



OUR VISION

To be a financially sustainable Council fostering community connection through transparent decision-making and open communication; nurturing our natural environment, heritage and community lifestyle through balanced, sustainable strategic planning and management practices.

BUSINESS PAPER

ORDINARY COUNCIL MEETING

25 FEBRUARY 2026

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 "Koreelah Room", Council Administration Building, 247 Rouse Street, Tenterfield, NSW on **Wednesday 25 February 2026** commencing at **9:30 AM**.

Hein Basson
General Manager

COMMUNITY CONSULTATION – PUBLIC ACCESS

Community Consultation (Public Access) relating to items on this Agenda can be made between 9.00 am and 9.30 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

### Community Consultation (Public Access)

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. Mayoral Minute
9. Recommendations for Items to be Considered in Confidential Section
10. Open Council Reports
11. Reports of Delegates & Committees
12. Notices of Motion
13. Resolution Register
14. Confidential Business
15. Meeting Close

## **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.

# AGENDA

## WEBCASTING OF PUBLIC FORUM AND COUNCIL MEETING

This meeting will be recorded for placement on Council's website and livestreamed on Council's YouTube Channel 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

*Tenterfield Shire Council would like to acknowledge the Ngarabal, Jukembal, Bundjalung, Kamilaroi, Githabul and Wahlubul people as the traditional custodians of various parts of the Tenterfield Shire.*

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### 4. DISCLOSURES & DECLARATIONS OF INTEREST

### 5. CONFIRMATION OF PREVIOUS MINUTES

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### 7. URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

### 8. MAYORAL MINUTE

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

## **10. OPEN COUNCIL REPORTS**

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**12. NOTICES OF MOTION**

**13. RESOLUTION REGISTER**

**14. CONFIDENTIAL BUSINESS**

**CONFIDENTIAL**

(ITEM ECO3/26) EVALUATION OF SUPPLY AND INSTALLATION OF SMART WARNING SIGNS (SISWS) REQUEST FOR QUOTE (RFQ 12 25/26) CONDUCTED THROUGH LOCAL GOVERNMENT PROCUREMENT

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

(ITEM COM7/26) TENDER ASSESSMENT FOR THE BIG HILL CULVERT CONSTRUCTION (BHCC) PROJECT REINFORCED CONCRETE BOX CULVERT REPLACEMENT ON MOUNT LINDESAY ROAD RFT 08 25/26

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

**15. MEETING CLOSED**

**(ITEM MIN1/26) CONFIRMATION OF PREVIOUS MINUTES**

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**REPORT BY:** Allison Graham

**RECOMMENDATION**

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

- **Ordinary Council Meeting – 17 December 2025**

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

**ATTACHMENTS**

- |          |                                                                     |             |
|----------|---------------------------------------------------------------------|-------------|
| <b>1</b> | Unadopted Meeting Minutes Ordinary Council Meeting 17 December 2025 | 19<br>Pages |
|----------|---------------------------------------------------------------------|-------------|

# MINUTES



## OUR VISION

To be a financially sustainable Council fostering community connection through transparent decision-making and open communication; nurturing our natural environment, heritage and community lifestyle through balanced, sustainable strategic planning and management practices.

## MINUTES OF ORDINARY COUNCIL MEETING WEDNESDAY 17 DECEMBER 2025

MINUTES OF THE **Ordinary Council Meeting** OF TENTERFIELD SHIRE held at the "Koreelah Room", 247 Rouse St, Tenterfield, NSW, 2372 on Wednesday 17 December 2025 commencing at 9:30 AM

### ATTENDANCE

Councillor Bronwyn Petrie (Mayor)  
Councillor Owen Bancroft  
Councillor Tim Bonner  
Councillor Peter Murphy  
Councillor Tom Peters  
Councillor Peter Petty  
Councillor Greg Purcell  
Councillor Kim Rhodes  
Councillor Greg Sauer  
Councillor Roger Turner

### ALSO IN ATTENDANCE

General Manager (Hein Basson)  
Director Corporate Services (Liz Alley)  
Director Infrastructure Services (Matthew Francisco)  
Executive Assistant & Media (Allison Graham)

*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 THE PUBLIC FORUM AND MEETING**

Recording of the Community Consultation Session and Council Meeting commenced at 9.15am.

The Mayor read the following:

**COMMUNITY CONSULTATION (PUBLIC ACCESS)**

Mr. Barry Bicknell, committee member of the Friends of Tenterfield Aerodrome (FOTA) addressed Council on Item COM39/25 "Friends Of Tenterfield Aerodrome Incorporated", on the benefits to the local airport of an extended lease terms, