenterfield Bumblebees Rugby Union Club to apply for a grant to construct a new clubhouse at Federation Park; and**
- (2) Provide 'In Principle' approval to issue a long term lease (in the order of 20 years) over a site on the western side of the oval and south of the existing building. The 'In Principle' approval is provided subject to the satisfactory resolution of community consultation process, satisfactory site analysis, lease negotiation, management agreement negotiation and development approval process.**

#### **BACKGROUND**

Federation Park is developed as a sports oval, netball courts and a club house/amenities building that includes a canteen, 2 store rooms (used by touch, netball and little athletics), 2 change rooms, male toilets and female toilets.

The club house was erected in 1984 and is located in the north western part of the oval off Petrie Street. It is of brick construction with a tile roof. It provides aged and basic facilities for all of the users of the park which includes senior soccer, rugby union, touch football, little athletics and netball.

Senior Soccer obtained a temporary (2 year) DA in 2017 for a container adjacent to the club house for storage purposes which has now expired. TBRC does not have storage facilities and has also applied to have a container on the Park for storage purposes.

The male and female toilets in the building are not often used due to safety concerns.

Our Community No. 3 Cont...

The western section of Federation Park (Lots 1 & 3 DP 612082 and Lots 1 & 2 Section 33 DP 758959) are community land with a 'sportsgrounds' categorisation.

The 'Plan of Management For Parks & Sportsgrounds' adopted by Council on 17 December 2014 (Res No. 473/14) also applies.

The existing clubhouse is mostly erected on Lot 1 Section 33 DP 758959 and may encroach on to Lot 1 DP 612082. Depending on the final siting, the proposed building will likely also be erected on Lot 1 Section 33 DP 758959.

#### **REPORT:**

TBRC intend to apply for a community grant to construct a new clubhouse with change rooms, storage facilities, kitchen and entertaining area. It is proposed to be positioned on the western side of the Federation Oval and south of the existing building, approximately in line with the half way line of the football field.

TBRC are seeking a grant in the order of \$1.0 million to erect the 2 level complex with a floor area of approximately 450 square meters.

Detailed design and costings are yet to be completed and a development application is yet to be submitted. Detailed site investigations are also yet to be completed to confirm the final and most suitable location of the complex.

An extract from a letter provided to other clubs seeking support for the grant application follows:

*"This facility will benefit the local community and sporting clubs in numerous ways, for example, providing better sporting facilities for all clubs using Federation Oval, modern change rooms, and storage facilities, large entertaining area that would be a suitable venue for private and community events. The building would provide more access for people with a disability, including wheelchair access to facilities.*

*The Tenterfield Rugby Club would possess the lease but would guarantee equal access for all member clubs. This new facility would enable all local clubs and schools to run carnivals, competitions and sporting events, with access to modern and much improved facilities."*

#### **COUNCIL IMPLICATIONS:**

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

TBRC have obtained letters of support for the grant application from:

- Tenterfield District Cricket Association Inc
- Border Blue Little Athletics Centre
- Tenterfield High School
- Tenterfield Senior Soccer Club
- Tenterfield Touch
- Tenterfield Rugby Union Club

A copy of the letters of support are attached.

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

- Local Government Act 1993
- Local Government Regulations



Our Community No. 3 Cont...

- Plan of Management For Parks and Sportsgrounds (adopted 17/12/2014 – Res No. 473/14)
- Crown Land Management Act 2016
- Native Title Act

Section 46 of Local Government Act 1993 deals with the management of community land. A lease, license or other estate may be granted with an express authorisation in the 'Plan of Management' and for a purpose prescribed as a 'Core Objectives' of the categorisation of the land.

The Officer's interpretation of the 'Plan of Management' is that it does provide for the leasing of land under section 5.2.

The Core Objectives for management of community land categorised as Sportsgrounds are:

- To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games; and
- To ensure that such activities are managed having regard to any adverse impact on nearby residences.

The requirements under section 47 of the Local Government Act to lease land for a period of 5 to 21 years are:

- Give public notice of the proposal;
- Place a notice of the proposal on the land;
- Notify owners adjoining the land;
- Notify persons living in the vicinity of the land if the Council believes that the land "is the primary focus of the person's enjoyment of community land";
- Consider submissions made about the proposal;
- Refer the proposal to the Minister for Local Government if Council has received an objection to the proposal.

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

The new building would be owned by TBRC. Depreciation of the new complex will therefore not be a cost to Council.

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

The new building would be managed by TBRC. An agreement with the other current and future users of Federation Park will be required to ensure appropriate access to the new complex is managed as a community facility.

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

Nil

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

There is risk that if TBRC do not possess the managerial and financial resources in the longer term to manage and maintain the proposed complex that it will fall back to Council to own/maintain and manage the complex.

Our Community No. 3 Cont...

The outcomes of the community consultation process (Refer to section 2) are not able to be predicted with certainty. There is some risk that the community consultation process and or the negotiation of lease and management agreement provisions may result in the project not proceeding.

The existing building will remain a Council asset which will become largely redundant and in need of renovations for uses other than basic storage.

#### **7. Performance Measures**

Nil.

#### **8. Project Management**

Nil at this stage. Should TBRC receive the grant, Council's project management will involve ensuring that the process of issuing of a lease is completed in compliance with Local Government Act 1993. Legal assistance would also be required to prepare an appropriate lease and management agreement.

**Paul Della**  
**Actg Chief Corporate Officer**

|                               |                                       |
|-------------------------------|---------------------------------------|
| Prepared by staff member:     | Neville Coonan                        |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive   |
| Department:                   | Office of the Chief Corporate Officer |
| Attachments:                  | <b>1</b> Letters of Support 7 Pages   |

Tenterfield Bumblebees Rugby Union Club

Re: Application for Community Grant

Dear Sir/Madam,

Tenterfield Bumblebees Rugby Union Club is currently in the process of applying for a Community Grant with the intention of constructing a Clubhouse with changerooms, storage facilities, Kitchen and entertaining area on the western side of Federation Oval.

This facility will benefit the local community and sporting clubs in numerous ways, for example, providing better sporting facilities for all clubs using Federation oval, modern change rooms and storage facilities, large entertainment area that would be a suitable venue for private and community events. The building would provide more access for people with a disability, including wheelchair access to facilities.

The Tenterfield Rugby Club suggests that they would possess the lease but would guarantee equal access for all member clubs. This new facility would enable all local clubs and schools to run carnivals, competitions and sporting events, with access to modern and much improved facilities.

The Tenterfield Rugby Club wishes to gain the support of all Tenterfield clubs, so that any application to Council would be seen to have the full support of all local sporting and cultural entities.

Attached to this letter is a Letter of Support which we ask a nominated member of your executive committee to sign for lodgement with Tenterfield Shire council.

Mr Jeremy Phipps, President

Mr Phillip Jones, Coach

Tenterfield Bumblebees Rugby Union Club



Tenterfield Shire Council  
Re: Application for Community Grant  
Tenterfield , 2372  
09/02/2021

Re: Application for Community Grant

Dear Tenterfield Shire Council Community Grants Manager,

This letter is in support of the Application by the Tenterfield Bumblebees Rugby Union Club on behalf of all sporting clubs of Tenterfield, to apply for a community grant for the construction of a new multipurpose facility and clubhouse at Federation Oval.

On behalf of our club/school we wish to demonstrate our support for this application.

Name of Club/School:

Tenterfield Dist. Cricket  
Assoc Inc.

Name of Authorised Signee:

Alan Doherty

Positions on Club:

Treasurer

Signature 1:

[Signature]

Signature 2:

\_\_\_\_\_

Tenterfield Shire Council  
Re: Application for Community Grant  
Tenterfield , 2372  
09/02/2021

Re: Application for Community Grant

Dear Tenterfield Shire Council Community Grants Manager,


This letter is in support of the Application by the Tenterfield Bumblebees Rugby Union Club on behalf of all sporting clubs of Tenterfield, to apply for a community grant for the construction of a new multipurpose facility and clubhouse at Federation Oval.

On behalf of our club/school we wish to demonstrate our support for this application.

Name of Club/School: Bor der Blue Little Athletics Centre

Name of Authorised Signee: Susan Catherine Beight.

Positions on Club: Centre Manager

Signature 1: 

Signature 2: \_\_\_\_\_

Tenterfield Shire Council  
Re: Application for Community Grant  
Tenterfield , 2372  
09/02/2021

Re: Application for Community Grant

Dear Tenterfield Shire Council Community Grants Manager,

This letter is in support of the Application by the Tenterfield Bumblebees Rugby Union Club on behalf of all sporting clubs of Tenterfield, to apply for a community grant for the construction of a new multipurpose facility and clubhouse at Federation Oval.

On behalf of our club/school we wish to demonstrate our support for this application.

Name of Club/School: Tenterfield High School

Name of Authorised Signee: A. Muirro-Jones

Positions on Club: Sports Co-ordinator

Signature 1: *A. Muirro-Jones*

Signature 2: \_\_\_\_\_

Tenterfield Shire Council  
Re: Application for Community Grant  
Tenterfield , 2372  
09/02/2021

Re: Application for Community Grant

Dear Tenterfield Shire Council Community Grants Manager,

This letter is in support of the Application by the Tenterfield Bumblebees Rugby Union Club on behalf of all sporting clubs of Tenterfield, to apply for a community grant for the construction of a new multipurpose facility and clubhouse at Federation Oval.


On behalf of our club/school we wish to demonstrate our support for this application.

Name of Club/School: Tenterfield Senior Soccer Club

Name of Authorised Signee: Glenn Caistry

Positions on Club: Coach

Signature 1: 

Signature 2: 

Tenterfield Shire Council  
Re: Application for Community Grant  
Tenterfield , 2372  
09/02/2021

Re: Application for Community Grant

Dear Tenterfield Shire Council Community Grants Manager,

This letter is in support of the Application by the Tenterfield Bumblebees Rugby Union Club on behalf of all sporting clubs of Tenterfield, to apply for a community grant for the construction of a new multipurpose facility and clubhouse at Federation Oval.

On behalf of our club/school we wish to demonstrate our support for this application.

Name of Club/School: Tenterfield Rugby Union Club.

Name of Authorised Signee: Phillip Jones. - JEREMY PHIPPS.

Positions on Club: Coach - President.

Signature 1: P Jones

Signature 2: Jeremy Phipps



Tenterfield Shire Council  
Re: Application for Community Grant  
Tenterfield , 2372  
09/02/2021

Re: Application for Community Grant

Dear Tenterfield Shire Council Community Grants Manager,

This letter is in support of the Application by the Tenterfield Bumblebees Rugby Union Club on behalf of all sporting clubs of Tenterfield, to apply for a community grant for the construction of a new multipurpose facility and clubhouse at Federation Oval.

On behalf of our club/school we wish to demonstrate our support for this application.

Name of Club/School: TENTERFIELD

Name of Authorised Signee: KAREN MOOLEY

Positions on Club: PRESIDENT - TENTERFIELD TOUCH.

Signature 1: [Handwritten Signature]

Signature 2: \_\_\_\_\_

|                      |                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                      |
| <b>Submitted by:</b> | Actg Chief Corporate Officer Paul Della                                                           |
| <b>Reference:</b>    | <b>ITEM ENV1/21</b>                                                                               |
| <b>Subject:</b>      | <b>DEVELOPMENT APPLICATION 2020.114 TRUCK DEPOT AND OFFICE - 162A SANDY FLAT ROAD, SANDY FLAT</b> |

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

### SUMMARY

The purpose of this report is to present to Council Development Application 2020.114 for the continued use and operation of a Truck Depot and Office at 162A Sandy Flat Road, Sandy Flat. The application is recommended for approval subject to conditions as contained in the External Planning Assessment Report Attachment 1 (Attachment Booklet 1).

### OFFICER'S RECOMMENDATION:

#### That Council:

- (1) Approve Development Application 2020.114 for a truck depot and office at 162a Sandy Flat Road, Sandy Flat subject to conditions as contained in Attachment 2 (Attachment Booklet 1); and**
- (2) Notify those persons who made submissions in relation to the determination of the Development Application.**

### BACKGROUND

Development Application 2020.114 for a Truck Depot and Office was lodged with Council on 19 November 2020 – plans of the proposed development and supporting information can be found at Attachment 3 (Attachment Booklet 1). Further details can be found in the External Planning Assessment Report at Attachment 1 (Attachment Booklet 1).

### REPORT:

The application has been assessed by an external planning consultant, whose report and recommendations can be found at Attachment 1 (Attachment Booklet 1).

### COUNCIL IMPLICATIONS:

- 1. Community Engagement / Communication (per engagement strategy)**  
As outlined in Attachment 1 (Attachment Booklet 1).  
Submissions received can be found at Attachment 4 (Attachment Booklet 1).
- 2. Policy and Regulation**  
As outlined in Attachment 1 (Attachment Booklet 1).

Our Environment No. 1 Cont...

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

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Should Council resolve to refuse the Development Application, the applicant has a right of appeal pursuant to Clause 8.7 of the *Environmental Planning and Assessment Act 1979* to the Land and Environment Court.

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**Paul Della**

**Actg Chief Corporate Officer**

|                               |                                                                                                      |          |
|-------------------------------|------------------------------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Paul Della                                                                                           |          |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                                                  |          |
| Department:                   | Office of the Chief Corporate Officer                                                                |          |
| Attachments:                  | <b>1</b> Attachment 1 (Attachment Booklet 1) - DA 2020.114 - External Planning Assessment Report     | 46 Pages |
|                               | <b>2</b> Attachment 2 (Attachment Booklet 1) - DA 2020.114 - Proposed Conditions of Consent          | 9 Pages  |
|                               | <b>3</b> Attachment 3 (Attachment Booklet 1) - DA 2020.114 - Proposed Plans & Supporting Information | 41 Pages |
|                               | <b>4</b> Attachment 4 (Attachment Booklet 1) - DA 2020.114 - Submissions Received                    | 43 Pages |

|                      |                                                                                             |
|----------------------|---------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                |
| <b>Submitted by:</b> | Manager Planning & Development Services                                                     |
| <b>Reference:</b>    | <b>ITEM ENV2/21</b>                                                                         |
| <b>Subject:</b>      | <b>DEVELOPMENT APPLICATION 2020.069 PRIMITIVE CAMPGROUND - 57 HOLLEYS ROAD, TENTERFIELD</b> |

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

## SUMMARY

Development Application 2020.069 for a Primitive Campground is presented to Council for consideration and determination. The proposal involves establishing four (4) campsites in the form of "Bubblentents" at 57 Holleys Road, Tenterfield. Council is in receipt of written objections in relation to the proposal. Pursuant to the provisions of *Tenterfield Local Environmental Plan 2013* the proposed development is permissible with Council consent in the RU1 Primary Production zone, is consistent with the objectives of the zone and is recommended to Council for approval subject to conditions and the General Terms of Approval as issued by the NSW Rural Fire Service.

## OFFICER'S RECOMMENDATION:

**That Council:**

- (1) Approve Development Application 2020.069 for a primitive campground at 57 Holleys Road, Tenterfield subject to the conditions contained in Attachment 5 (Attachment Booklet 2); and**
- (2) Notify those persons who made submissions, of Council's determination**

## BACKGROUND

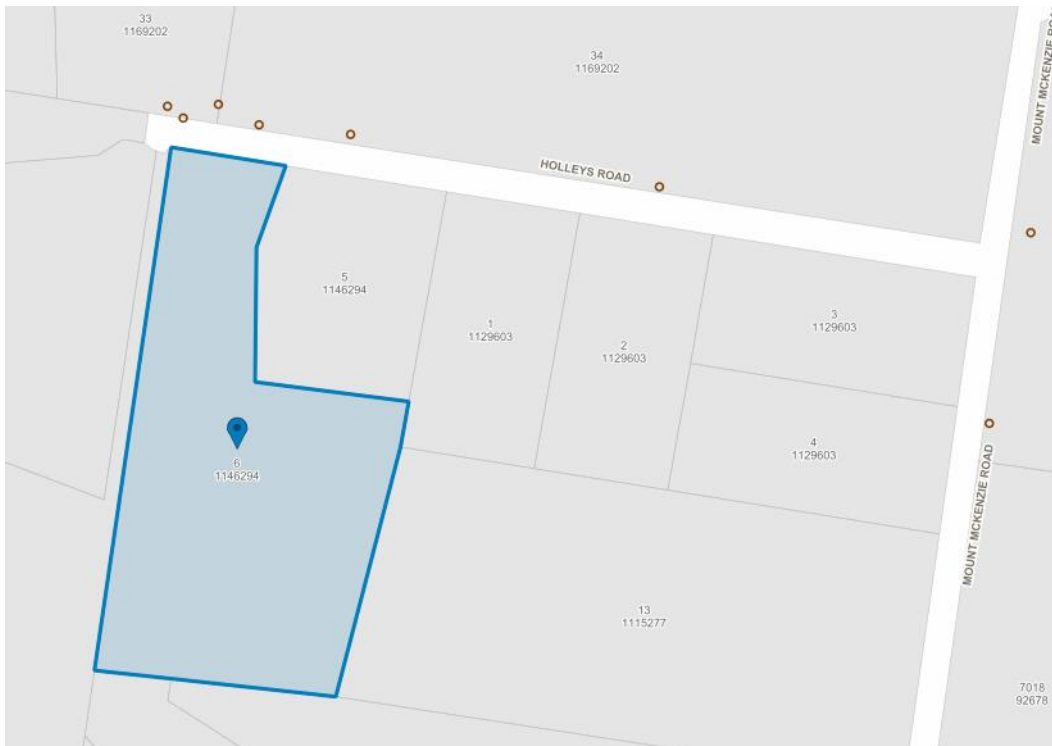
1. Development Application 2020.069 for a Primitive Campground was lodged with Council for assessment and determination on 13 August 2020. The application proposes the following as defined under *Tenterfield Local Environmental Plan 2013*;

***camping ground*** means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

Whilst each Bubblentent is provided with its own amenities, a communal amenity facility is also provided.

2. The site is located on the southern side of Holleys Road with an area of 5.84 hectares as indicated below;

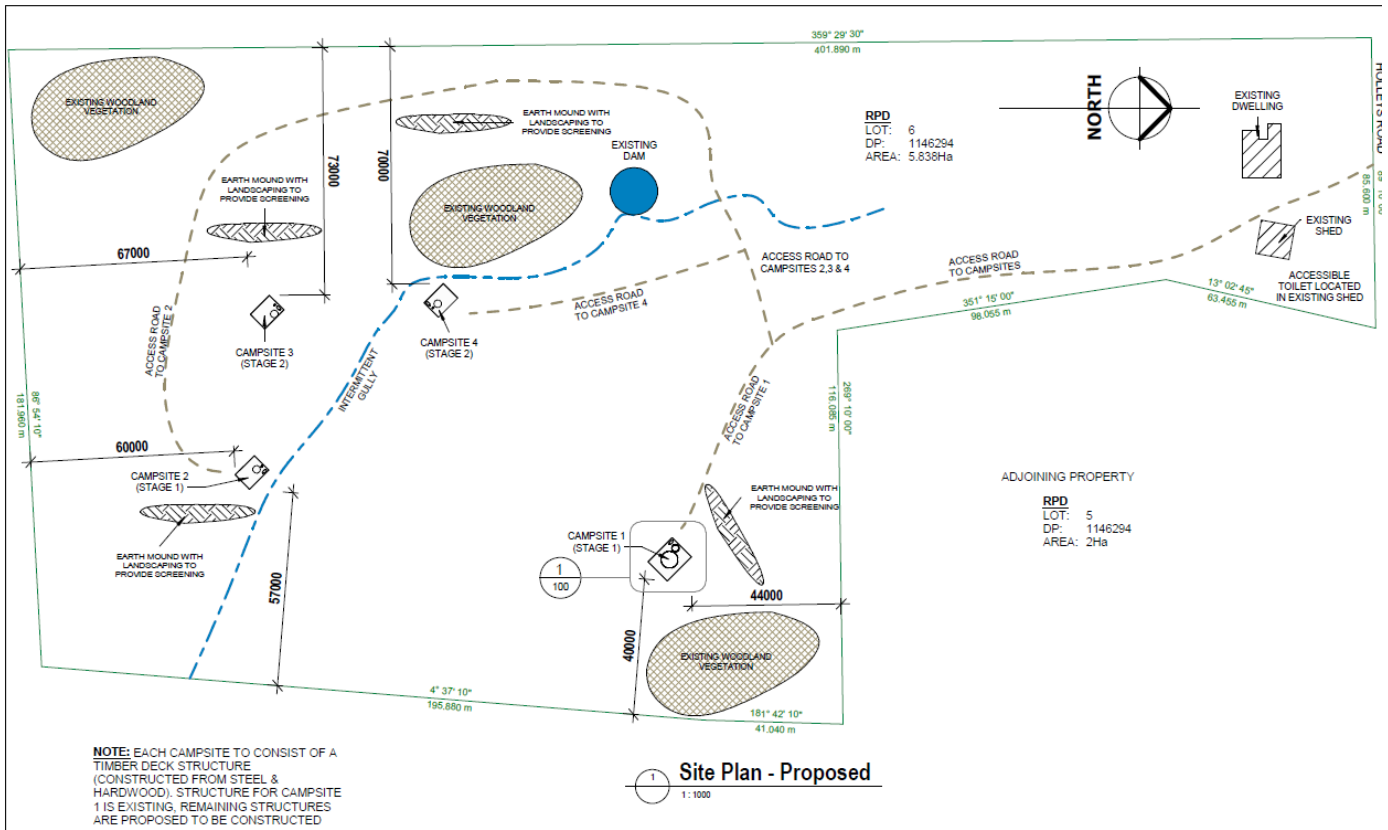
## Our Environment No. 2 Cont...



3. The site currently contains an existing relocated dwelling approved by Council under DA 2017.099 and is generally cleared grazing land with scattered stands of trees.
4. Immediately surrounding land uses comprise rural residential dwelling and agriculture.
5. The site is not a heritage item and is not located in a heritage conservation area.
6. Plans of the proposed development and applicant's information are provided at Attachment 6 (Attachment Booklet 2).

Select drawings and plans of the development are provided below:

Our Environment No. 2 Cont...



3D RENDER SHOWING INDICATIVE VIEW OF PROPOSED DEVELOPMENT

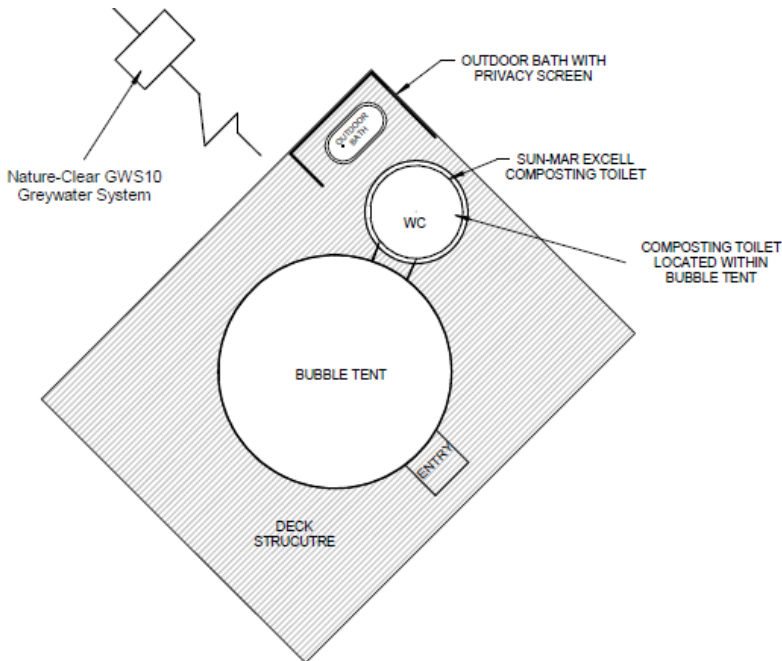
The application proposes four (4) individual campsites. It is proposed to stage the development as follows;

- Stage 1 – Campsites 1 & 2 (max. 6 persons)
- Stage 2 – Campsites 3 & 4 (max. 6 persons)

Each campsite comprises a low deck structure with a 'Bubbletent' located on top, along with an ensuite (below).

## Our Environment No. 2 Cont...

There is also an option for a 'Bubblesuite' to be added to cater for family stays, allowing an additional two (2) persons for sites 1 and 3 only, allowing maximum occupancy on site at any one time to be twelve (12) persons.



The deck structure located at Campsite 1 has already been constructed as the owner believed it met the exempt provisions. However the structure, being 8m x 10m, does not qualify and can be dealt with under this DA for its future use.

**REPORT:**

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

**(a) the provisions of:****(i) any environmental planning instrument*****Tenterfield Local Environmental Plan 2013 (LEP)***

The subject site is known as Lot 6 DP 1146294, 57 Holleys Road, Tenterfield and is subject to the provisions of *Tenterfield Local Environmental Plan 2013*. The land lies within the RU1 Primary Production zone, where the proposed development of a 'camping ground' (primitive) is permitted with consent in the zone.

The site is subject to the RU1 Primary Production zoning table provisions, which state;

**Zone RU1 Primary Production****1 Objectives of zone**

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

Our Environment No. 2 Cont...

- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

## **2 Permitted without consent**

*Building identification signs; Environmental protection works; Extensive agriculture; Farm buildings; Forestry; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Intensive plant agriculture; Roads; Water supply systems*

## **3 Permitted with consent**

*Aquaculture; Dwelling houses; Extractive industries; Intensive livestock agriculture; Open cut mining; Roadside stalls; Any other development not specified in item 2 or 4*

## **4 Prohibited**

*Nil*

The proposed development is permitted with consent, no development is prohibited in the RU1 zone. The proposed development is not inconsistent with the objectives of the zone.

### ***New England North West Regional Plan***

The proposed development is consistent with the intent of the NENW Regional Plan which aims to support growing regional economies and associated services required for the communities across the region.

***(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and***

No proposed or draft instruments applicable.

### ***(iii) any development control plan,***

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

### **Chapter 2 - Notification Procedures**

Whilst Table 1 does not identify 'camping ground' as a development requiring notification, it has been Council's practice to notify neighbouring residents of such developments.

The application was notified on two (2) separate occasions. The first notification resulted in Council receiving five (5) submissions by way of objection. The applicant was afforded the opportunity to address the matters raised in the submissions which resulted in some modifications to the proposed plans.



## Our Environment No. 2 Cont...

The modified plans were then re-notified, after which time Council received three (3) submissions by way of objection. All submissions received during both notification periods have been taken into account in the assessment of the application. A copy of submissions received can be found at Attachment 7 (Attachment Booklet 2).

### **Chapter 3 – Residential Development Rural Dwelling & Other Rural Development**

The proposal is considered to be generally consistent with the provisions of this chapter, with the following areas assessed on merit.

- *Riparian areas shall be protected with all associated development works being carried out at least forty (40) metres from watercourses unless it can be proven that works will not have an adverse impact.*
- *Any new development should be located at a minimum distance of 40m from any watercourse, with associated on site effluent disposal 100m from the watercourse. Development located closer than these distances will be assessed on their merits and may require separate approval under the provisions of the Water Management Act 2000.*

Comment – plans indicate an ‘intermittent gully’ and at the time of inspection this area was dry. Whilst it is not identified as a stream, it is recommended that the applicant consult with the National Resource Access Regulator (NRAR) to determine if any licences or approvals are required. Whilst the provisions of the DCP indicate development should be located clear of these areas, there is nothing prohibiting development within them with the appropriate licences if required.

- *Bushfire Protection - All applications for Development in Bushfire Prone areas (as identified on Council’s GIS mapped Bushfire Prone Land) are to be accompanied by a bushfire risk assessment in compliance with the relevant requirements of the NSW Rural Fire Service.*

Comment – the application was accompanied by a bushfire risk assessment and under the provisions of Division 4.8 of the *Environmental Planning & Assessment Act 1979* the proposal is defined at ‘integrated development’ which requires the approval of the NSW Rural Fire Service under Section 100B of the *Rural Fires Act 1997*. The approval, by way of General Terms of Approval, has been issued by the RFS for the proposal, subject to conditions (as contained in the draft consent at Attachment 5 (Attachment Booklet 2)).

- *Amenity of the Area - Where a proposed development for a dwelling or tourist accommodation will adjoin an agricultural enterprise on an adjoining property, a minimum 100m separation shall be provided. Where the 100m buffer cannot be achieved, Council will consider the use of vegetative buffers on the proposed development site.*

Comment – the original proposal sought consent for the campsites with a setback of 40m to adjoining properties for all four (4) campsites. As a result of discussions with Council staff in relation to the above and issues raised in objections, the applicant amended the proposed plan to increase the setbacks from boundaries for three (3) of the campsites as indicated on the site plan above. Distances to boundaries now range from 40m to 70m as indicated on the site plan.

## Our Environment No. 2 Cont...

In addition, landscaped earth mounds are proposed to provide screening between the 'Bubbletents' and adjoining properties. Campsite 1 has a degree of existing screening through the topography and existing vegetation, with the addition of a further landscaped earth mound.

The additional setbacks and proposed landscaping are considered to achieve satisfactory buffers to adjoining land uses and satisfy the objectives of the DCP.

In addition, reference is made to the document "*Living and Working in Rural Areas – A handbook for managing land use conflict issues on the NSW North Coast.*" Recommended minimum buffers contained in the document identify a recommended buffer of 50m between grazing activities and Rural tourist accommodation;

## Our Environment No. 2 Cont...

Table 6: Recommended minimum buffers (metres) for primary industries

(NB: The desirable buffer in the circumstances will be the separation distance and conflict avoidance strategy that protects: community amenity, environmental assets, the carrying out of legitimate rural activities in rural areas and the use of important natural resources.)

|                                                                          | Residential areas & urban development | Rural dwellings | Education facilities & pre-schools | Rural tourist accommodation | Watercourses & wetlands | Bores & wells | Potable water supply/ catchment | Property boundary | Roads |
|--------------------------------------------------------------------------|---------------------------------------|-----------------|------------------------------------|-----------------------------|-------------------------|---------------|---------------------------------|-------------------|-------|
| Piggeries <sup>1</sup> Housing & waste storage<br>Waste utilisation area | 1000                                  | 500             | 1000                               | 500                         | 100                     | SSD           | 800                             | 100               | 100   |
|                                                                          | 500                                   | 250             | 250                                | 250                         | 100                     | SSD           | 800                             | 20                | 20    |
| Feedlots <sup>2</sup> Yards & waste storage<br>Waste utilisation area    | 1000                                  | 500             | 1000                               | 1000                        | 100                     | SSD           | 800                             | 100               | 100   |
|                                                                          | 500                                   | 250             | 250                                | 250                         | 100                     | SSD           | 800                             | 20                | 20    |
| Poultry <sup>3</sup> Sheds & waste storage<br>Waste utilisation area     | 1000                                  | 500             | 1000                               | 500                         | 100                     | SSD           | 800                             | 100               | 100   |
|                                                                          | 500                                   | 250             | 250                                | 250                         | 100                     | SSD           | 800                             | 20                | 20    |
| Dairies <sup>4</sup> Sheds & waste storage<br>Waste utilisation area     | 500                                   | 250             | 250                                | 250                         | 100                     | SSD           | 800                             | 100               | 100   |
|                                                                          | 500                                   | 250             | 250                                | 250                         | 100                     | SSD           | 800                             | 20                | 20    |
| Rabbits <sup>5</sup> Wet shed, ponds & irrig.<br>Dry shed                | 300                                   | 150             | 150                                | 150                         | 100                     | SSD           | 800                             | 50                | 50    |
|                                                                          | 120                                   | 60              | 120                                | 60                          | 100                     | SSD           | 800                             | 20                | 20    |
| Other intensive livestock operations <sup>6</sup>                        | 500                                   | 300             | 500                                | 300                         | 100                     | SSD           | 800                             | 100               | 100   |
| Grazing of stock                                                         | 50                                    | 50              | 50                                 | 50                          | BMP                     | SSD           | BMP                             | NAI               | BMP   |
| Sugar cane, cropping & horticulture                                      | 300                                   | 200             | 200                                | 200                         | BMP                     | SSD           | BMP                             | NAI               | BMP   |
| Greenhouse & controlled environment horticulture                         | 200                                   | 200             | 200                                | 200                         | 50                      | SSD           | SSD                             | 50                | 50    |
| Macadamia de-husking                                                     | 300                                   | 300             | 300                                | 300                         | 50                      | SSD           | SSD                             | 50                | 50    |
| Forestry & plantations                                                   | SSD                                   | SSD             | SSD                                | SSD                         | STRC                    | SSD           | SSD                             | BMP               | STRC  |
| Bananas                                                                  | 150                                   | 150             | 150                                | 150                         | BMP                     | SSD           | SSD                             | BMP               | BMP   |
| Turf farms <sup>8</sup>                                                  | 300                                   | 200             | 200                                | 200                         | 50                      | SSD           | SSD                             | BMP               | SSD   |
| Rural industries (incl. feed mills and sawmills)                         | 1000                                  | 500             | 500                                | 500                         | 50                      | SSD           | SSD                             | SSD               | 50    |
| Abattoirs                                                                | 1000                                  | 1000            | 1000                               | 1000                        | 100                     | SSD           | 800                             | 100               | 100   |
| Potentially hazardous or offensive industry                              | 1000                                  | 1000            | 1000                               | 1000                        | 100                     | SSD           | 800                             | 100               | 100   |
| Mining, petroleum, production & extractive industries                    | 500<br>1000*                          | 500<br>1000*    | 500<br>1000*                       | 500<br>1000*                | SSD                     | SSD           | SSD                             | SSD               | SSD   |

\* Recommended minimum buffer distance for operations involving blasting.

The proposal can meet these recommendations apart from campsite 1. However the adjoining land use to campsite 1 to the north comprises 2ha, contains a dwelling and is not used, and not likely to be used for agricultural activities. The site adjoining to the east comprises 8 hectares and is unlikely to be used for commercial agriculture. In addition, campsite 1 is protected by existing vegetation, a rocky outcrop and proposed landscaped screening.

- *Effluent Disposal* - The method of effluent disposal, where the sewer is not available, shall be determined having regard to criteria such as size of the allotment, volume of waste produced, number of occupants, slope, soil classification and proximity to watercourses. Council requires the submission

Our Environment No. 2 Cont...

*of an on-site effluent report prepared by a suitably qualified person, which identifies the most appropriate system for the site and proposed development.*

Comment – the application was supported by an effluent disposal design for each campsite which has been assessed as meeting the required standards.

### **Chapter 6 – Access and Parking**

Council's Engineering Department has reviewed the proposal and based on the limited numbers on site at any one time, along with full time occupancy being unlikely (7 days/week) there are no requirements for any upgrades of Council's infrastructure. The intersection of Mt McKenzie Road and Holleys Road may be of concern with tourists looking for the turnoff, however adequate signage and directions to customers can alleviate this potential issue.

Each campsite will have adequate locations for a vehicle to park in close proximity to the site.

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

Consistent with the regulations.

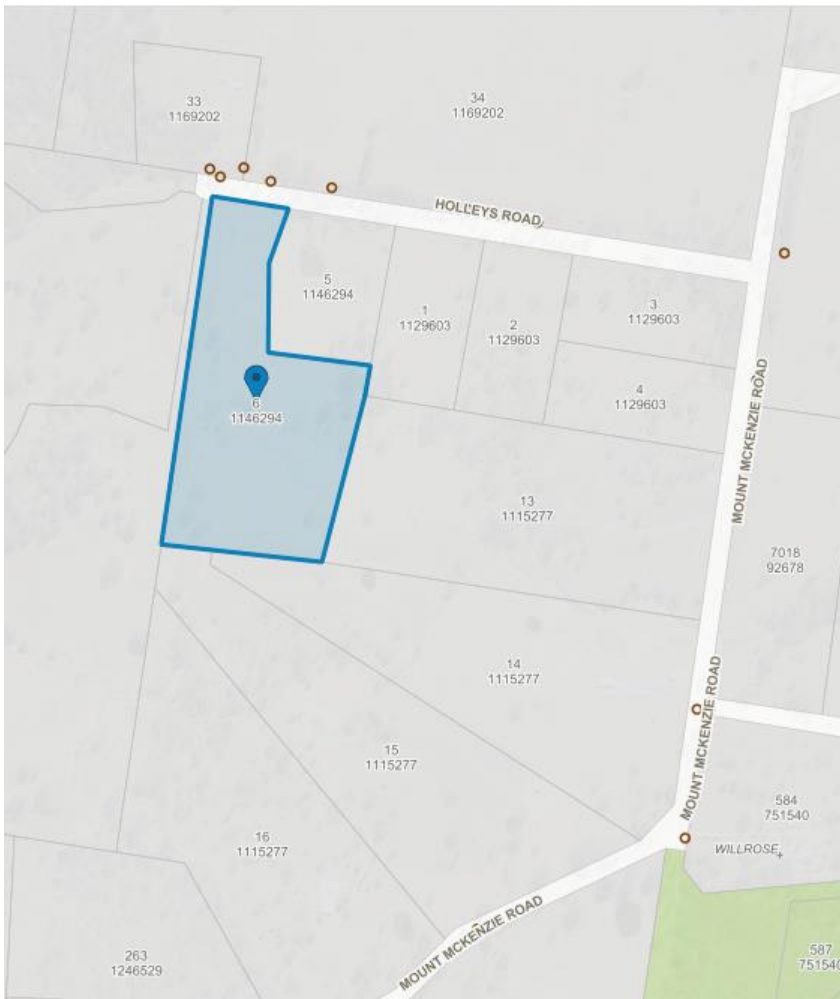
**(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,**

### **Context and Settings**

The site contains an existing approved dwelling, relocated to the site under DA 2017.099. The subject site was created under a subdivision approved by Council under DA 2007.087.

The subject site comprises 5.84 hectares and is similar in size to parcels to the south and somewhat larger than parcels on the southern side of Holleys Road as below;

## Our Environment No. 2 Cont...



The land lies within the rural residential subdivision ring which sits around Tenterfield and permits subdivision under the provisions of Clause 4.2c of *Tenterfield LEP 2013*.

**(c) the suitability of the site for the development**

The site adjoins and is adjacent to rural residential and small scale agricultural land uses. The site is considered suitable for small scale boutique camping sites. Consideration has been given to surrounding land uses and maintaining privacy for both the occupants of the proposed campsites and adjoining residences through location, design and landscaped buffers.

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

The application was notified in writing to owners in the vicinity of the proposed development on two (2) occasions, with submissions received as per below;

First consultation (31/8/2020 – 11/9/2020) – five (5) persons made submissions by way of objection (Attachment 7 (Attachment Booklet 2)).

Second consultation (12/1/2021 – 27/1/2021) – three (3) submissions by way of objection (Attachment 7 (Attachment Booklet 2)).

## Our Environment No. 2 Cont...

Many of the matters raised in the submissions have been dealt with above in the assessment of the application, however in summary matters raised include;

- **Conflict with existing uses in the locality (residential and agricultural)**  
**Response** – The locality is predominantly characterised by rural residential land use on smaller parcels of land with some smaller agricultural enterprises (grazing).
- **Bushfire**  
**Response** – The application comprises a ‘special fire protection purpose’ under the provisions of s100B of the Rural Fires Act 1997 and as such is required to be referred to the NSW Rural Fire Service for authorisation. Council cannot issue development consent without the authorisation (General Terms of Approval) of the RFS. The RFS has reviewed the proposal and issued the GTA’s subject to conditions as contained in the draft conditions. Notably there is a requirement for Asset Protection Zones (APS) to be maintained for campsites and the existing dwelling which is to be used as the emergency assembly building, along with access and water requirements and an updated Bushfire Emergency Management and Evacuation Plan. An on-site manager must be present at all times when the camp sites are occupied.

Most objections raised concerns relating to bushfire provisions, given recent experience with a bushfire in the locality. However, an assessment of the application by the RFS has deemed that the proposal is able to meet the relevant requirements of *Planning for Bushfire Protection 2019*.

- **Traffic and road matters**  
**Response** – As discussed above, based on the limited size of the development there are no particular requirements for the proposal. The density of the development and likely occupation is not considered to trigger any major upgrades of the existing road network.
- **Conflict with existing uses in the locality**  
**Response** – The site is characterised by rural residential uses and small scale agriculture – grazing/sheep production. It is considered that the scale of the development and proposed setbacks and vegetative buffers allows for adequate separation between existing uses and the proposed development.
- **Number of visitors expected**  
**Response** – As discussed above the maximum number of guests on site is twelve (12) and is likely to be predominantly occupied during weekends and holiday periods. 100% occupation of the site for 365 days/year is not likely.

Data for occupancy rates in Tenterfield is provided below;

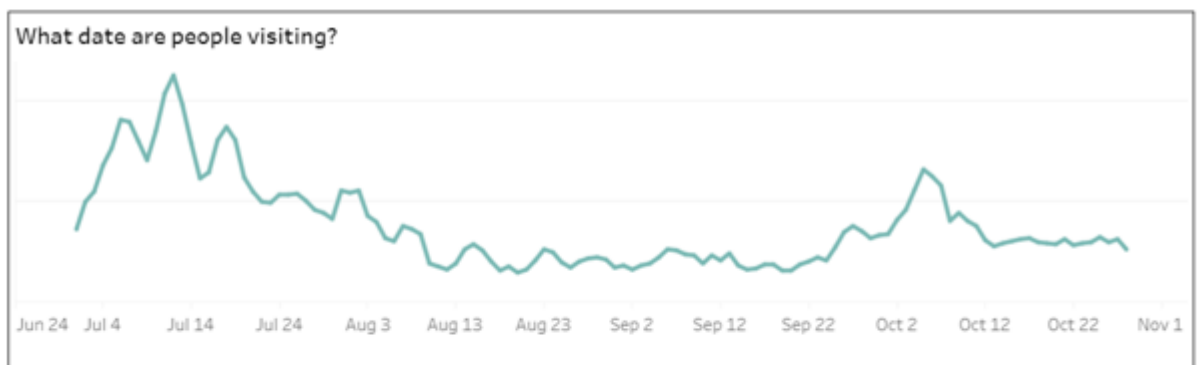
Our Environment No. 2 Cont...

**Tenterfield Occupancy Rate % Jan to Dec 2019 VS 2020**

**Note:** Occupancy rates heavily affected in 2020 due to COVID-19, so focus on the green line.



**Note:** The below data is currently only available from June 2020, but data from January 2019 will be available from Monday 22 February:



- Flooding**

**Response** – concern was raised in relation to the intermittent gully located centrally to the site and its ability to flood. Council has no flood data in this location, however the applicant has provided detailed information in relation to the gully and a proposal to raise this deck approximately 1m off the ground. Tracking of the state of the gully was undertaken as part of their interest in water management and repairing erosion on the site. Attachment 8 (Attachment Booklet 2) contains information and images from the applicant detailing rainfall events since October 2019. Raising of the deck to 1m is considered to be adequate for this location.

**(e) the public interest.**

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

Our Environment No. 2 Cont...

### COUNCIL IMPLICATIONS:

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

The application was advertised and notified as detailed above.

#### 2. Policy and Regulation

- Council Policy 'Limit of Delegated Authority in Dealing with Development Applications and Complying Development Certificates' is applicable as the proposal is considered under Part 3 Applications of public interest.

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

Nil

#### 4. Asset Management (AMS)

Nil

#### 5. Workforce (WMS)

Nil

#### 6. Legal and Risk Management

Should Council resolve to refuse the Development Application, the applicant has a right of appeal pursuant to Clause 8.7 of the *Environmental Planning and Assessment Act 1979* to the Land and Environment Court.

#### 7. Performance Measures

Nil

#### 8. Project Management

Nil

Paul Della

Actg Chief Corporate Officer

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |          |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------|---------|----------|---------------------------------------------------------------------------------------|----------|----------|-----------------------------------------------------------------|----------|----------|--------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Tamai Davidson                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |          |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |
| Approved/Reviewed by Manager: | Kylie Smith, Actg Chief Executive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |
| Department:                   | Office of the Chief Corporate Officer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |          |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |
| Attachments:                  | <table> <tr> <td><b>1</b></td> <td>Attachment 5 (Attachment Booklet 2) - DA 2020.069 - Prescribed Conditions</td> <td>9 Pages</td> </tr> <tr> <td><b>2</b></td> <td>Attachment 6 (Attachment Booklet 2) - DA2020.069 - Statement of Environmental Effects</td> <td>38 Pages</td> </tr> <tr> <td><b>3</b></td> <td>Attachment 7 (Attachment Booklet 2) - DA 2020.069 - Submissions</td> <td>58 Pages</td> </tr> <tr> <td><b>4</b></td> <td>Attachment 8 (Attachment Booklet 2) - DA 2020.069 - Local Rainfall Information</td> <td>14 Pages</td> </tr> </table> | <b>1</b> | Attachment 5 (Attachment Booklet 2) - DA 2020.069 - Prescribed Conditions | 9 Pages | <b>2</b> | Attachment 6 (Attachment Booklet 2) - DA2020.069 - Statement of Environmental Effects | 38 Pages | <b>3</b> | Attachment 7 (Attachment Booklet 2) - DA 2020.069 - Submissions | 58 Pages | <b>4</b> | Attachment 8 (Attachment Booklet 2) - DA 2020.069 - Local Rainfall Information | 14 Pages |
| <b>1</b>                      | Attachment 5 (Attachment Booklet 2) - DA 2020.069 - Prescribed Conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9 Pages  |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |
| <b>2</b>                      | Attachment 6 (Attachment Booklet 2) - DA2020.069 - Statement of Environmental Effects                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 38 Pages |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |
| <b>3</b>                      | Attachment 7 (Attachment Booklet 2) - DA 2020.069 - Submissions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 58 Pages |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |
| <b>4</b>                      | Attachment 8 (Attachment Booklet 2) - DA 2020.069 - Local Rainfall Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 14 Pages |                                                                           |         |          |                                                                                       |          |          |                                                                 |          |          |                                                                                |          |



|                      |                                                                                         |
|----------------------|-----------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                            |
| <b>Submitted by:</b> | Manager Planning & Development Services                                                 |
| <b>Reference:</b>    | <b>ITEM ENV3/21</b>                                                                     |
| <b>Subject:</b>      | <b>PLANNING PROPOSAL - LEP AMENDMENT SCHEDULE 5 - HERITAGE - HOUSEKEEPING AMENDMENT</b> |

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

|                             |                                                                                                                                                  |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Environment</b> - ENVO 9 - Our natural environment will be protected, enhanced and promoted for future generations.                           |
| <b>CSP Strategy:</b>        | Town and Village planning supports and enhances local place making principles and practice celebrating the diversity of our natural environment. |
| <b>CSP Delivery Program</b> | Identify, plan and enhance local environments in partnership with the community and stakeholders.                                                |

#### **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 amendments to Tenterfield Local Environmental Plan 2013 (LEP). The amendment proposes making additions to Schedule 5 Heritage Items by the inclusion of the following;

- St John the Baptist Church including original movable fittings and lights - Liston
- Trenayr Farm Building Complex and Tobacco Barns – Mole River
- Pin Oak Trees, Town Entries: Clarence & Cowper Streets, Tenterfield
- House 'Tallula' – 92 Duncan Street, Tenterfield
- All Saints Church Torrington including Bell, Interior fabric and moveable items
- Willsons Downfall Cemetery, off Mount Lindesay Road, Willsons Downfall
- Survey Tree – intersection of Timbarra Road & Tablelands Road, Timbarra

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

**That Council endorses the Planning Proposal contained in Attachment 10 (Attachment Booklet 3) and forwards it to the Department of Planning & Environment, requesting a Gateway Determination under the provisions of Section 3.33 of Division 3.4 of the *Environmental Planning & Assessment Act, 1979*.**

#### **BACKGROUND**

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

The amendment proposed seeks to make additions to Schedule 5 of the LEP by adding items as contained in Attachment 9 (Attachment Booklet 3)), these being:

1. St John the Baptist Church including original movable fittings and lights - Liston
2. Trenayr Farm Building Complex and Tobacco Barns – Mole River
3. Pin Oak Trees, Town Entries: Clarence & Cowper Streets, Tenterfield
4. House 'Tallula' – 92 Duncan Street, Tenterfield
5. All Saints Church Torrington including Bell, Interior fabric and moveable items
6. Willsons Downfall Cemetery, off Mount Lindesay Road, Willsons Downfall

Our Environment No. 3 Cont...

7. Survey Tree – intersection of Timbarra Road & Tablelands Road, Timbarra

Items 1, 2, 4 and 5 are at the request of the owners, whilst items 3, 6 and 7 have been assessed as having significant heritage value to be added to Schedule 5. Regardless, as part of the process owners will be formally advised of the intention to list during the advertising period.

The Planning Proposal can be found at Attachment 10 (Attachment Booklet 3).

Heritage is a key component of the identity of Tenterfield Shire and Council is proactive in heritage management, working with owners and community members and through the Heritage Committee to provide heritage advice, support and grant funding for conservation of significant places. Heritage grants have been allocated and works have been carried out in relation to several of these properties on the basis of their heritage significance.

**REPORT:**

The Planning Proposal (PP) is the first step in amending the LEP, which effectively “makes” a new LEP incorporating the amendments as outlined in the PP. In accordance with the provisions of Division 3.4 of the *Environmental Planning & Assessment Act 1979*, before an environmental planning instrument is made, Council is required to prepare a document that explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument (the **Planning Proposal**).

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

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

The PP at Attachment 10 (Attachment Booklet 3) identifies the requirements as set down by the Department of Planning.

Full details of the heritage significance of each of the items is provided in Attachment 9 (Attachment Booklet 3), (apart from Item 7 which is in process) with a statement of significance provided as follows:

Our Environment No. 3 Cont...

**1. St John the Baptist Church including original movable fittings and lights – Liston**

St John the Baptist at Liston Anglican Church, demonstrates historical significance as an important element of the development of the historical village settlement of Liston, NSW. The building is aesthetically significant as a landmark element in the village streetscape and retains a high degree original fabric. The church is socially significant to the local community, past and present, for its contribution to the social development of the local area and has demonstrated ongoing use for 110 years.



The owners of the Church and the local church members requested the building be listed.

Our Environment No. 3 Cont...

**2. 'Trenayr' Farm Building Complex and Tobacco Barns – Mole River**

This collection of farm buildings is significant as an example of rural vernacular architecture in association with a historical pastoral holding. The buildings illustrate a former way of life and farming practices.

The property holds association with Frank Smith who named the property Trenayr in 1908.

The buildings also demonstrate scientific /technical significance for use of materials and innovation available at the time to meet specific needs of a working property. The tobacco curing barns are particularly significant as a form of development in response to high import tariffs which created a demand for local production.



Council had a previous resolution to include this item in 2013, however it was inadvertently omitted during the process.

Our Environment No. 3 Cont...

**3. Pin Oak Trees, Town Entries: Clarence & Cowper Streets, Tenterfield**

The Pin Oak trees form an avenue along both sides of Clarence Street, creating an inviting and highly aesthetic streetscape along the eastern approach to Tenterfield. The Pin Oak avenue is highly valued by the Tenterfield community.

The original parts of the avenues are linked to the initiatives of Robert Brush Councils Health Surveyor during the 1930s and demonstrate the civic importance of landscaping and avenue plantings to the development and enhancement of an urban settlement.



Our Environment No. 3 Cont...

**4. House 'Tallula' – 92 Duncan Street, Tenterfield**

This substantial timber and iron residence demonstrates significance in the historical development of Tenterfield NSW around the late 1890's as a quality dwelling likely to have been built for someone of means and was later the home of Jane Skinner, the sister of John and Edward Skinner from Mt Mackenzie.

John and Edward made the ultimate sacrifice and died in the Sandakan PoW camp in British North Borneo during WW2.

The building is aesthetically significant as an intact historic dwelling which retains a high degree of original fabric set on an elevated position in a spatial garden setting with early Cypress plantings. It makes a very positive contribution to the streetscape and sits in an area containing other historic homes on generous allotments.



The owner of the building has requested it be listed.

Our Environment No. 3 Cont...

**5. All Saints Church Torrington including Bell, Interior fabric and moveable items**

This Carpenter Gothic style timber church is historically significant in the development of the Torrington village settlement in the late 1920s and its community life. It holds aesthetic significance for its timber and iron vernacular traditional form and materials, bell and unusual plywood timber interior lining and moveable items. It is a small scale historical landmark building in the village. It demonstrates the evolution of community development in Torrington in the 1920s and confidence in the development of the settlement.

It is socially significant to the community as a place of past, present and future events, including services and fellowship, baptism, weddings and funerals.



Our Environment No. 3 Cont...

**6. Willsons Downfall Cemetery, off Mount Lindesay Road, Willsons Downfall**

This abandoned area near the original main road from Sydney to Brisbane is historically significant with a complex history of burials before and after the formal survey of a village cemetery on the site and as part of a once thriving mining and timber area. It demonstrates associative and aesthetic significance with early pioneer settler families represented by a range of monumental styles, many of high artistic and technical accomplishment.

Although it presents a natural bushland appearance, there are signs of care and it holds an ongoing relationship with the Liston Community. Interpretive signage is currently being prepared and will enhance the understanding of the place for future generations.



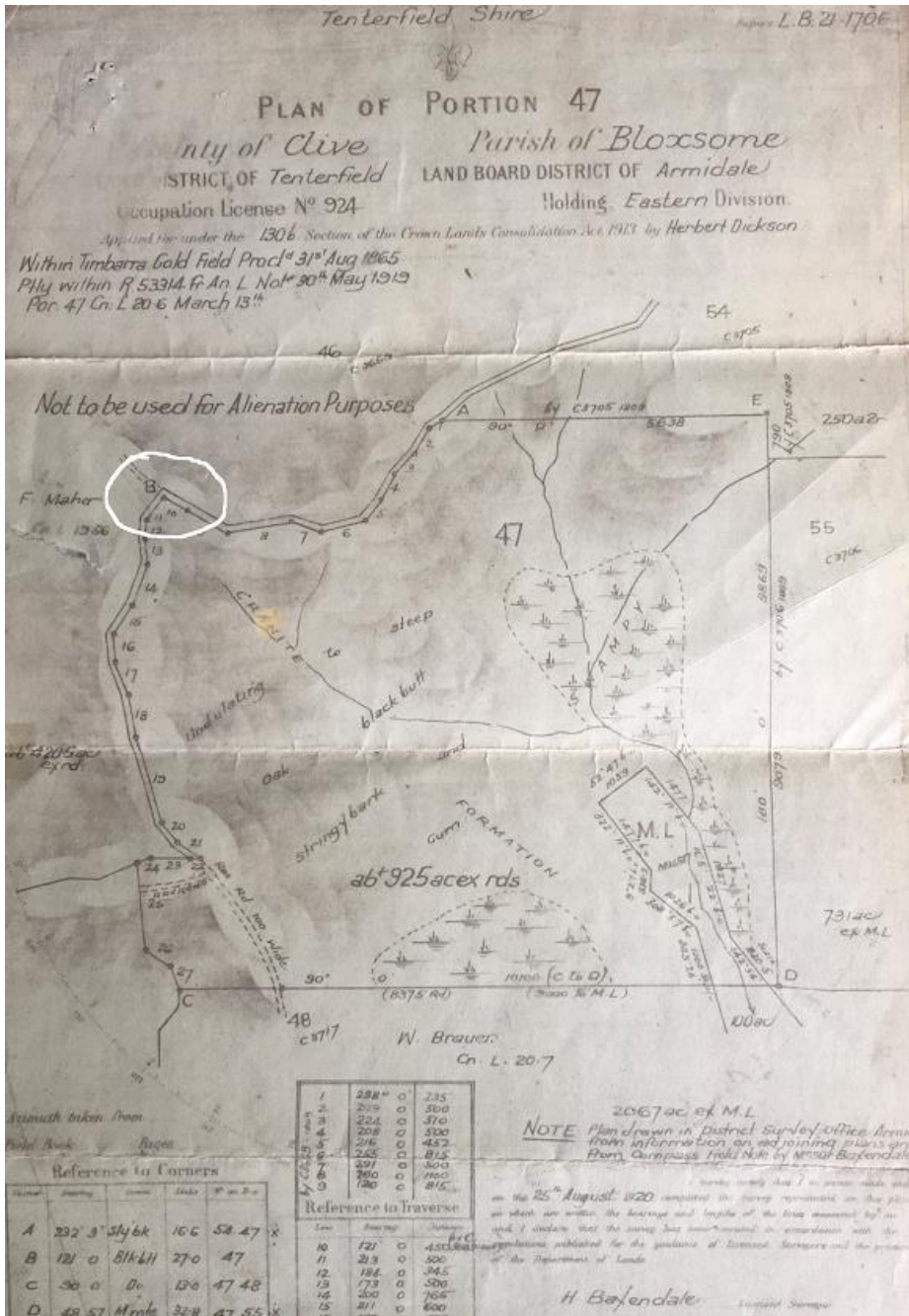


Our Environment No. 3 Cont...

**7. Survey Tree – intersection of Timbarra Road & Tablelands Road, Timbarra**

The survey tree is located on the edge of Timbarra Road, opposite the Tablelands Road turnoff and comprises the survey mark for Lot 47 DP 751496, formerly Portion 47 in the Parish of Bloxsome.

It is believed that the survey tree is the last remaining in the Tenterfield Shire and is worthy of preservation through heritage listing. The tree is identified on the original Plan of Portion 47 below – identified as 'B' circles in white in the top left of the image.



Our Environment No. 3 Cont...

### **COUNCIL IMPLICATIONS:**

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

In accordance with the provisions contained in the *Environmental Planning & Assessment Act 1979*, once a Gateway Determination is issued, a mandatory 28 day public consultation and notification process must take place. In addition, current land owners will be contacted to confirm their support of the listing.

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

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

The amendment is supported under the Tenterfield Shire Council Heritage Strategy 2018-2021, Objective 2;

#### **2. Identify Heritage Items in the Tenterfield shire area and list them in the Local Environmental Plan**

*Aim To identify all places of heritage significance (buildings, sites, and moveable items) in the Tenterfield Shire and implement measures to protect their integrity and significance.*

#### **Actions**

- To undertake regular reviews and amendments to the Tenterfield LEP 2013, to reflect identification of additional places of significance.
- Continue to develop and expand data available on individual properties identified in the LEP listings. Update the State Heritage Inventory with historical information, physical descriptions and assessments of heritage significance for each item and upload the information to the State Heritage Inventory database.
- Identify additional items or precincts of heritage character which would benefit from statutory heritage protection, and consider the impacts of NSW SEPP Codes for Exempt and Complying Development 2008 on non-protected areas with heritage character and significance.
- Utilise the findings of the Tenterfield Main Street Heritage Study 1997.
- Work with the NSW Office of Environment and Heritage to review potential sites for consideration of State Heritage Register listing status, such as Tenterfield Station.
- Support community heritage groups including National Trust of Australia (NSW) and local Historical Societies and groups to articulate concerns about development which could impact on heritage items and their context or assist with grant applications.

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

Nil

Our Environment No. 3 Cont...

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**Paul Della**

**Actg Chief Corporate Officer**

Prepared by staff member:

Tamai Davidson

Approved/Reviewed by Manager:

Kylie Smith, Acting Chief Executive

Department:

Office of the Chief Corporate Officer

Attachments:

- |          |                                                                                  |          |
|----------|----------------------------------------------------------------------------------|----------|
| <b>1</b> | Attachment 9 (Attachment Booklet 3) - Details of Proposed Heritage Items         | 61 Pages |
| <b>2</b> | Attachment 10 (Attachment Booklet 3) - Planning Proposal 2021-01 - LEP Amendment | 6 Pages  |

|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Manager Planning & Development Services      |
| <b>Reference:</b>    | <b>ITEM ENV4/21</b>                          |
| <b>Subject:</b>      | <b>DRAFT VILLAGE CONCEPT PLANS</b>           |

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

|                             |                                                                                                                                                  |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Environment</b> - ENVO 9 - Our natural environment will be protected, enhanced and promoted for future generations.                           |
| <b>CSP Strategy:</b>        | Town and Village planning supports and enhances local place making principles and practice celebrating the diversity of our natural environment. |
| <b>CSP Delivery Program</b> | Identify, plan and enhance local environments in partnership with the community and stakeholders.                                                |

#### **SUMMARY**

The purpose of this report is to present to Council Draft Concept Plans for the villages of Liston, Legume, Urbenville, Drake, Torrington, Mingoola and Jennings and seek a resolution to place the plans on public exhibition for a period of twenty eight (28) days. The Concept Plans are the result of part of the funding agreement for the Stronger Country Communities Fund – Round 2 – Vibrant and Connected (Project SCCF2-1069). A copy of the plans is provided at Attachments 11 to 17 (Attachment Booklet 4).

#### **OFFICER'S RECOMMENDATION: That Council:**

- (1) Place the draft Village Concept Plans on public exhibition for a period of twenty eight (28) days; and**
- (2) Adopt the Village Concept Plans if no submissions are received at the close of the exhibition period.**

#### **BACKGROUND**

Council's successful grant application under the Stronger Country Communities Fund – Round 2 included construction of toilet blocks at Jennings and Liston, Village entry signs, Drake Playground upgrade, interpretive signage and Concept Plans for the villages. During August 2020 Council sought comment from the respective village progress associations in regard to their thoughts for the future of their villages. Where possible these suggestions have been included in the Draft Concept Plans.

#### **REPORT:**

The Draft Concept Village Plans are designed to provide strategic direction for future village improvements in order to achieve an environment which provides for the needs of the residents and visitors alike.

The Plans build on research and community consultation undertaken by Council and the village communities. The Plans will provide a blueprint for future village improvements and a focus for improving the functioning and aesthetics of the village as funds and resources become available.

Our Environment No. 4 Cont...

### **COUNCIL IMPLICATIONS:**

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

The Draft Concept Plans will be placed on public exhibition for a period of twenty eight (28) days, Village Progress Associations have already been notified by email and hard copies provided – they will have until the end of the twenty eight (28) days consultation period.

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

Nil

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

No implications – the Draft Concept Plans are funded under the Stronger Country Communities Fund – Round 2 – Vibrant and Connected.

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

Nil

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

Nil

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

Nil

#### **7. Performance Measures**

Nil

#### **8. Project Management**

Nil

**Paul Della**

**Actg Chief Corporate Officer**

|                               |                                                                                   |          |
|-------------------------------|-----------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Tamai Davidson                                                                    |          |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                               |          |
| Department:                   | Office of the Chief Corporate Officer                                             |          |
| Attachments:                  | <b>1</b> Attachment 11 (Attachment Booklet 4) - Urbenville -Village Concept Plan  | 14 Pages |
|                               | <b>2</b> Attachment 12 (Attachment Booklet 4) - Torrington - Village Concept Plan | 14 Pages |
|                               | <b>3</b> Attachment 13 (Attachment Booklet 4) - Legume - Village Concept Plan     | 14 Pages |
|                               | <b>4</b> Attachment 14 (Attachment Booklet 4) - Liston - Village Concept Plan     | 14 Pages |

## Our Environment No. 4 Cont...

|          |                                                                        |             |
|----------|------------------------------------------------------------------------|-------------|
| <b>5</b> | Attachment 15 (Attachment Booklet 4) - Jennings - Village Concept Plan | 14<br>Pages |
| <b>6</b> | Attachment 16 (Attachment Booklet 4) - Drake - Village Concept Plan    | 14<br>Pages |
| <b>7</b> | Attachment 17 (Attachment Booklet 4) - Mingoola - Village Concept Plan | 14<br>Pages |

|                      |                                                                        |
|----------------------|------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                           |
| <b>Submitted by:</b> | Manager Planning & Development Services                                |
| <b>Reference:</b>    | <b>ITEM ENV5/21</b>                                                    |
| <b>Subject:</b>      | <b>150 YEARS OF THE MUNICIPALITY OF TENTERFIELD - 22 NOVEMBER 2021</b> |

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

|                             |                                                                                                                     |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Community</b> - COMM 1 - Tenterfield Shire is a vibrant, welcoming and safe community.                           |
| <b>CSP Strategy:</b>        | Develop major cultural and community events and festivals in partnership with the community and other stakeholders. |
| <b>CSP Delivery Program</b> | Enrich the community by supporting a variety of diverse cultural events and activities.                             |

#### **SUMMARY**

22 November 2021 marks the 150<sup>th</sup> anniversary of the proclamation of the Municipality of Tenterfield. The 150<sup>th</sup> celebration is referred to as the Sesquicentennial and deserves acknowledgement and celebration. It is recommended that a Steering Committee be established to plan for appropriate celebrations of the Sesquicentennial.

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

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

- (1) Establish a Steering Committee to make arrangements for celebration of the Sesquicentenary of the Municipality of Tenterfield;**
- (2) Nominates members for the Committee; and**
- (3) Dissolve the Committee two (2) weeks after all celebrations have concluded.**

#### **BACKGROUND**

At the Heritage Committee meeting held on 11 December 2020 it was raised that the 150<sup>th</sup> anniversary of the establishment of the Municipality of Tenterfield would occur during 2021. Investigations revealed the date to be 22 November and that prior celebrations have occurred for the 50<sup>th</sup> and 100<sup>th</sup> anniversaries. The Heritage Committee is in full support of commemoration of the Sesquicentenary.

The 50<sup>th</sup> anniversary, referred to as the 'Jubilee of the Municipality' was celebrated and commemorated by the construction of the Band Rotunda in Jubilee Park.

Our Environment No. 5 Cont...

**Rotunda**

The foundation stone of the Jubilee Rotunda in Jubilee Park, erected to commemorate 50 years of local government in Tenterfield, was laid by the Mayoress (Mrs. F. Kneipp).

Lt.-Col. Bruxner, in handing a silver trowel to Mrs. Kneipp, said: "The people should be eternally grateful to the Mayor and Aldermen of Tenterfield for allowing the Soldiers' Memorial Hall to participate in the net proceeds to the extent of 75 per cent.

"They would be very lax indeed if they had not erected something to commemorate the Jubilee of the Municipality — which is one of the oldest in the State," Lt.-Col. Bruxner said.





Our Environment No. 5 Cont...

In addition a 'Jubilee Complimentary Dinner' was held at the School of Arts.



The 100<sup>th</sup> anniversary saw the construction of the Centennial Fountain in Bruxner Park, which is no longer in place, however Council still has the plaque which acknowledged the opening.



Our Environment No. 5 Cont...



#### REPORT:

The Sesquicentennial of the Municipality of Tenterfield marks 150 years of local government in our Council area and warrants commemoration and celebration. The establishment of a committee to consolidate ideas and seek funding for such celebrations is recommended.

#### COUNCIL IMPLICATIONS:

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

Input from the community in to recommendations will be sought, along with recommendations for members to sit on the Steering Committee.

##### 2. Policy and Regulation

Nil

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

Council may wish to seek funding to undertake commemorations or allocate funding in the upcoming 2021/22 budget process.

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

Nil

##### 5. Workforce (WMS)

Nil

Our Environment No. 5 Cont...

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

The project will be run by the Steering Committee and will not impact on Council's Project Management Framework.

**Paul Della**

**Actg Chief Corporate Officer**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| Prepared by staff member:     | Tamai Davidson                            |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive       |
| Department:                   | Office of the Chief Corporate Officer     |
| Attachments:                  | There are no attachments for this report. |

|                      |                               |
|----------------------|-------------------------------|
| <b>Department:</b>   | <b>Engineering Department</b> |
| <b>Submitted by:</b> | Manager Water & Waste         |
| <b>Reference:</b>    | <b>ITEM ENV6/21</b>           |
| <b>Subject:</b>      | <b>APEX PARK BORE</b>         |

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

|                             |                                                                                                                                             |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Environment</b> - ENVO 11 - Secure, sustainable and environmentally sound infrastructure and services underpin Council service delivery. |
| <b>CSP Strategy:</b>        | Water is used carefully in Council's buildings, parks, sporting grounds and daily operations.                                               |
| <b>CSP Delivery Program</b> | Ensure effective and efficient delivery of water services in accordance with existing service levels.                                       |

#### **SUMMARY**

The purpose of this report is to provide Council with an update of the community consultation submissions received regarding Council Resolution 229/20.

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

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

- (1) Adopt the new Water Charge of \$3.25 per KI for the Apex Bore for inclusion in Council's Fees & Charges for the 20/21 financial year, upon commissioning of the new water dispenser at Apex Park.**
- (2) Provide access to free non-potable water at Apex Park in drought conditions.**
- (3) Provide educational information for Apex Park.**

#### **BACKGROUND**

In 1994/1995 Apex Park Bore was initially drilled as part of a secondary source for potable supply apart of a drought relief program. However the bore was found to be a low yielding bore and the water quality was not suited for human consumption.

The bore water quality was found to be suitable for livestock and for vegetation. Additionally, the bore is licensed to access 15ML/year.

During the 2019 drought Apex Park Bore was activated to alleviate the rural residential community in the provision of providing water to stock, which was a highly successful program detailed in the previous Council Report.

The report was presented to the Ordinary Council Meeting of 28 October 2020, with the following resolution:

#### **Resolution 229/20**

- (1) Turn the Apex Park Bore on and implement a payment (dispenser) system, signed for Stock Use Only and with a sign saying camera surveillance.*
- (2) Update Council's 2020/2021 Fees & Charges to include a water charge for Apex Park Bore at \$3.25/KL.*

Our Environment No. 6 Cont...

The proposed amendment to Council's Fees & Charges was advertised to allow public submissions. Submissions closed 8 December 2020 however submissions were received after the closure date.

**REPORT:**

The community were provided with an option to respond to the Council resolution to install a dispenser system and charge for the non-potable water supply at Apex Park Bore. The timeframe provided to engage with Council and raise any concerns, spanned three (3) months. During this timeframe two (2) submissions were received.

Both submissions raised concerns regarding provision of charges. Subsequent communications discussed the requirement for Council to be sustainable and provide asset maintenance (as ongoing costs).

Some misunderstandings from the submissions included the ability to utilise grants for any purpose, claims of mismanagement and as the water quality is non-potable with high levels of iron (as an example of contaminate) this should make this a free water source. Additionally concerns were raised for utilisation for vegetation as some vegetation is sensitive to high concentrations of elements.

Noting the water quality for the Apex Bore was tested and is within the range for livestock and vegetation.

**COUNCIL IMPLICATIONS:**

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

The community was provided with a three (3) month consultation period and received two submissions as described in the report.

The provision of additional information/education would benefit the community especially with Apex Park Bore as a non-potable supply.

**2. Policy and Regulation**

Nil (consultation has occurred)

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

Potential advertising/educational cost.

**4. Asset Management (AMS)**

Potential to increase signage at Apex Park Bore (Assets Register)

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

The project has progressed to procurement with a solar dispenser ordered. Installation will occur once the dispenser is received.

Our Environment No. 6 Cont...

**Fiona Keneally**  
**Director Infrastructure**

Prepared by staff member: Gillian Marchant  
Approved/Reviewed by Manager: Fiona Keneally, Director Infrastructure  
Department: Engineering Department  
Attachments: There are no attachments for this report.

|                      |                                                                |
|----------------------|----------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                           |
| <b>Submitted by:</b> | Executive Assistant & Media                                    |
| <b>Reference:</b>    | <b>ITEM GOV3/21</b>                                            |
| <b>Subject:</b>      | <b>MONTHLY OPERATIONAL REPORT - DECEMBER 2020/JANUARY 2021</b> |

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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

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**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 2020/2021 Operational Plan.

**OFFICER'S RECOMMENDATION:**

**That Council receives and notes the status of the Monthly Operational Report for December 2020/January 2021.**

**Kylie Smith**  
Acting Chief Executive

|                               |                                                                                                         |          |
|-------------------------------|---------------------------------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Noelene Hyde, Executive Assistant & Media                                                               |          |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                                                     |          |
| Department:                   | Office of the Chief Executive                                                                           |          |
| Attachments:                  | <b>1</b> Attachment 18 (Attachment Booklet 5) - Monthly Operational Report - December 2020/January 2021 | 97 Pages |

|                      |                                                                                                                                   |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                                                                                              |
| <b>Submitted by:</b> | Executive Assistant & Media                                                                                                       |
| <b>Reference:</b>    | <b>ITEM GOV4/21</b>                                                                                                               |
| <b>Subject:</b>      | <b>MURRAY DARLING ASSOCIATION INC - 77TH NATIONAL CONFERENCE &amp; ANNUAL GENERAL MEETING - WENTWORTH NSW - 16 TO 19 MAY 2021</b> |

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

|                             |                                                                                                                                                     |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 13 - Council recognises the diversity of the communities that make up the Tenterfield Shire Council Local Government Area. |
| <b>CSP Strategy:</b>        | Council recognises the diversity of the communities that make up the Tenterfield Shire Council Local Government Area.                               |
| <b>CSP Delivery Program</b> | Identify, represent, advocate and lobby for inclusion of the Shire's needs in regional and state planning.                                          |

#### **SUMMARY**

The purpose of this report is for Council to endorse and approve the attendance of Council delegates on the Murray Darling Association Inc to attend the 77<sup>th</sup> National Conference and Annual General Meeting at Wentworth on 16 to 19 May 2021.

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

**That Council approve the attendance of Council's Murray Darling Association Inc delegates, Mayor Peter Petty and Region 11 Executive Member, Deputy Mayor Greg Sauer at the 77<sup>th</sup> National Conference & Annual General Meeting at Wentworth, 16 to 19 May 2021.**

#### **BACKGROUND**

Council's delegates to the Murray Darling Association Inc (MDA) are the Mayor and/or Deputy Mayor, plus any one (1) other Councillor as an alternative if the Mayor or Deputy Mayor are unavailable (*Resolution 106/20, 24 June 2020*).

Deputy Mayor Greg Sauer is an Executive member of the Region 11 Murray Darling Association Inc.

#### **REPORT:**

The 77<sup>th</sup> National Conference and Annual General Meeting of the Murray Darling Association Inc is bannered *Connectivity – Connecting Councils and Catchments* and this exciting event will bring together leaders and decision makers from across the Murray-Darling Basin.

This year's program reflects that now, more than ever, we must be connected to succeed:

- Connecting catchments and river systems is at the heart of a healthy Basin.
- Connecting leaders - Local, State, Federal and First Nations - is essential to our shared success.



Our Governance No. 4 Cont...

- Connecting the many great plans for our nation will build confidence and prosperity.
- And, most importantly, after the challenges of 2020, connecting with each other.

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

- Councillor Expenses & Facilities Policy 1.160.

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

- Early Bird Registration (until 31 March 2021) - \$699 per person
- Accommodation - 2 person unit reserved - \$300 per night
- Transport - to be determined (share with Gunnedah Shire Council).

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

Nil.

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

Nil.

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

Discussions are currently ongoing cross border through Border Regional Organisation of Councils (BROC) regarding the proposed Mole River Dam. It is seen as prudent that Council is represented at this Conference.

#### **7. Performance Measures**

Nil.

#### **8. Project Management**

Nil.

**Kylie Smith**  
**Acting Chief Executive**

Prepared by staff member: Noelene Hyde  
Approved/Reviewed by Manager: Kylie Smith, Acting Chief Executive  
Department: Office of the Chief Executive  
Attachments: There are no attachments for this report.

|                      |                                                           |
|----------------------|-----------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>                      |
| <b>Submitted by:</b> | Executive Assistant & Media                               |
| <b>Reference:</b>    | <b>ITEM GOV5/21</b>                                       |
| <b>Subject:</b>      | <b>NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2021</b> |

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

|                                 |                                                                                                                                                                           |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>                | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.          |
| <b>CSP Strategy:</b>            | We partner with the community, business and Federal and State Government in the achievement of our goals.                                                                 |
| <b>Delivery Plan Action:</b>    | Maintain strong relationships with all levels of Government and proactively seek involvement in decision making impacting our Shire and the New England Northwest Region. |
| <b>Operational Plan Action:</b> | Participate in regionals organisations of Council and other joint bodies to advance the needs of the Tenterfield Shire and the surrounding regions.                       |

#### **SUMMARY**

The purpose of this report is for Council to consider the attendance of the Chief Executive and Mayor at the National General Assembly of Local Government 2021 in Canberra, 20-23 June 2021 and to call for submission of Motions.

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

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

- (1) Approve the attendance of the incumbent Chief Executive and Mayor Peter Petty at the National General Assembly of Local Government 2021 and Regional Forum 2021 to be held in Canberra, 20 to 23 June 2021; and**
- (2) Prepare and consider motions for debate – submission date being 11.59 pm, Friday 26 March 2021.**

#### **BACKGROUND**

Each year Council budgets for the attendance of the Mayor and Chief Executive at this very important Local Government event. The Mayor is Council's voting delegate.

In addition to attending the National General Assembly (NGA), the opportunity is taken, while in Canberra, to meet with our local Federal Member and other Federal politicians to discuss issues of importance to our Shire and to lobby for funding where appropriate.

#### **REPORT:**

The theme of the 2021 National General Assembly is "*Working Together for Our Communities*". This was the theme for the 2020 NGA but due to its cancellation due to COVID-19, the ALGA Board has decided to retain the theme and emphasise the importance of partnerships to building and maintain resilience in our councils and our communities.

Our Governance No. 5 Cont...

A significant number of motions will be put to the Assembly, generating lively, vigorous and constructive debate. All of the motions that are supported at the NGA are submitted to the Australian Local Government Association (ALGA) Board for consideration and aim, ultimately, to advance the cause of Local Government and the communities we seek to serve.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor or the NGA, motions must meet the following criteria:

- Be relevant to the work of Local Government nationally;
- Be consistent with the themes of the NGA;
- Complement or build on the policy objectives of your state and territory Local Government Association;
- Be from a Council which is a financial member of their state or territory Local Government Association;
- Propose a clear action and outcome; and
- Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, Local Government.

### **Regional Forum 2021**

The Forum will be held on Sunday, 20 June 2021.

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

- Councillor Expenses and Facilities Policy 1.160.

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

- Registration - \$989.00 x 2 (Early Bird prior to 10 May 2021)
- Accommodation – Policy allows \$350.00 per night x 2 (4 nights)
- Return Airfare – Approximately \$660.00 x 2

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

Nil.

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

Nil.

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

Nil.

#### **7. Performance Measures**

Nil.

Our Governance No. 5 Cont...

**8. Project Management**

Nil.

**Kylie Smith**  
**Acting Chief Executive**

Prepared by staff member: Noelene Hyde, Executive Assistant & Media  
Approved/Reviewed by Manager: Kylie Smith, Acting Chief Executive  
Department: Office of the Chief Executive  
Attachments: **1** Discussion Paper 2021 12 Pages



## Call for Motions

**20 - 23 June 2021**

National Convention Centre Canberra



## **KEY DATES**

16 November 2020  
Opening of Call for Motions

26 March 2021  
Acceptance of Motions Close

20 - 23 June 2021  
National General Assembly

To submit your motion go to:  
[alga.asn.au](http://alga.asn.au)

## **SUBMITTING MOTIONS**

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

The 2020 NGA “Working Together for Our Communities” was unfortunately cancelled due to COVID-19 but the ALGA Board has decided to retain the theme and emphasise the importance of partnerships to building and maintaining resilience in our councils and our communities.

To assist you to identify motions that address the theme of the 2021 NGA, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all the sections of the paper but are not expected to respond to every question. Your motion/s can address one or more of the issues identified in the discussion paper.

Remember that the focus of the NGA is on partnerships, working together, and resilience so your questions could focus on how local governments can work in partnership with the Australian Government to address the challenges our communities face, or the opportunities that are arising to build back better.

### **Criteria for motions**

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic national importance and should be discussed at a national conference;
3. be consistent with the themes of the NGA;
4. complement or build on the policy objectives of your state and territory local government association;
5. be submitted by a council which is a financial member of their state or territory local government association;
6. propose a clear action and outcome i.e. call on the Australian Government to do something;
7. be a new motion that has not already been debated at an NGA in the preceding two years; and
8. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

## **OTHER THINGS TO CONSIDER**

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. Motions should commence as follows: This National General Assembly calls on the Australian Government to restore funding for local government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue.

To ensure efficient and effective debate where there are numerous motions on a similar issue, the ALGA Board NGA Subcommittee will group the motions together under an overarching strategic motion. The strategic motions have either been drafted by ALGA or are based on a motion submitted by a council which best summarises the subject matter. Debate will focus on the strategic motions. Associated sub-motions will be debated by exception only.

Motions should be lodged electronically using the online form available on the NGA website at: [www.alga.asn.au](http://www.alga.asn.au). All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and the endorsement of your council. Motions should be received no later than 11:59pm AEST on Friday 26 March 2021.

Please note that for every motion it is important to complete the background section on the form. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. There is a word limit of 150 for the motion and 200 for the national objective and 300 for the key arguments.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee, as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government and whether the motions meet all the criteria detailed above.

Please note that motions should not be prescriptive in directing how the matter should be pursued.

With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, the ALGA Secretariat will raise these with the nominated contact officer.

Any motion deemed to be primarily concerned with local, state or territory issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

There is an expectation that any council that submits a motion will be present at the National General Assembly to move and speak to the motion.



## **INTRODUCTION**

2020 has been a year like no other. A year that many individuals and organisations, including councils, would wish to forget. While the drought lessened its hold on parts of the country to be replaced by floods, more than 110 local government areas were severely impacted by the Black Summer (2019-20) bushfires - and no one was spared the effects of the battle against COVID-19. The 2020-21 storm and fire season may add to the sense that it was a year of disasters.

Friedrich Nietzsche said: "That which does not kill us, makes us stronger." So how can councils become stronger after 2020? How can we ensure that our communities are stronger and more resilient? How do we work together and with our partners to ensure that we build back better from the series of unprecedented events that have marked 2020?

## **COUNCIL RESILIENCE**

In the first quarter of 2020, state and territory Governments closed facilities where people gathered in numbers to reduce the probability that hospitals would be overwhelmed by a rise in COVID-19 cases. This included a substantial number of council owned and operated revenue generating facilities which had flow-on effects for other revenue-generating enterprises such as paid parking. Major funding gaps rapidly emerged in many councils that typically generated significant amounts of own revenue.

Councils that cannot generate significant amounts of the own revenue are typically dependent on grant funding from other levels of government, including Financial Assistance Grants from the Australian Government. These councils tend to service rural, regional and remote communities that are often large in area but small in terms of population. The capacity of these councils to deliver all their required services and infrastructure can be severely strained at any time.

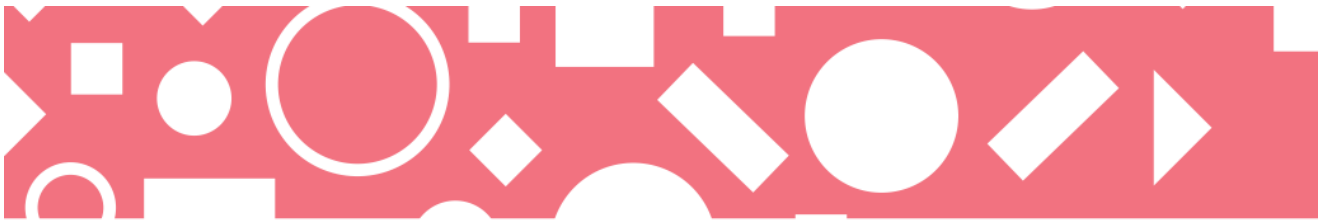
With local government funding under pressure across the nation, and other levels of government facing fiscal constraints, councils may need to do more with less in the near term and be innovative with both budgeting, service delivery, balancing competing demands and longer term financial planning. Services may need to be scaled down or delivered in innovative ways. Asset management and maintenance programs may need to be varied. Working collaboratively with neighbouring councils or forming alliances may be a way of achieving efficiencies and enhancing service delivery along with fostering innovation, cutting red tape, and working in partnership with third parties may be others.

Digital service delivery and working from home - adopted during the height of the pandemic - may become the new norm. This may increase opportunities for councils to innovate, work together and share resources, and fill long term skill gaps. New challenges may emerge including how staff are supported and how productivity, collaboration and motivation maintained. There may be significant consequences for local democracy and council's ability to engage authentically with their communities. Digital transformation and technology modernisation will be essential for some councils. Even already well-established adopters of digital technology may need to rethink their approach.

*Can the Australian Government assist councils with efficiency measures that reduce the cost of services without a major change in service levels experienced by the community?*

*What opportunities are available to enhance the adaptive capacity of councils and its potential to 'weather the storm' through innovation and creativity? How can the Australian Government assist?*

*Apart from Financial Assistance Grants, how can the Australian Government assist councils to become more financially sustainable and able to better meet the needs of their communities? Are there new partnership programs or policy changes the Government*



## **COMMUNITY RESILIENCE**

Community resilience is the capacity of communities to respond to, withstand, and recover from adverse situations including natural disasters, persistent drought, pandemics, fluctuations in global trade, recession, and a rise in inequality. In some circumstances in response to these pressures and stresses, local communities are not able to recover to their previous state. Instead they need to adapt to cope with long term stresses. But ideally, we want all communities to not only survive but thrive.

Local governments play a critical role in building resilient and sustainable communities and helping to buffer people and places against social, economic, and environmental disruptions and overcome adversity. One critical area is through the provision of resilient infrastructure. Councils' infrastructure should meet the community's current and future demand, be built to contemporary standards, be affordable for both the council and the user, and be reliable with appropriate asset management practices in place to ensure maximum return on investment.

In addition to physical infrastructure, social infrastructure is also vital for resilience. Social infrastructure is broader than just buildings, it includes the individuals and groups, places, and institutions, including councils, that foster community cohesion and social support. Communities and individuals with good social networks and connections demonstrate greater resilience.

The loneliness epidemic is challenging social resilience. Research produced before the coronavirus pandemic revealed that one in four adult Australians are experiencing loneliness with over half the nation reporting they feel lonely for at least one day each week. In addition to its impacts on community resilience, feeling lonely can pose a bigger risk for premature death than smoking or obesity and can be associated with depression, poorer cardiovascular health and, in old age, a faster rate of cognitive decline and dementia.

Communities that are more vulnerable to shocks and disasters are often reliant on only one industry, have minimal redundancy or no backups for essential services and infrastructure such as only one source of water, one powerline or one access road. They also often only have few voluntary or charitable organisations working in the community. Often community leadership is weak or fails to inspire, engage, and unleash the power of other leaders and critical social networks.

Community resilience cannot be built and then left to its own devices. It needs to be strengthened continuously, not just in times of crisis. It involves people getting together to create sustainable links within their community and the community and its leaders having the ability to learn from experience and improve over time.

*How can councils work in partnership with the other tiers of government to adopt a community development approach that builds resilience?*

*What are the best models available to councils to ensure that our communities thrive and focus on prevention and preparation rather than relief and recovery? How can the Australian Government partner with councils to ensure thriving communities?*

*What actions can councils take, in partnership with others including the Australian Government to promote community resilience and protect against external shocks such as industry closures or natural disasters? Are tools available to assist councils build community resilience or do we need new or different tools?*

## **COLLABORATION AND PARTNERSHIPS**

Creating a resilient community and ensuring a resilient and sustainable council requires partners. Councils can work with partners in different ways to find local solutions to local problems. They can partner with a wide range of organisations including other councils, other levels of government, the voluntary and community sector or business and research sector organisations. The aims of these partnerships are typically to improve services and deliver changes to benefit the local area.

Collaboration and partnerships with other councils and public or private organisations can also bring benefit from economies of scale in providing services or purchasing in bulk for example. Procurement partnerships have been a particularly successful example of this. Working in partnership can make a considerable contribution to efficiency improvements, such as through cost savings in back-office functions or sharing of plant and equipment.

Other benefits associated with partnerships and collaboration include opening the way for local communities to share ideas and connect with others. Partnerships enhance the ability of a council to access innovation, enhance skills development, work across council boundaries to address regional issues, and maximise competitive advantage in the delivery of major infrastructure projects.

Strategic collaboration is not just about savings and sharing resources. It is also about maximising capacity in addressing community expectations, or working with members of the community to overcome challenges and seize opportunities. For example, building and maintaining productive partnerships with Aboriginal and Torres Strait Islander people and communities is critical for councils committed to Closing the Gap and involving Aboriginal and Torres Strait Islander communities in decision-making and service development and delivery.

Collaboration and partnerships that work well are underpinned by good governance, an agreed purpose, and mutual benefit.

There is a long history of local government partnering with the Australian Government to deliver projects and programs that benefit local communities, achieve fairness and equity across the nation, and support local delivery of services and infrastructure. In the absence of constitutional change, how do we further build and strengthen this partnership with the Australian Government?

*How do we encourage and incentivise councils to embrace partnerships and collaborative arrangements more enthusiastically including those which seek to ensure the development of economic development supporting infrastructure?*

*What are the obstacles to working in partnership with other councils or organisations? Can the Australian Government help overcome these?*

*How do councils, together with their communities, work in partnership to build resilience and entrench it into everyday life?*



**AUSTRALIAN  
LOCAL GOVERNMENT  
ASSOCIATION**

AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION  
8 Geils Court Deakin ACT 2600      PHONE (02) 6122 9400  
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|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Actg Chief Corporate Officer Paul Della      |
| <b>Reference:</b>    | <b>ITEM GOV6/21</b>                          |
| <b>Subject:</b>      | <b>NEW POLICY - WORKPLACE SURVEILLANCE</b>   |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council fosters a strong organisational culture which strives for best practice in all operations with a supportive corporate governance framework.                |
| <b>CSP Delivery Program</b> | 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 adopt a new Workplace Surveillance Policy so as to ensure compliance with the requirements of the Workplace Surveillance Act 2005.

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

**That Council adopts the Draft Workplace Surveillance Policy.**

#### **BACKGROUND**

Council carries out three types of surveillance on staff, Councillors, contractors and volunteers and these fall into the categories of:

- Closed Circuit TV Camera Surveillance (CCTV)
- Computer Surveillance
- Tracking Surveillance

A Policy is required to provide clear direction on the application of the NSW Workplace Surveillance Act 2005 at Tenterfield Shire Council.

#### **REPORT:**

The draft Workplace Surveillance Policy (Attachment 19 (Attachment Booklet 6)) has been discussed at Council's Workplace Consultative Committee meeting as is required under the NSW Local Government (State) Award and all staff concerns have been addressed.

These concerns were mainly around who could access certain data and a request for inclusion of audit process to be undertaken of such access.

The report complies with the NSW Workplace Surveillance Act 2005.

The use of certain surveillance devices has the potential to deter vandalism or personal attack and is identified to reduce the safety risks associated with employees, Councillors, contractors, volunteers, customers and others in the workplace and Council premises.

Our Governance No. 6 Cont...

The use of certain surveillance devices will be used to optimise performance, improve efficiency and improve customer service.

While Council does not intend to use surveillance methods or data to monitor staff movements, it may from time to time, or with cause, access surveillance systems and data records in order to investigate complaints or conduct other workplace investigations as appropriate.

The main objectives of this policy are to:

- Deter vandalism and/or a possible physical/verbal assault
- Reduce the safety risks associated with workers, customers and others in the workplace
- Optimise efficiency and customer service
- Identify the geographical location of employees, Councillors, contractors, volunteers in the event of an emergency
- Provide data and information to defend staff against incorrect allegations
- Increase information available when conducting investigations (e.g. code of conduct and fraud related complaints, defending Council).

## **COUNCIL IMPLICATIONS:**

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

Nil

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

- Tenterfield Shire Council Code of Conduct
- Privacy and Personal Information Protection (PPIP) Act 1998
- Government Information (Public Access) (GIPA) Act 2009
- Local Government (LG) Act 1993
- Protection of the Environment Operations (POEO) Act 1997
- Workplace Surveillance (WS) Act 2005
- Surveillance Devices (SD) Act 2007
- Road Rules (RR) 2008
- Environmental Planning and Assessment (EP&A) Act 1979
- Evidence Act 1990 (EA)
- State Records Act 1988

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

Council may be able to receive a significant increase in Fuel Tax credit income as a result of implementing a vehicle tracking system.

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

Nil.

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

Nil.

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

This policy complies with the Workplace Surveillance Act 2005.

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**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Paul Della**  
**Actg Chief Corporate Officer**

|                               |                                                                                     |         |
|-------------------------------|-------------------------------------------------------------------------------------|---------|
| Prepared by staff member:     | Paul Della                                                                          |         |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                                 |         |
| Department:                   | Office of the Chief Corporate Officer                                               |         |
| Attachments:                  | <b>1</b> Attachment 19 (Attachment Booklet 6) - Draft Workplace Surveillance Policy | 9 Pages |

|                      |                                                                        |
|----------------------|------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                           |
| <b>Submitted by:</b> | Manager Customer Service, Governance & Records                         |
| <b>Reference:</b>    | <b>ITEM GOV7/21</b>                                                    |
| <b>Subject:</b>      | <b>CUSTOMER SERVICE, GOVERNANCE &amp; RECORDS - UPDATE OF POLICIES</b> |

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

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

#### **SUMMARY**

The purpose of this report is to update the listed policies aligned with Customer Service, Governance and Records.

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

**That Council adopt the following policies:**

- **Citizen and Customer Service Policy 1.035**
- **Complaints and Unreasonable Conduct Policy 1.033**
- **Exclusion for Disruptive or Abusive Citizens and Customers Policy 1.052**
- **Competitive Neutrality Complaints Policy 1.032**

#### **BACKGROUND**

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

#### **REPORT:**

The four (4) policies have been reviewed and amended for accuracy, where required, for insertion into Council's current policy template, being:

#### **Citizen and Customer Service Policy**

This policy was previously amended and adopted by Council on 23 August 2017. The policy has been translated in to Council's current policy template with no major changes.

#### **Complaints and Unreasonable Conduct Policy**

This policy was previously amended and adopted by Council on 23 August 2017. The policy has been translated in to Council's current policy template with no major changes.

Our Governance No. 7 Cont...

### **Exclusion for Disruptive or Abusive Citizens and Customers Policy**

This policy was previously amended and adopted by Council on 23 August 2017. The policy has been translated in to Council's current policy template with no major changes.

### **Competitive Neutrality Complaints Policy**

This policy was previously amended and adopted by Council on 23 August 2017. The policy has been translated in to Council's current policy template with no major changes.

### **COUNCIL IMPLICATIONS:**

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

The existing policies have been developed in accordance with the engagement process at their time of writing. Exhibition of the minor amendments and administrative corrections is not required.

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

As detailed in each 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.

**Paul Della**

**Actg Chief Corporate Officer**

|                               |                                                                                                |          |
|-------------------------------|------------------------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Erika Bursford                                                                                 |          |
| Approved/Reviewed by Manager: | Paul Della, Actg Chief Corporate Officer                                                       |          |
| Department:                   | Office of the Chief Corporate Officer                                                          |          |
| Attachments:                  | <b>1</b> Attachment 20 (Attachment Booklet 6) - Citizen & Customer Service Policy 1.035        | 4 Pages  |
|                               | <b>2</b> Attachment 21 (Attachment Booklet 6) - Complaints & Unreasonable Conduct Policy 1.033 | 11 Pages |
|                               | <b>3</b> Attachment 22 (Attachment Booklet 6) - Exclusion For                                  | 5 Pages  |

Our Governance No. 7 Cont...

|   |                                                                                       |         |
|---|---------------------------------------------------------------------------------------|---------|
|   | Disruptive or Abusive Citizens and Customers Policy 1.052                             |         |
| 4 | Attachment 23 (Attachment Booklet 6) - Competitive Neutrality Complaints Policy 1.032 | 7 Pages |

|                      |                                                                                                       |
|----------------------|-------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                          |
| <b>Submitted by:</b> | Corporate Administration Officer                                                                      |
| <b>Reference:</b>    | <b>ITEM GOV8/21</b>                                                                                   |
| <b>Subject:</b>      | <b>REGULATORY &amp; OPEN SPACE - FUNERARY AND MONUMENT/MASONRY SERVICES POLICY - DRAFT NEW POLICY</b> |

|                                                               |                                                                                                                                                                  |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                  |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities. |
| <b>CSP Strategy:</b>                                          | Council's decision making processes are open, accountable and based on sound integrated planning.                                                                |
| <b>CSP Delivery Program</b>                                   | Promote and support community involvement in Council decision making process.                                                                                    |

### SUMMARY

The purpose of this report is to present to Council a new draft Funerary and Monument/Masonry Services Policy for placement on public exhibition and adoption if no submissions are received.

### OFFICER'S RECOMMENDATION:

#### That Council:

- (1) Place the Draft Funerary and Monument/Masonry Services Policy - 3.060 and Council's Corporate Induction Handbook for Funerary and Monument Mason Providers on public exhibition for 14 days; and**
- (2) Adopt the Draft Funerary and Monument/Masonry Services Policy - 3.060 and Council's Corporate Induction Handbook for Funerary and Monument Mason Providers if no comments are received through the public exhibition period.**

### BACKGROUND

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

### REPORT:

Council adopted the original Funerary and Monument/Masonry Services Policy on 26 August 2009, (Res No 1194/09) with the adoption of a further three (3) versions since.

This new policy (Attachment 24 (Attachment Booklet 7)) is to provide clear direction for the administration of funerary and monument/masonry services who are not Council's employees or Council contractors. The policy advises of responsibilities with regard to Work Health and Safety, Risk Management and Public Liability whilst undertaking activities at the cemeteries, memorial wall/gardens controlled and managed by Tenterfield Shire Council.

Our Governance No. 8 Cont...

The purpose of Council's Corporate Induction Handbook for Funerary and Monument Mason Providers (Attachment 25 (Attachment Booklet 7)) is to help providers understand Council's safety system and conduct standards, so that when work is carried out in a Tenterfield Shire Council Cemetery, all funerary and monument mason providers can be a part of our safety system and uphold our conduct standards for the benefit of community, employees, clients, bereaved families and Tenterfield Shire Council. This will be an online booklet that anyone can complete in their own time and will be issued with a card that lasts for two (2) years from the date of issue. The induction lasts for two (2) years and is the responsibility of the providers, not Council, to refresh the induction details.

The Policy and Council's Corporate Induction Handbook for Funerary and Monument Mason Providers will be on public exhibition for a period of 14 days. If no community comments are received, the Policy and Handbook will be adopted.

### **COUNCIL IMPLICATIONS:**

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

The Policy and Council's Corporate Induction Handbook for Funerary and Monument Mason Providers will be on public exhibition for a period of 14 days.

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

- Public Health Act (NSW) 2010 and regulations under the Act, especially the 'Public Health Regulation 2012' (Disposal of Bodies) as amended
- AS4204 - Australian Standards Association "Headstones in Cemetery Monuments
- The Burra Charter (The Australia ICOMOS charter for places of cultural significance).
- Cemeteries and Crematoria Act 2013
- Local Government Act, 2013
- Crowns Land Act, 1989
- Tenterfield Local Environmental Plan (LEP), 2013

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

Nil.

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

Nil.

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

Nil.

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

Up to date and clear policies assists in mitigating the risk of Funerary and Monument Mason providers not abiding by the abovementioned Acts, other legislative requirements and Council's Standards.

#### **7. Performance Measures**

Council's policies are current, up to date and readily available to the community and Council staff.



Our Governance No. 8 Cont...

### 8. Project Management

Nil.

**Paul Della**

**Actg Chief Corporate Officer**

|                               |                                                                                                                                |             |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------|
| Prepared by staff member:     | Jodie Condrick                                                                                                                 |             |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                                                                            |             |
| Department:                   | Office of the Chief Corporate Officer                                                                                          |             |
| Attachments:                  | <b>1</b> Attachment 24 (Attachment Booklet 7) - Draft new Funerary & Monument/Masonry Services Poilicy 3.060                   | 7<br>Pages  |
|                               | <b>2</b> Attachment 25 (Attachment Booklet 7) - Council's Corporate Induction Handbook for Funerary & Monument Mason Providers | 12<br>Pages |

|                      |                                                                                                                           |
|----------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                                                                              |
| <b>Submitted by:</b> | Corporate Administration Officer                                                                                          |
| <b>Reference:</b>    | <b>ITEM GOV9/21</b>                                                                                                       |
| <b>Subject:</b>      | <b>LOCAL ORDERS FOR THE KEEPING OF ANIMALS IN URBAN AREAS OF TENTERFIELD SHIRE POLICY - 3.120 - REVIEW OF SUBMISSIONS</b> |

|                                                               |                                                                                                                                                                  |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                  |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities. |
| <b>CSP Strategy:</b>                                          | Council's decision making processes are open, accountable and based on sound integrated planning.                                                                |
| <b>CSP Delivery Program</b>                                   | Promote and support community involvement in Council decision making process.                                                                                    |

## SUMMARY

The purpose of this report is to provide Council with a submission received by a member of the public raising an objection to the proposed changes and some additional amendments for consideration, and to adopt the Policy 3.120 - Local Orders for Keeping of Animals in Urban Areas of Tenterfield Shire.

## OFFICER'S RECOMMENDATION:

**That Council:**

- (1) Notes the receipt of the attached submission; and**
- (2) Adopts the Local Orders for Keeping of Animals in Urban Areas of Tenterfield Shire Policy 3.120 as per Attachment 26 (Attachment Booklet 7).**

## BACKGROUND

The Local Orders for the Keeping of Animals in Urban Areas of Tenterfield Shire Policy seeks to provide clear direction to the Tenterfield Shire community, of Council's responsibilities and regulatory powers concerning the keeping of animals in the Tenterfield Shire and the process which Council uses to determine when to enforce the controls within this policy.

As such, it is not the intent of the Council nor the policy to enforce controls within this policy in the first instance, but to work with owners of domestic animals to ensure that the keeping of domestic animals does not have adverse impact on adjoining properties.

A report was put up to Council on 25 November 2020 to endorse and place the Draft Policy for Local Orders for the Keeping of Animals in Urban Areas of Tenterfield Shire on public exhibition for 42 days. This Policy was on public exhibition from 1 December 2020 with submissions closing on 11 January 2021.

## REPORT:

Council has received one (1) submission which is attached to this report, objecting to the proposed changes from the distance of 30m to 10m to a residential dwelling as this

Our Governance No. 9 Cont...

will directly impact the health, property value, quality of life and lifestyle of many village residents by bringing large ruminant animals closer to where people live, eat, entertain and sleep and have some additional amendments for consideration.

This submission also contained additional proposals to include:

- Water for domestic livestock;
- Water troughs location;
- Location of Fixed or movable feeding structures;
- Stockpiling of hay and large amounts of feed;

Whilst staff acknowledge the concern, however livestock have been within the RU5 area of Tenterfield for many years now and in Council records no medical reports have been reported in relation to Q Fever or Zoonotic Disease, and these concerns have been addressed by only allowing 1 animal per half hectare of pastured land on vacant building block as stated within the policy.

After speaking with other Government bodies, it is found that a closer distance to livestock is not a contributing factor if an individual was to contract Q Fever or any other airborne disease.

As stated within Council's Tenterfield Local Environmental Plan, 2013 no intensive agriculture is permitted in an RU5 area.

Council are trying to reduce overgrown blocks of land within the RU5 Village area by placing a number of animals on these vacant lots to graze, which will contribute to eliminating any fire risks. By reducing the distance this will assist to alleviate long grass, eliminate neighborhood concerns, and assist in vermin control.

## **COUNCIL IMPLICATIONS:**

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

The Locals Orders for the Keeping of Animals in Urban Areas of Tenterfield Shire was on exhibition for a period of 42 days.

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

- The Local Orders for the Keeping of Animals in Urban Areas of Tenterfield Shire Policy – 3.120;
- Tenterfield Local Environmental Plan 2014 ;
- Local Government Act 1993;
- Local Government (General) Regulations 2005;
- Companion Animals Act 1998;
- Companion Animals Amendment Act 2001 and 2006; and
- Companion Animals Regulation.

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

Nil.

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

Nil.

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

Nil.

Our Governance No. 9 Cont...

**6. Legal and Risk Management**

Up to date and clear policies assists in mitigating the risk of staff not abiding by the Local Government Act 1993, Local Government (General) Regulations and other legislative requirements.

**7. Performance Measures**

Council's policies are current, up to date and readily available to the community and Council staff.

**8. Project Management**

Nil.

**Paul Della**  
**Actg Chief Corporate Officer**

|                               |                                                                                                                                      |             |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Prepared by staff member:     | Jodie Condrick                                                                                                                       |             |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                                                                                  |             |
| Department:                   | Office of the Chief Corporate Officer                                                                                                |             |
| Attachments:                  | <b>1</b> Submission to Council                                                                                                       | 2<br>Pages  |
|                               | <b>2</b> Attachment 26 (Attachment Booklet 7) - Local Orders for Keeping of Animals in Urban Areas of Tenterfield Shire Policy 3.120 | 12<br>Pages |

44 Riley Street  
Tenterfield  
NSW 2372  
5<sup>th</sup> December 2020

Tenterfield Shire Council  
PO Box 214,  
Tenterfield  
NSW 2372

**RE: Submission to Council - ITEM GOV86/20 - Changes to Local Orders for the Keeping of Animals in Urban Areas of Tenterfield Shire – Policy 3.120**

Dear Sir/Madam,

Tenterfield promotes itself as a shire with quality natural, heritage and lifestyle assets to attract visitors and new residents alike. The recent COVID pandemic has reinforced many people's desire to live in regional Australia, as demonstrated by the recent surge in properties for sale within Tenterfield shire. However, most new residents are moving to experience a regional lifestyle in a semi-urban/village setting, not to experience a rural lifestyle surrounded by cattle and other livestock with the associated issues of flies, smell, damage to plants and possible health impacts. The Local Orders for the Keeping of Animals in Urban Areas is an important policy for integrating new residents to the shire and advancing Tenterfield as a desirable location to live.

For these reasons, as a ratepayer and resident of Tenterfield, I submit the following objection to the proposed reduction to distance limits for livestock (horses and cattle) in the Local Orders for the Keeping of Animals in Urban Areas on the basis of health risk, nuisance and sanitary grounds. The reduction of distance from residential homes (from 30m to 10m) will directly impact the health, property value, quality of life and lifestyle of many village residents by bringing large ruminant animals closer to where people live, eat, entertain and sleep.

Any residential location in close proximity (<30m) to where stock graze, congregate, defecate and disturb the soil has been shown to be a potential human health and biosecurity risk. Research in both NSW and Qld has shown diseases such as Q fever are transmitted on dust and debris up to 5km by prevailing winds and that current residential exclusion zones around livestock holdings may be inadequate to contain this zoonotic disease. Eastwood (2018) found that ½ of all Q fever cases in NSW between 2011-15 were due to indirect contact with livestock and other carriers, which included many cases in urban areas without livestock employment associations. Q fever has been directly linked to miscarriage in Northern NSW (Marks and Olenski, 2019) and the Northern NSW area is known to have higher rates of Q fever infection than other parts. NSW Health itself stipulates that yard facilities for ruminants must be well away from residential domestic living areas, manure should be buried or composted, and dust and aerosol (vapour) must be minimised to reduce potential exposure to Q fever. The reduction of distance limits to only 10m does not reflect best practice and exposes urban residents to significant health risk, particularly the young and elderly in the community.

In addition to these health risks, livestock are well known for grazing neighbours' trees and shrubs, attracting flies and other insects, and causing bad odours from manure and other waste. Tenterfield Shire Council can prevent the conflict caused between neighbours by the increased noise, odour and

flies in close proximity to their home, by retaining the existing 30m distance limit for horses and cattle. This would also reduce the number of enquiries and complaints council staff receive on this issue, and address increasing community concerns related to land management and noise (Tenterfield Annual State of the Environment Report, 2017/18).

Tenterfield shire has over 450,000ha of agricultural land (RU1 primary production) suitable for livestock production, while the Shire villages represent a very small percentage of land dedicated to uses, services and facilities that are associated with a rural village. The Tenterfield LEP expressly prohibits agriculture, including commercial livestock production, within this RU5 Village zone. Obvious exemptions exist for the showground and school agricultural land, as these are not commercial operations, and are dedicated to education. However, the value of properties adjoining vacant land with cattle and horses are likely to drop due to the increased level of noise, dust and odour associated with a reduced buffer distance, through no fault of their own. This situation is unlikely to encourage new residents to the town and may make the difference between buying in Tenterfield or other northern tableland towns, such as Glen Innes or Stanthorpe.

The majority of landholders running livestock within the town limits are sympathetic to their direct neighbours and maintain some separation between livestock and people's homes. In situations where livestock cause nuisance and an amicable solution between neighbours cannot be reached, the Local Orders for the Keeping of Animals in Urban Areas provides clear guidelines on what is acceptable to health, lifestyle and animal husbandry.

The stipulation for stables and sheds to be located at least 30m from other buildings, where animals congregate and defecate, is consistent with the intent of the policy, NSW Health guidelines and the previous distance restrictions. The following additional points are proposed for inclusion as applicable regulations specifically with regard to livestock water and feeding points:

- Water for domestic livestock must not be supplied from Tenterfield potable (treated) water supplies, in recognition of current drought conditions and ongoing water restrictions for all ratepayers.
- Water troughs must be located at least 30m from any building or dwelling to minimise the potential biosecurity risk to residents (dust), and the nuisance from noise, dust and odour by stock congregation when watering, consistent with stables and sheds.
- Fixed or moveable feeding structures must be at least 30m from buildings or dwellings, to minimise biosecurity risks and nuisance.
- Prohibit the stockpiling of hay and large amounts of feed on smaller blocks in the residential zone which may become a site for increased allergens such as mould, a biosecurity risk if purchased outside of the region, encourage vermin and a fire risk to the town.

Policies to manage conflict with animals in urban areas are in place in many shires in NSW as recognition of the rights of the individual to live in their home without being affected by another's actions. Families should be able to live, laugh and be happy without health risks, nuisance from flies, offensive smells, noise or conflict with neighbours. Maintaining the 30m distance limit for livestock is the correct way to do this.

Regards,



Dirk Richards

|                      |                                                          |
|----------------------|----------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>             |
| <b>Submitted by:</b> | Actg Manager Finance & Technology Jess Wild              |
| <b>Reference:</b>    | <b>ITEM GOV10/21</b>                                     |
| <b>Subject:</b>      | <b>QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2020</b> |

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

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

#### **SUMMARY**

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

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

**That Council adopts the December 2020 Quarterly Budget Review Statement noting that the previous recommendations from the September Quarterly Budget Review still stand notwithstanding that there has been an increase to the projected deficit that is outside of Council's control.**

#### **BACKGROUND**

Regulation 203 of the Regulation states that:

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

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

Our Governance No. 10 Cont...

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

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

#### **REPORT:**

The original budget adopted by Council indicated that the Net Operating Surplus at the end of the 2020/21 financial year was expected to be \$17,515,687 (including Capital Grants and Contributions). This was based on budgeted total operating revenue of \$40,253,761 and budgeted total operating expenditure of \$22,738,074.

In the September 2020 quarterly budget review, the net effect of changes made resulted in a decrease of \$1.650M from the projected surplus of the original budget, to result in a projected Net Operating Deficit of **(\$1.375M)**. The Operating Surplus was \$37.056M when capital grants and contributions were included.

In the December 2020 quarterly budget review, the net effect of changes has resulted in additional operational expenditure of \$640K, to result in a projected Net Operating Deficit of **(\$1.965M)**. The Operating Surplus is now \$37.158M when capital grants and contributions are included.

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

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

$$\frac{\text{Total Continuing Operating Revenue (excluding Capital grants and contributions)} - \text{Operating Expenses}}{\text{Total Continuing Operating Revenue}}$$

Council originally budgeted for a positive Operating Ratio (surplus) both including and excluding Capital income of 43.51% percent and 1.19% percent respectively. This changed in the September 2020 Quarterly Budget Review to 58.73% and -5.57% respectively. After the budget changes made in the December 2020 review, these ratios are now 58.29% and -7.98% respectively.

#### **Comment by the Responsible Accounting Officer:**

While I have indicated that the projected financial position as at 30 June 2021 is unsatisfactory, the main reason for the worsened result is due to timing differences between when grant funding has been received versus when it is scheduled to be spent.

Having said that, it is fair to say that Council's depreciation costs have increased substantially over the past few years as new infrastructure has been built on the back of a significant increase in grant funds and other costs have increased or revenue decreased too as a result of the drought and fires. The rate peg and cost shifting from the State to Councils has also had an impact on Council's bottom line.



Our Governance No. 10 Cont...

Council cut budgets significantly as part of the 2020/21 budget process but it was clear after the September Quarterly Budget Review that more needed to be done and as required under the act some remedial actions were proposed and adopted as part of that review including that:

- a) No additional operating or capital expenditure outside of the recommendations in this review be approved by Council unless they are offset by other savings (eg with roads for example, resheeting, with a plan to reduce maintenance costs) or grant funded and even then only where there will be no additional operating costs as a result of the expenditure ie if capital related expenditure, it should be for the replacement of existing assets only, not new assets.
- b) As part of Council's new Asset Management System implementation and asset revaluation processes for 2020/21, a thorough review of depreciation be undertaken to ascertain if depreciation expenditure can be reduced and that further discussions be held with the State Government re them taking back some roads from Council;
- c) That correspondence be sent to the Australian Accounting Standards Board re the issue of having to recognise some grant income in a different accounting period to when the expenditure will be incurred;
- d) That the issue of rate pegging and cost shifting be raised again in appropriate forums; and
- e) That a plan be developed to increase operational income and further reduce operational expenditure that as per previous discussions and comments in the Monthly Operational Report, such a plan may include a special rates variation request with a view to returning Council's operating position to surplus.

With regard to e) above, Council staff have met to discuss a plan for reducing operational expenditure and further meetings are planned to finalise a document for distribution to all staff and Councillors.

As can be see, there have been additional cost pressure and revenue reductions to Council which have worsened the year end result by \$640K however some savings have been found across Council that mitigated this being an even higher figure and all of the reasons for the increase are outside of Council's control. While the above may not return the operating position to surplus by 30 June 2021, the aim is to continue to ensure the sustainability of Council in the longer term.

A summary of the movement in the operating position of Council from the small surplus in the adopted Operational Plan to the current position is provided as an attachment to this report.

### **Water Fund**

Based on the Original Budget, the Water Fund had been expected to make a surplus of \$189,070 excluding capital grants and contributions, however based on figures to the end of September 2020, this surplus decreased slightly to \$172,213. It should be noted that as at 30 September, the Water Fund was effectively borrowing cash from the General Fund pending the receipt of outstanding amounts from the Drought Augmentation works (this funding has since been received in October).

Our Governance No. 10 Cont...

As a result of the December 2020 review, the Water Fund operating surplus (excluding capital grants and contributions) decreased to \$115,713.

### **Cash and Investment Review:**

The cash and investment review provides an estimate of the current internal and external restrictions on Council's invested funds. These are not fully determined until the end of the Financial Year and these figures have been updated in the December Quarterly Budget Review to reflect updates to grant balances and other movement in both internally and externally restricted cash.

### **Developer Contributions**

Current balances of Developer Contribution Accounts are:

|                                   |          |
|-----------------------------------|----------|
| Plan Preparation & Administration | \$1,176  |
| Emergency Services                | \$3,096  |
| Community & Civic Facilities      | \$1,713  |
| Open Space, Sporting & Recreation | \$580    |
| Roads                             | \$68,515 |
| 7.12 Contributions                | \$3,490  |
| Water Fund                        | \$6,226  |
| Sewer Fund                        | \$7,576  |
| Waste Fund                        | \$4,237  |
| Stormwater Fund                   | \$395    |

### **Internally Allocated (Restricted) Cash**

Other changes to internally restricted cash which Council has control over are:

|                                                          |        |
|----------------------------------------------------------|--------|
| Rural Fire Service Unspent Funds                         | \$52K  |
| Roads & Bridges (pending outcomes of grant applications) | \$447K |

It should be noted that Council is awaiting payment for a number of outstanding receivables from the 2019-20 Financial Year, particularly for Disaster Recover Funding Arrangements (DRFA) works carried out after fires and storms. Once these funds are received they will also need to be internally allocated (restricted) to bring these allocations up to levels that had previously been approved and allocated for the plant fund and other projects.

The report also includes a reconciliation of Council's cash and investments on hand as at 31 December 2020.

This report also requires a statement in respect of whether all investments are in accordance with the requirements of Section 625 of the Local Government Act 1993, the accompanying Regulation and Council's Investments Policy.

This statement, in combination with the monthly investment report, ensures that Council is complying with these statutory, regulatory and policy requirements.

Further, a declaration as to the preparation of bank reconciliations is also required. Bank reconciliations occur on a daily basis with a full reconciliation performed on a monthly basis. The full reconciliation for the December 2020 quarter occurred on 4 January 2021.

Our Governance No. 10 Cont...

### **Capital Budget Review:**

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

The September review increased Capital Works Expenditure by \$28.8 million, mainly due to grant projects carried-forward from the 2019/20 financial year, as well additional Council-funded works (the majority of which were planned 2019/20 projects which were either not begun or incomplete in that year).

This December 2020 review proposes to increase Capital Works Expenditure by \$1 million, mainly resulting from new grant-funded projects for Transport and the BCRRF grant for the Memorial Hall. There is also some additional Council-funded capital works within the Water service area.

### **Contracts:**

The Reporting Framework requires the identification of contracts entered into in the preceding quarter, which exceed specified expenditure limits. The limit for reporting contracts in the QBRS is one percent (1%) of revenue from continuing operations, or \$50,000, whichever is less.

### **Consultancy and Legal Expenses:**

The current expenditure to 31 December 2020 on qualifying consultancies and legal fees are identified in the QBRS and this expenditure is budgeted for and, given the size and nature of Council's operations, is considered reasonable.

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

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

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

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

In the September Quarterly Budget Review, the Operating Surplus was revised to \$37.056M (including capital grants) and **(\$1,375M)** (excluding capital grants).

The December Quarterly Budget Review has seen the Operating Surplus/(Deficit) be revised to \$37.158M (including capital grants) and **(\$1.965M)** (excluding capital grants).

Our Governance No. 10 Cont...

As indicated the deficit excluding capital grants is not a satisfactory outcome in my view and therefore remedial action has been proposed in accordance with the Local Government Act.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

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

**7. Performance Measures**

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

**8. Project Management**

Nil.

**Paul Della**  
Actg Chief Corporate Officer

|                               |                                                                                                        |          |
|-------------------------------|--------------------------------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Paul Della; Jessica Wild                                                                               |          |
| Approved/Reviewed by Manager: | Paul Della, Acting Chief Corporate Officer                                                             |          |
| Department:                   | Office of the Chief Corporate Officer                                                                  |          |
| Attachments:                  | <b>1</b> Attachment 27 (Attachment Booklet 7) - Budget Review for the Quarter Ended - 31 December 2020 | 10 Pages |

|                      |                                                               |
|----------------------|---------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                  |
| <b>Submitted by:</b> | Actg Manager Finance & Technology Jess Wild                   |
| <b>Reference:</b>    | <b>ITEM GOV11/21</b>                                          |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 DECEMBER 2020</b> |

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

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

#### **SUMMARY**

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

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

**That Council receive and note the Finance and Accounts Report for the period ended 31 December 2020.**

#### **BACKGROUND**

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

#### **REPORT:**

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

#### (a) Reconciliation of Accounts

A reconciliation of the cash books of all funds have been carried out with the appropriate bank statements as at 31 December 2020.

Cash Book Balances on this date were as follows:-

|                        |                |        |
|------------------------|----------------|--------|
| General (Consolidated) | \$5,684,072.51 | Credit |
| General Trust          | \$ 313,266.50  | Credit |

Our Governance No. 11 Cont...

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 31 December 2020 showing the various invested amounts and applicable interest rates.

**Concealed Water Leakage Concession Policy Update**

For the month of December 2020 no concessions were granted under Council's Concealed Water Leakage Concession Policy.

**603 Certificates**

Number of applications for 603 Certificates as to Rates and Charges. During the sale of a property a 603 Certificate is usually requested to identify if there are any outstanding or payable fees to Council by way of rates, charges or otherwise in respect of a parcel of land. There were 24 applications for 603 Certificates in December 2020. In the calendar year to date, there have been 279 applications compared to 193 applications for the same period last year.

**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.

**Paul Della**  
**Actg Chief Corporate Officer**

Our Governance No. 11 Cont...

|                               |                                                      |                  |
|-------------------------------|------------------------------------------------------|------------------|
| Prepared by staff member:     | Paul Della; Jessica Wild                             |                  |
| Approved/Reviewed by Manager: | Paul Della, Acting Chief Corporate Officer           |                  |
| Department:                   | Office of the Chief Corporate Officer                |                  |
| Attachments:                  | <b>1</b> Investment Report as at 31<br>December 2020 | <b>1</b><br>Page |

**TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 31 DECEMBER 2020**

| Financial Institution            | Issuer Rating | Investment Term | Maturity Date | Interest Rate | Amount              | Percentage Exposure |
|----------------------------------|---------------|-----------------|---------------|---------------|---------------------|---------------------|
| NAB                              | AA-           | 60 Days         | 23/Feb/21     | 0.25%         | 3,000,000.00        | 32.00%              |
| <b>TOTAL NAB INVESTMENTS</b>     |               |                 |               |               | <b>3,000,000.00</b> | <b>32.00%</b>       |
| Commonwealth Bank                | AA-           | At Call         |               | 0.01%         | 1,374,299.80        | 14.66%              |
| Commonwealth Bank                | AA-           | 2 Months        | 29/Jan/21     | 0.28%         | 3,000,000.00        | 32.00%              |
| <b>TOTAL CBA INVESTMENTS</b>     |               |                 |               |               | <b>4,374,299.80</b> | <b>46.66%</b>       |
| Westpac                          | AA-           | 3 Months        | 29/Jan/21     | 0.42%         | 2,000,000.00        | 21.33%              |
| <b>TOTAL WESTPAC INVESTMENTS</b> |               |                 |               |               | <b>2,000,000.00</b> | <b>21.33%</b>       |
| <b>INVESTMENTS TOTAL</b>         |               |                 |               |               | <b>9,374,299.80</b> | <b>100.00%</b>      |

**Summary**

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

\_\_\_\_\_  
**Responsible Accounting Officer**

**By:**

\_\_\_\_\_  
P. Della

\* Except as highlighted in the associated Council Report.



|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>                 |
| <b>Submitted by:</b> | Actg Manager Finance & Technology Jess Wild                  |
| <b>Reference:</b>    | <b>ITEM GOV12/21</b>                                         |
| <b>Subject:</b>      | <b>FINANCE &amp; ACCOUNTS - PERIOD ENDED 31 JANUARY 2021</b> |

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

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

#### **SUMMARY**

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

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

**That Council receive and note the Finance and Accounts Report for the period ended 31 January 2021.**

#### **BACKGROUND**

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

#### **REPORT:**

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

#### (a) Reconciliation of Accounts

A reconciliation of the cash books of all funds have been carried out with the appropriate bank statements as at 31 January 2021.

Cash Book Balances on this date were as follows:-

|                        |                |        |
|------------------------|----------------|--------|
| General (Consolidated) | \$3,838,687.19 | Credit |
| General Trust          | \$ 313,266.50  | Credit |

Our Governance No. 12 Cont...

(b) Summary of Investments

The attachment to this report is a certified schedule of all Council's investments as at 31 January 2021 showing the various invested amounts and applicable interest rates.

**Concealed Water Leakage Concession Policy Update**

For the month of January 2021 one concession was granted to the value of \$567.62 under Council's Concealed Water Leakage Concession Policy.

**603 Certificates**

Number of applications for 603 Certificates as to Rates and Charges. During the sale of a property a 603 Certificate is usually requested to identify if there are any outstanding or payable fees to Council by way of rates, charges or otherwise in respect of a parcel of land. There were 29 applications for 603 Certificates in January 2021. In the calendar year to date, there have been 29 applications compared to 9 applications for the same period last year.

**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.

**Paul Della**  
**Acting Chief Corporate Officer**

Our Governance No. 12 Cont...

|                               |                                                     |           |
|-------------------------------|-----------------------------------------------------|-----------|
| Prepared by staff member:     | Paul Della; Jessica Wild                            |           |
| Approved/Reviewed by Manager: | Paul Della, Acting Chief Corporate Officer          |           |
| Department:                   | Office of the Chief Corporate Officer               |           |
| Attachments:                  | <b>1</b> Investment Report as at 31<br>January 2021 | 1<br>Page |

**TENTERFIELD SHIRE COUNCIL - SUMMARY OF INVESTMENTS 31 JANUARY 2021**

| Financial Institution                   | Issuer Rating | Investment Term | Maturity Date | Interest Rate | Amount                     | Percentage Exposure  |
|-----------------------------------------|---------------|-----------------|---------------|---------------|----------------------------|----------------------|
| NAB                                     | AA-           | 60 Days         | 23/Feb/21     | 0.25%         | 3,000,000.00               | 28.93%               |
| <b><u>TOTAL NAB INVESTMENTS</u></b>     |               |                 |               |               | <b><u>3,000,000.00</u></b> | <b><u>28.93%</u></b> |
| Commonwealth Bank                       | AA-           | 2 Months        | 30/Mar/21     | 0.24%         | 4,370,000.00               | 42.14%               |
| <b><u>TOTAL CBA INVESTMENTS</u></b>     |               |                 |               |               | <b><u>4,370,000.00</u></b> | <b><u>42.14%</u></b> |
| Westpac                                 | AA-           | 3 Months        | 29/Apr/21     | 0.19%         | 3,000,000.00               | 28.93%               |
| <b><u>TOTAL WESTPAC INVESTMENTS</u></b> |               |                 |               |               | <b><u>3,000,000.00</u></b> | <b><u>28.93%</u></b> |
| <b>INVESTMENTS TOTAL</b>                |               |                 |               |               | <b>10,370,000.00</b>       | <b>100.00%</b>       |

**Summary**

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

\_\_\_\_\_  
**Responsible Accounting Officer**

**By:**

\_\_\_\_\_  
P. Della

\* Except as highlighted in the associated Council Report.

|                      |                                                         |
|----------------------|---------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b>            |
| <b>Submitted by:</b> | Actg Manager Finance & Technology Jess Wild             |
| <b>Reference:</b>    | <b>ITEM GOV13/21</b>                                    |
| <b>Subject:</b>      | <b>CAPITAL EXPENDITURE REPORT AS AT 31 JANUARY 2021</b> |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <b>CSP Delivery Program</b> | Collaborate and deliver resources with other organisations to ensure a variety of cost effective services across the service area.                                 |

#### **SUMMARY**

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

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

**That Council receive and note the Capital Expenditure Report for the period ended 31 January 2021.**

#### **BACKGROUND**

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.

#### **REPORT:**

The carry-forward budgets for capital projects not completed in 2019/20 were presented in the first Quarterly Budget Review. These projects account for the most significant capital expenditure variances at this stage of the financial year, which is to be expected.

Staff have been reminded to proceed with their capital projects as early as possible in the year, so that the funds can be spent within the financial year as per the operational plan and budget. This will avoid excessive carry forward projects across future financial years.

#### **COUNCIL IMPLICATIONS:**

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

Nil.

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

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

Our Governance No. 13 Cont...

**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.

**Paul Della**

**Acting Chief Corporate Officer**

Prepared by staff member:

Paul Della; Jessica Wild

Approved/Reviewed by Manager:

Paul Della, Acting Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

|          |                                                                                         |         |
|----------|-----------------------------------------------------------------------------------------|---------|
| <b>1</b> | Attachment 28 (Attachment Booklet 8) - Capital Expenditure Report as at 31 January 2021 | 3 Pages |
|----------|-----------------------------------------------------------------------------------------|---------|

|                      |                                              |
|----------------------|----------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Corporate Officer</b> |
| <b>Submitted by:</b> | Actg Manager Finance & Technology Jess Wild  |
| <b>Reference:</b>    | <b>ITEM GOV14/21</b>                         |
| <b>Subject:</b>      | <b>REPORT ON LOAN BALANCES</b>               |

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

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council is a financially sustainable organisation, delivering value services to the Community.                                                                     |
| <b>CSP Delivery Program</b> | 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 31 December 2020.

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

**That Council notes the loan balance as at 31 December 2020 was \$9,987,515.76 (\$10,207,684.52 as at 30 September 2020).**

#### **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 31 December 2020 was \$9,987,515.76 (\$10,207,684.52 as at 30 September 2020).

#### **COUNCIL IMPLICATIONS:**

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

Council's projected loan borrowings are included in the 2020/21 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.

Our Governance No. 14 Cont...

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Paul Della**

**Acting Chief Corporate Officer**

Prepared by staff member:

Paul Della; Jessica Wild

Approved/Reviewed by Manager:

Paul Della, Acting Chief Corporate Officer

Department:

Office of the Chief Corporate Officer

Attachments:

**1** Loan Register as at 31 December  
2020

1  
Page



**Tenterfield Shire Council**  
**Loans Schedule**  
**31-December-2020**

| Loans Details |                                  |           |                                |               |            |                  |                            | Principal                                |
|---------------|----------------------------------|-----------|--------------------------------|---------------|------------|------------------|----------------------------|------------------------------------------|
| FUND          | PURPOSE                          | AMOUNT    | OBTAINED FROM                  | DATE OBTAINED | DUE DATE   | RATE OF INTEREST | INTERVALS AT WHICH PAYABLE | Principal Balance as at 31 December 2020 |
| General Fund  | Infrastructure 2019/20           | 1,000,000 | Commonwealth Bank of Australia | 15/06/2020    | 15/06/2040 | 2.90%            | Half Yearly                | 981,410.52                               |
| General Fund  | Main Street Upgrade              | 1,200,000 | National Australia Bank        | 25/02/2015    | 25/02/2025 | 3.70%            | Half Yearly                | 594,605.37                               |
| Sewer         | New Sewerage Treatment Plant     | 2,500,000 | National Australia Bank        | 30/05/2008    | 30/05/2033 | 7.81%            | Half Yearly                | 1,806,101.65                             |
| Water         | Dam Wall Construction (1)        | 3,450,000 | ANZ                            | 25/05/2018    | 25/05/2038 | 3.95%            | Half Yearly                | 3,151,050.44                             |
| Water         | Dam Wall Construction (2)        | 3,051,000 | Commonwealth Bank of Australia | 5/06/2019     | 6/06/2022  | 2.52%            | Half Yearly                | 2,871,874.99                             |
| Water         | Urbenville Water Treatment Plant | 375,000   | National Australia Bank        | 5/02/2009     | 5/02/2033  | 6.47%            | Half Yearly                | 275,584.69                               |
| Waste         | Rehabilitation                   | 1,250,000 | National Australia Bank        | 21/12/2012    | 21/12/2022 | 5.45%            | Quarterly                  | 306,888.10                               |
| <b>TOTAL</b>  |                                  |           |                                |               |            |                  |                            | <b>9,987,515.76</b>                      |

**(ITEM RC1/21)** REPORTS OF COMMITTEES & DELEGATES - SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS JOINT MANAGEMENT COMMITTEE - THURSDAY, 15 OCTOBER 2020

---

**REPORT BY:** Manager Economic Development & Community Engagement, Harry Bolton

A meeting of the Sir Henry Parkes Memorial School of Arts Joint Management Committee was held at the School of Arts on Thursday, 15 October 2020. Minutes of the Meeting are attached.

**RECOMMENDATION**

**That the report of the Sir Henry Parkes Memorial School of Arts Joint Management Committee of 15 October 2020 be received and noted.**

**ATTACHMENTS**

**1** Minutes of Meeting 3 Pages



**MINUTES OF  
SIR HENRY PARKES MEMORIAL SCHOOL  
OF ARTS JOINT MANAGEMENT  
COMMITTEE  
THURSDAY, 15 OCTOBER 2020**

MINUTES OF THE **Sir Henry Parkes Memorial School of Arts Joint Management Committee** OF TENTERFIELD SHIRE held at the Sir Henry Parkes Memorial School of Arts on Thursday, 15 October 2020 commencing at 2.00 pm.

**ATTENDANCE**

Ms Kylie Smith (Actg Chief Executive)  
Mr Harry Bolton (Manager Economic Development & Community Engagement)  
Mr Peter Jeffrey – Friends of the School of Arts  
Mrs Christine Dennis – Friends of the School of Arts  
Mr David Stewart – National Trust Australia (NSW)

**DISCLOSURE OF INTEREST:** Nil.

*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.*

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This is page 1 of the Minutes of the Sir Henry Parkes Memorial School of Arts Joint Management Committee held on Thursday, 15 October 2020

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**MINUTES OF SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS JOINT**  
**MANAGEMENT COMMITTEE** **15 OCTOBER 2020**

---

**APOLOGIES**

**Resolved** that the apologies from Mayor Peter Petty, Deputy Mayor Greg Sauer, Chief Executive Mr Terry Dodds and Mr Ken Halliday (Friends of the School of Arts) be received and accepted.

Noted that Dr Ian Unsworth has resigned from the Committee as the National Trust Australia (NSW) representative.

(Harry Bolton/Christine Dennis)

**CONFIRMATION OF MINUTES**

**Resolved** that the Minutes of the Sir Henry Parkes Memorial School of Arts Joint Management Committee held on Thursday, 15 August 2019, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Peter Jeffrey/Christine Dennis)

**OFFICERS' REPORTS**

**(ITEM CEO24/20) MUSEUM/CINEMA/THEATRE SERVICES**

**SUMMARY**

This report is to update and summarises the Sir Henry Pares Memorial School of Arts Museum/Cinema/Theatre operations for YTD 2020.

**Resolved** that the Manager of Economic Development & Community Engagement Report for the Sir Henry Parkes Memorial School of Arts "Museum/Cinema/Theatre Services" be received and noted.

(Harry Bolton/Christine Dennis)

**REPORT FROM MUSEUM ADVISOR REPORT**

No report available from the Museum Advisor as visits have been delayed due to Covid-19. Mr Bolton advised that the Museum Advisor has maintained contact with the School of Arts and other museums in Tenterfield during this period.

**RESIGNATION OF JOINT COMMITTEE MEMBER**

Mr Bolton advised that Dr Ian Unsworth had tendered his resignation from the Committee and National Trust Australia (NSW) has nominated Mr David Stewart as his replacement.

**GENERAL BUSINESS**

**Museum Redevelopment**

Mrs Christine Dennis raised the issue of Museum redevelopment and Peter Tonkin's report and if there was any further movement on this topic.

Mr Bolton requested that this issue be put on the Agenda for the next meeting as current resources are not available to progress at this stage.

**MINUTES OF SIR HENRY PARKES MEMORIAL SCHOOL OF ARTS JOINT**  
**MANAGEMENT COMMITTEE** **15 OCTOBER 2020**

---

**NEXT MEETING**

2.00 pm on Thursday, 11 March 2021 – Sir Henry Parkes Memorial School of Arts.

There being no further business the Chairperson declared the meeting closed at 3.20 pm.

.....  
Harry Bolton  
Chairperson

**(ITEM RC2/21) REPORTS OF COMMITTEES & DELEGATES - AUDIT & RISK COMMITTEE MEETING - 9 DECEMBER 2020**

---

**REPORT BY:** Manager Customer Service, Governance & Records, Erika Bursford

A meeting of the Audit & Risk Committee was held on Wednesday, 9 December 2020. Minutes of the Meeting are attached.

**RECOMMENDATION**

**That the report of the Audit & Risk Committee of Wednesday, 9 December 2020 be received and noted.**

**ATTACHMENTS**

**1** Minutes of Meeting 6 Pages



**MINUTES OF  
AUDIT & RISK COMMITTEE MEETING  
WEDNESDAY, 9 DECEMBER 2020**

MINUTES OF THE **Audit & Risk Committee Meeting** OF TENTERFIELD SHIRE held via Zoom on Wednesday, 9 December 2020 commencing at 1.00 pm.

**ATTENDANCE**

Councillor Peter Petty (Mayor)  
Councillor Don Forbes  
Mr Peter Sheville - Independent External Member  
Mr Geoff King - Independent External Member & Chair

**ALSO IN ATTENDANCE**

Chief Executive (Terry Dodds)  
Chief Corporate Officer (Kylie Smith)  
Manager Finance & Technology (Paul Della)  
Manager Customer Service, Governance & Records (Erika Bursford)  
Manager HR, Workforce Development & Safety (Wes Hoffman)  
Executive Assistant & Media (Noelene Hyde)  
Financial Advisor (Igor Ivannikov)

*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.*

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This is page 1 of the Minutes of the Audit & Risk Committee held on Wednesday, 9 December 2020

**MINUTES OF AUDIT & RISK COMMITTEE**

**9 DECEMBER 2020**

**DISCLOSURE OF INTERESTS**

That Committee members now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

| <b>Name</b>       | <b>Item</b>                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr Peter Sheville | <ul style="list-style-type: none"> <li>• Chair, BDO Thailand</li> <li>• No longer on Mackay Regional Council Audit Committee</li> </ul>                                                                                                                                                                                                                                                                                                   |
| Mr Geoff King     | <ul style="list-style-type: none"> <li>• Independent Chair of City of Gold Coast Audit &amp; Risk Committee</li> <li>• Independent Member of the Central Highlands Regional Council Audit Committee</li> <li>• Independent Chair of the Mt Isa City Council Audit &amp; Risk Management Committee</li> <li>• Member of the Business Information Systems Advisory Committee for the University of Queensland School of Business</li> </ul> |

**APOLOGIES**

**Resolved** that the apologies for Mr Andrew Page - Independent External Member be received and noted.

(Geoff King/Peter Petty)

**CONFIRMATION OF MINUTES**

**Resolved** that the Minutes of the Audit & Risk Committee meeting held on Wednesday, 9 September 2020, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

(Geoff King/Don Forbes)

**(ITEM CEO25/20) PRESENTATION OF THE 2019/20 FINANCIAL STATEMENTS**

**SUMMARY**

The purpose of this report is to provide a copy of the 2018/19 Audited Financial Statements to the Audit & Risk Committee for information.

Manager Finance & Technology Paul Della noted the following items:

- The Auditors presented at November 2020 Ordinary Council Meeting.
- No Management Letter provided as there were no issues of concern.
- Grant income to June 2019 has affected figures. This will be worse for 2020.
- Concern with decline in underlying budget.
- All deadlines have been met.



**MINUTES OF AUDIT & RISK COMMITTEE**

**9 DECEMBER 2020**

**Resolved** that the Audit & Risk Committee receive and note 2019/2020 Audited Financial Statements.

(Geoff King/Don Forbes)

*Igor Ivannikov left the meeting and Mayor Peter Petty entered, the time being 1.10 pm.*

**(ITEM CEO26/20) QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2020**

**SUMMARY**

The purpose of this report is to provide the Committee with a copy of the Quarterly Budget Review Statement as at 30 September 2020 for information.

Manager Finance & Technology Paul Della noted the following items:

- Need to be alert but not alarmed regarding financial issues with other Councils (Central Coast and Armidale).
- Capital expenditure projects have blown out.
- Plans developed to increase operational income and reduce expenditure.

**Resolved** that the Audit & Risk Committee receive and note the report.

(Don Forbes/Peter Sheville)

**(ITEM CEO27/20) WORKPLACE HEALTH & SAFETY**

**SUMMARY**

The purpose of this report is to advise the Audit & Risk Committee of a summary of Council's Work Health & Safety matters.

Manager HR, Workforce Development & Safety, Wes Hoffman noted the following items:

- Council going over and above requirements for COVID tracing – offering QR code and sign in. Face to face meetings have dropped off but will now increase due to relaxing of restrictions.
- The appointment of a new new WHS & Risk Management Coordinator will result in an increase of visits and instructions to staff.
- Low level concerns regarding socio mental health but will be adding to Risk Register and are managing risks.
- Inspections etc have tapered off and we have seen the result in lost time injuries. However, Council is still well below regional insurance costs.

**Resolved** that the Audit & Risk Committee receive and note the current status of Council Work Health & Safety Summary.

(Don Forbes/Peter Sheville)

**MINUTES OF AUDIT & RISK COMMITTEE**

**9 DECEMBER 2020**

**(ITEM CEO28/20) ENTERPRISE RISK MANAGEMENT**

**SUMMARY**

The purpose of this report is to advise the Audit & Risk Committee of the current status of Council's Enterprise Risk Management.

Manager HR, Workforce Development & Safety, Wes Hoffman noted the following items:

- Council continuing to work with StateWide Mutual "Continuous Improvement Pathway (CIP) 2020/2021" program
- Cost shifting has been added to the Enterprise Risk Management. Emergency Services Levy is a huge risk - 60% increase, not the 24% proposed.

**ACTION:**

**Manager HR, Workforce Development & Safety, Wes Hoffman**

- *Need to examine the top 6 controls - why is this the risk, procedures to mitigate the risk and are the controls correct.*
- *Take 2 of these at each Audit Meeting.*
  - *Open Space Regulatory*
  - *Fleet Power*

*To next meeting.*

- *Develop Risk Rating Matrix to define high, medium and low risk.*

**Resolved** that the Audit & Risk Committee receive and note the current status of Council's Enterprise Risk Management.

(Peter Sheville/Don Forbes)

**(ITEM CEO29/20) FRAUD, MISCONDUCT AND COMPLIANCE BREACHES - 17 JUNE 2020 TO 9 DECEMBER 2020**

**SUMMARY**

The purpose of this report is to provide details of any Fraud, Misconduct and Compliance breaches identified or allegations made, during the period 17 June 2020 to 9 December 2020.

**Resolved** that the Audit & Risk Committee receive and note the report on Fraud, Misconduct and Compliance.

(Don Forbes/Geoff King)

**MINUTES OF AUDIT & RISK COMMITTEE**

**9 DECEMBER 2020**

**(ITEM CEO30/20) TENTERFIELD SHIRE COUNCIL ANNUAL REPORT - 2019/2020**

**SUMMARY**

The purpose of this report is to provide Tenterfield Shire Council's Annual Report for 2019/2020 to the Committee (at the link below), following Council's adoption of the Report on 25 November 2020.

<https://www.tenterfield.nsw.gov.au/your-council/council-documents/annual-reports>

Manager Customer Service, Governance & Records, Erika Bursford, advised that all Statutory requirements have been met and the Office of Local Government advised by the deadline.

**Resolved** that the Audit & Risk Committee note the adoption of the Tenterfield Shire Council Annual Report for 2019/2020.

(Don Forbes/Peter Petty)

**(ITEM CEO31/20) INTERNAL AUDIT PLAN UPDATE - DECEMBER 2020**

**SUMMARY**

The purpose of this report is to present the Internal Audit Plan to each meeting of the Audit & Risk Committee, to advise of progress with Internal Audit activities and to report on implementation of Internal Audit recommendations.

- Fraud Control is the only internal activity to be conducted in 2020/2021 due to Council's financial situation –request for quotes has commenced.
- Payroll will be undertaken in 2021/2022.

Managers have provided additional information on the following:

- IT Systems and Security
- Light Fleet
- Procurement & Tendering

**Resolved** that the Audit and Risk Committee receive and note the Internal Audit Plan Update for December 2020.

(Geoff King/Peter Petty)

**(ITEM CEO32/20) AUDIT & RISK COMMITTEE ANNUAL PLAN**

**SUMMARY**

The purpose of this report is to present the Audit & Risk Committee Annual Plan to each meeting of the Audit & Risk Committee.

**Resolved** that the Audit & Risk Committee receive and note the Audit & Risk Committee Annual Plan items for December 2020.

(Geoff King/Don Forbes)

---

**MINUTES OF AUDIT & RISK COMMITTEE**

**9 DECEMBER 2020**

**GENERAL BUSINESS**

**Maturity of Committee**

Chair Geoff King requested that Committee members consider how the Audit & Risk Committee could look at maturity in terms of risk response moving forward.

**Change of Name of Committee**

Manager Customer Service, Governance & Records, Erika Bursford advised that Council will be implementing the Office of Local Government requirement for the Audit & Risk Committee to become Audit Risk & Improvement Committee by March 2021.

Currently there is a lack of guidelines but a report will be submitted to the February 2021 Ordinary Council Meeting.

There being no further business the Chair declared the meeting closed at 2.22 pm.

.....  
Geoff King  
Chairperson

**(ITEM RC3/21) REPORTS OF COMMITTEES & DELEGATES - MEETING OF PARKS, GARDENS & OPEN SPACES ADVISORY COMMITTEE - 17 DECEMBER 2020**

---

**REPORT BY:** Cr Brian Murray, Chairperson

A meeting of the Parks, Gardens & Open Spaces Advisory Committee was held on Thursday, 17 December 2020. Minutes of the meeting are attached.

**RECOMMENDATION**

**That the report of the Parks and Gardens Committee meeting of 17 December 2020 be received and noted.**

**ATTACHMENTS**

**1** Minutes of Meeting 4 Pages



**MINUTES OF  
PARKS, GARDENS & OPEN SPACE  
ADVISORY COMMITTEE  
THURSDAY, 17 DECEMBER 2020**

MINUTES OF THE **Parks, Gardens & Open Space Advisory Committee** OF TENTERFIELD SHIRE held at the Council Chambers on Thursday 17 December 2020 commencing at 10.03 am.

**ATTENDANCE**

Deputy Mayor, Greg Sauer  
Councillor, Brian Murray (Chairperson)  
Chief Corporate Officer (Kylie Smith)  
Jeff McKillop, (Liston)  
Jan Evans, (Tenterfield),  
Kerrie Andrew (Tenterfield)  
Glen Lamb (Legume)

**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.*

---

This is page 1 of the Minutes of the Parks, Gardens & Open Spaces Advisory Committee held on Thursday, 24 June 2020

**MINUTES OF PARKS AND GARDENS COMMITTEE**

**17 December 2020**

**ACKNOWLEDGMENT OF TOM SHORT PASSING**

Minute silence to remember Tom Short

**DISCLOSURE OF INTERESTS**

Nil.

**APOLOGIES**

Apologies received from, Chief Executive - Terry Dodds, Mayor Peter Petty, Steve Goldthorpe (Urbenville), Colleen Knight, (Tenterfield).

**CONFIRMATION OF MINUTES**

**Resolved** that the Minutes of the Parks, Gardens & Open Space Advisory Committee meeting held on Thursday, 24 September 2020, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

**4. BUSINESS ARISING FROM THE MINUTES**

**a. Investigation - War Helmet**

- Ongoing until decision of a location

**b. Granite Country Platypus Trail**

- Stickers have been installed

**a. Interpretative Signs for Heritage Walk**

- All have been completed

**b. Grant Funding – Stronger Community Grants Round 2 & 3**

**ROUND 3 – Projects Been Granted**

- Exercise Equipment and covered area at Hockey Field
  1. Seeking quotes to get the best design and cost
- Shade Cover over Rotary Playground
  1. Currently been manufactured and will be installed in the new year
- New Cricket nets to be installed at Shirley Park
  1. Old nets removed with the new nets to be installed starting January next year

**ROUND 2**

Shirley Park

- Completed the amenities building inside and out
- Opening had with Janelle Saffin MP

Toilets

- Urbenville & Legume – near completed
- Liston & Jennings nearly completed.

BBQ Installation – Liston

- completed

This is page 2 of the Minutes of the Parks and Gardens Committee held on Thursday, 17 December 2020

**c. Legume Update**

Legume Park & Playground

- Pathway and park furniture to be installed
- Ramps to be installed to go into the toilets

**d. Tree Identification Booklet**

- Need to create a tree identification booklet on all trees in the shire for all parks

**e. Complements on Planting around the shire**

- Garden beds are now reinstated and brick work was completed yesterday, planting to commence in the new year
- They have now been made narrower due to the safety reason to Council staff.

**5. GENERAL BUSINESS**

**a. Investigation - War Helmet**

- Was originally planned to be placed in Bruxner Park;
- More public place and less chance of vandalism
- Council to seek grant funding for war helmet to be located where the original toilets are located.
- Maybe need to contact the RSL Tenterfield to where they would like to see it located
  - o Committee to write to RSL Tenterfield to seek ideas for location of the war helmet

**b. Location of Toilets Bruxner Park**

- Not located too close to the main street
- Will need to be grant funded to relocate the toilets

**c. Interpretative Signage – Urbenville**

- Designs are currently being sorted and will be installed once completed.

**d. Tree Management Plan – Draft**

- Adopted policy & Tree Management plan be put on public exhibition
- 14 Pin Oak trees have been removed in the last 2 months which has caused some damage to private property;
- Look at funding to remove all old Pin Oaks as they are all becoming dangerous and replace with approved tree;
- Pin Oaks can be planted on the Casino Road and New England Highway;
- Application will be done as needed to heritage manager for removal of trees
- Committee to write a letter to heritage committee to express concerns of the dangers to the community as Parks & Gardens have reviewed the pin oaks and reconfirm our decision that the trees won't last forever and future liability to Council will be the one recommended by Council horticulturist and install heritage interpretative panels with remembrance to the trees along Robert Brush Drive and request Heritage Committee to design the panels that will be installed.



**MINUTES OF PARKS AND GARDENS COMMITTEE**

**17 December 2020**

**e. Legume**

- Discussion to construct a better access into the park to align with cement footpath.
- Would like to see Electric BBQ in Park
- Power to toilets should have went to Council meter box not the hall power as the committee pays for it not Council
- Investigations to the location of where the old power was for original toilets and ensure it is located in same meter box
- Thank Council for all the work completed or all the cleaning up of the trees and cemetery area all community are happy with the work done

**f. Liston**

- Confirmed cleaning up of roads in Liston to include 3 culverts
- Would like to thank Council for the Cleanup off the road near Amosfield Road have been completed along Mt Lindesay Road

**g. Trees planted for shade in western car park**

- Not much is happening with the planting of trees in carpark
- If Council plants trees car spaces will be lost
- look for future funding for shade covers in the car park

**h. park design - covid restrictions should they continue**

- consider next year extra seating, park benches and bins in parks to cover people that are ordering takeaway as they don't wish to reside in the cafés
- ideas to be discuss in committee next year to discuss for future planning for the northern area of town from High Street to Molesworth Street

**i. Tidy Towns Application – Keep Australia Beautiful**

- Distribute information to committee members to see if they can look at it and see if any ideas can come out from it

Merry Christmas to all committee members and their families and thank you for the involvement with the committee

**NEXT MEETING**

Thursday, 18 March 2021 at 10.00 am in the Tenterfield RSL Pavilion.

There being no further business the Chairperson declared the meeting closed at 11.17 am.

.....  
Brian Murry  
Chairperson

**(ITEM RC4/21) REPORTS OF COMMITTEES & DELEGATES - MURRAY DARLING ASSOCIATION INC**

---

**REPORT BY:** Deputy Mayor Greg Sauer, Delegate

The following items is attached for information:

- Basin Communities Leadership Program – Information Flyer

**RECOMMENDATION**

**That Council receive and note the MDA's Basin Communities Leadership Program information.**

**ATTACHMENTS**

- 1** Basin Communities Leadership Program - Information 2 Pages



# BASIN COMMUNITIES LEADERSHIP PROGRAM

## What's it all about?

**The Basin Community Leadership Program is an exciting initiative focused on building leadership capacity throughout the Basin.**

Developed by the Murray Darling Association and delivered in collaboration with our valued regional delivery partners, the program will identify, educate and mentor the next generation of water leaders

## Program Benefits

- Enhanced leadership skills for use and application in your community
- Basic project management proficiencies and planning tools
- Development of intelligent enquiry and the foundation for informed debate
- Facilitated self-reflection – enabling improved stakeholder engagements
- Access to resources which will help the emerging leaders with community focused challenges, opportunities and solutions
- Improved awareness of Murray-Darling Basin challenges and opportunities

## What is involved?

**MDA On-line Academy** –Participants will complete 5 modules and some self-reflection via the MDA's on-line portal prior to attending the workshops

**Two day face-to-face Workshop** – Build your knowledge and expand your networks with presentations from local, regional and national leaders. Workshops will be facilitated by experts in leadership training in partnership with regional delivery partner.

**MDA National Conference** – Registration to attend the MDA National Conference, either in-personal or virtually. A great opportunity to develop your leadership skills, network with local and national leaders and decision-makers from all across the Basin.



## Who are we looking for?

The MDA is recruiting 15 participants from each of the eligible communities.

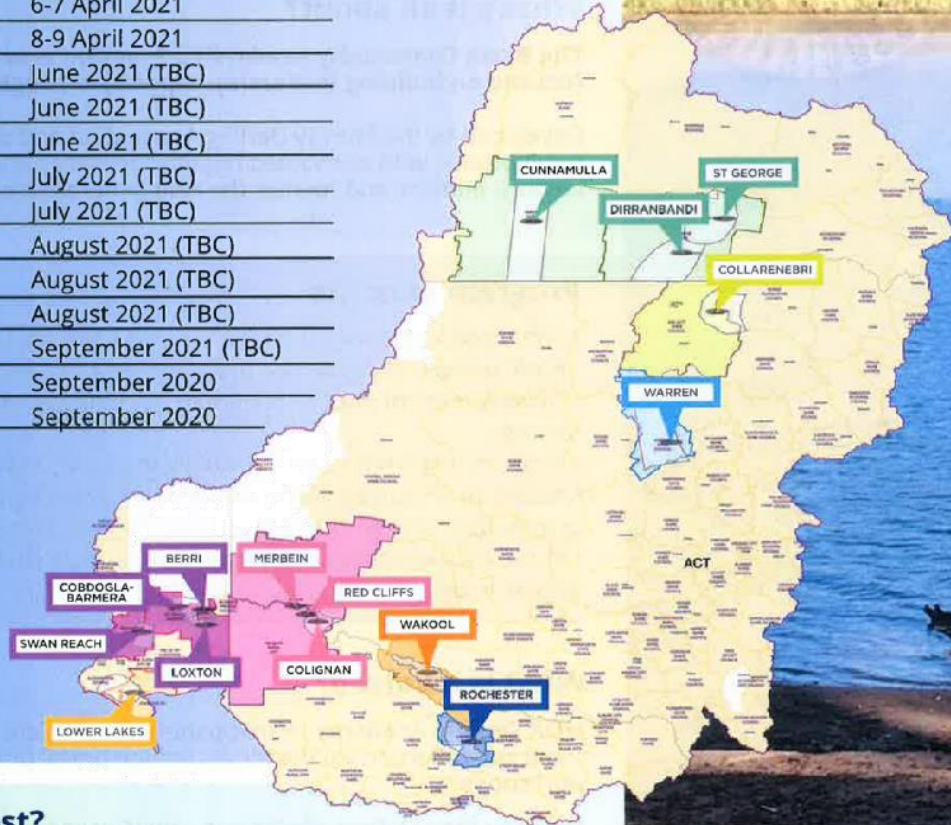
- Are you keen to grow and develop your leadership and community engagement skills?
- Are you looking to shape and influence the future prosperity of your community?
- Would you like to have direct input into consultation with key stakeholders and decision makers?
- Are you keen and eager to participate in future community focussed projects / initiatives?

**If you answered yes to these questions, we would love to hear from you!**

**When and where?**

The leadership program will be delivered in 15 communities throughout the Basin.

|                  |                         |
|------------------|-------------------------|
| Cunnamulla       | 29-20 March 2021        |
| Dirranbandi      | 31 March - 1 April 2021 |
| St George        | 6-7 April 2021          |
| Collarenebri     | 8-9 April 2021          |
| Lower Lakes      | June 2021 (TBC)         |
| Loxton           | June 2021 (TBC)         |
| Cobdogla-Barmera | June 2021 (TBC)         |
| Berri            | July 2021 (TBC)         |
| Swan Reach       | July 2021 (TBC)         |
| Merbein          | August 2021 (TBC)       |
| Red Cliffs       | August 2021 (TBC)       |
| Colignan         | August 2021 (TBC)       |
| Rochester        | September 2021 (TBC)    |
| Wakool           | September 2020          |
| Warren           | September 2020          |



**What does it cost?**

This project is co-funded by the Murray Darling Association and the Australian Government under the Murray–Darling Basin Economic Development Program.

Participants will be required to meet their own travel costs to the workshop and conference venues. All other costs are covered.

Participation is valued at over \$4,800 per place.

**How to apply**

Applications are now open.

To submit your interest in this great program, head to [www.mda.asn.au](http://www.mda.asn.au) and fill out the simple online form.

Any queries or further information can alternatively be addressed to: [bclp@mda.asn.au](mailto:bclp@mda.asn.au)

Proudly delivered in collaboration with our valued regional delivery partners.



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**(ITEM RC5/21) REPORTS OF COMMITTEES & DELEGATES - ARTS NORTH WEST - ANNUAL CONTRIBUTION 2021/2022**

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**REPORT BY:** Cr Gary Verri, Delegate

Arts North West have provided a summary of Arts North West's support of arts and cultural activity in our area (attached).

In addition they have advised that Council's contribution to Arts North West for the upcoming year will be \$4,991.32. Council has paid membership of \$4,700 plus \$817.70 tour subscription (a total of \$5,517.70) in the current (2020/2021) financial year.

**RECOMMENDATION**

**That Council:**

- (1) Receive and note the report from Arts North West; and**
- (2) Note payment of \$4,991.32 contribution to Arts North West for the 2021/2022 financial year.**

**ATTACHMENTS**

- 1** Letters and summary - Arts North West 3 Pages



connections  
 creativity  
 communities

|                           |        |
|---------------------------|--------|
| TENTERFIELD SHIRE COUNCIL |        |
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| N.H.                      | ✓      |



Terry Dodds  
 Tenterfield Shire Council  
 PO Box 214  
 Tenterfield NSW 2372

5 February 2021

Dear Terry,

Re: Annual Contribution to Arts North West 2021-2022

To recap on 2020, please find enclosed a summary of Arts North West's support of arts and cultural activity in your area.

In 2021, we are continuing several projects:

1. *Panorama Project* - Travelling exhibition of nearly 200 sketchbooks from people across the NENW;
2. *Captain Isobolt* - Collaborative short video project involving community theatre practitioners. A 5-episode series that uses humour to explore the "Great COVID Crisis of 2020";
3. *IVAIS* - Provides support for Aboriginal arts and cultural development in the NENW. Includes an Aboriginal-led two-year program of events including exhibitions, art fairs, professional and skills development through mentoring and workshops, online resource development and networking opportunities.

In addition, we have some exciting new initiatives through the Arts Restart Funding from Create NSW which are being distributed through the region:

*Creative Champions* - From March until May, your area will have a dedicated "Creative Champion" who will seek out professional or advanced visual and performing artists, writers, designers, technicians, and community arts workers. The Creative Champion will assist them to enhance their resumes, bios and portfolios in the process of linking them to the Arts North West Connect regional registry of arts workers in the New England North West.

*In the Museum* - Five artist residencies are being offered at volunteer-run, historical museums in communities across the NENW. Artists will embed themselves within the museums for an intensive period between March-May 2021 and collaborate with staff to conclude their residency with a community workshop or public presentation of works created in response to their tenure at the museum.

*Snapshot* - Commencing in March 2021 and running for 12 months, the Snapshot Project will develop a young photographer in each LGA. Your local Snapshot photographer will photograph arts and cultural events throughout the year and participate in other assignments such as assisting local artists with portfolio images. They will also participate in a photojournalism workshop and have a curated collection of their works exhibited in November. Images will be used by ANW on our web sites and social media and will be shared with local councils and tourism.

Arts North West acknowledges Aboriginal people as the traditional custodians of the lands we work on; we recognise the strength, resilience and capacity of Aboriginal people and respect the Aboriginal Elders past and present. Arts North West is assisted by the NSW Government through Create NSW and the partnership of 12 local government authorities in the New England North West



PO Box 801 Glen Innes NSW 2370 Cnr Bourke Street and East Avenue, Glen Innes 2370  
 t: 02 6732 4988 • m: 0428 042 622 • e: [office@artsnw.com.au](mailto:office@artsnw.com.au) • [artsnw.com.au](http://artsnw.com.au) • [fb.com/artsnw](https://www.facebook.com/artsnw) • @artsnorthwest • ABN 13 294 582 557

We will continue to deliver our key professional development workshops and networking events, one-on-one professional advice, as well as support to LGAs in any arts and culture policy development.

More information about Arts North West, our projects and programs, and arts in our region is available on our web sites. Our Arts North West site ([www.artsnw.com.au](http://www.artsnw.com.au)) is a valuable repository of news and resources. ANW Connect ([www.artsnwconnect.com.au](http://www.artsnwconnect.com.au)) has had a recent revamp and is becoming a comprehensive local directory of artists, venues and events throughout the region and can be a valuable tool for cultural tourism in your area.

We are aware that our member councils are compiling their Operational Plan and Budget for 2021/2022. To assist with this, Tenterfield Shire Council's contribution to Arts North West for the upcoming year will be \$4,991.32.

Arts North West looks forward to working with your Council in the year ahead to continue building community cultural capacity and generating creative opportunities in your Local Government Area and across our region. Our AGM will be held in Glen Innes on Friday 21 May. Caroline is also happy to present to your Council about ANW's support and opportunities to work together, if this is something you would like to pursue please send an email advising.

Yours sincerely,



Caroline Downer, OAM  
Executive Director  
Arts North West  
[rado@artsnw.com.au](mailto:rado@artsnw.com.au)



Anna Watt  
Chair  
Arts North West



connections  
 creativity  
 communities

**Our Vision**

A rich cultural landscape in the New England North West of NSW.

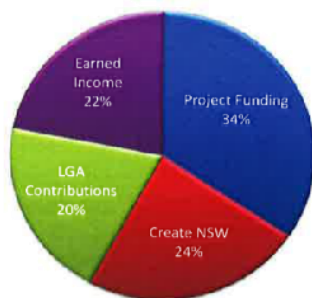
**Our Mission**

To generate creative opportunities in the New England North West of NSW.

**Core Objectives**

- Develop, broaden and diversify our audiences and their participation in arts and cultural activities
- Build community cultural capacity
- Forge strong partnerships and networks across the region through a strong communication platform
- Provide sound and effective corporate governance to ensure a sustainable organisation.

**2020 ARTS NORTH WEST INCOME**



**NSW CONTEXT**

- 14 Regional Arts Development Organisations (RADO)
- \$1.964 million from Create NSW into network
- \$917,009 LGA investment
- \$2.89 million additional project funding sourced by RADOs, and \$457,293 in other earned income
- 40+ arts workers employed by RADOs

**2020 SUPPORTED ACTIVITIES:**

Core services:

- Advice and Advocacy
- Professional Development Service
- Promotion and Marketing
- Networking and Partnerships
- ANW Micro Grants
- Aboriginal Cultural Support Program
- Arts and Disability Program (Enable Arts)
- Cultural Tourism (ANW Connect)
- Arts North West ON TOUR

**SPECIFIC ACTIVITIES IN TENTERFIELD SHIRE:**

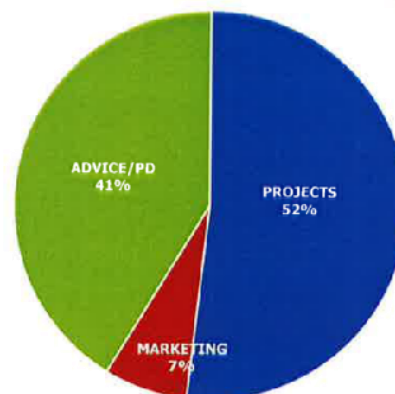
- Professional Development Workshops: *Disaster Planning for Museums*, *Monica Davidson Pitchface*, *Online marketplace*, Australia Council for the Arts Leadership Seminar
- E-resources developed: *Grant writing tips* (10 video animation episodes), *Gift of the Gab*, *The Arts Marketer's Handbook: A simple guide to creative promotion*, *How to Pitch*
- *Art Word Place* exhibition in Canberra
- Art and [not] about – one-on-one advice sessions
- Aboriginal Cultural Support Program – Aboriginal Cultural Awareness Workshop, *Yinaar*, *Indigenous Visual Arts Industry Support*
- ANW Connect (new website) included online marketplace
- Arts North West ON TOUR - *What's New Pussycat*
- Pocket Productions – *Country Witches Association*
- Community Projects - *The Panorama Project*, *Captain Isobolt*

**TENTERFIELD SHIRE**

2020 contribution: \$4,600

Total received: \$39,770

Return on investment 765%



More information, contact

Caroline Downer, OAM, Executive Director, Arts North West  
 rado@artsnw.com.au M: 0428 042 622



|                      |                                                    |
|----------------------|----------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Chief Executive</b>               |
| <b>Submitted by:</b> | Executive Assistant & Media                        |
| <b>Reference:</b>    | <b>ITEM RES1/21</b>                                |
| <b>Subject:</b>      | <b>COUNCIL RESOLUTION REGISTER - FEBRUARY 2021</b> |

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                             |                                                                                                                                                                    |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>Leadership</b> - LEAD 14 - Resources and advocacy of Council are aligned support the delivery of the community vision outlined in the Community Strategic Plan. |
| <b>CSP Strategy:</b>        | Council fosters a strong organisational culture which strives for best practice in all operations with a supportive corporate governance framework.                |
| <b>CSP Delivery Program</b> | Ensure that the performance of Council as an organisation complies with all statutory reporting guidelines and information is available to decision makers.        |

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**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 February 2021.**

**Kylie Smith**  
**Acting Chief Executive**

|                               |                                                                                   |          |
|-------------------------------|-----------------------------------------------------------------------------------|----------|
| Prepared by staff member:     | Noelene Hyde, Executive Assistant & Media                                         |          |
| Approved/Reviewed by Manager: | Kylie Smith, Acting Chief Executive                                               |          |
| Department:                   | Office of the Chief Executive                                                     |          |
| Attachments:                  | <b>1</b> Attachment 29 (Attachment Booklet 8) - Resolution Register February 2021 | 39 Pages |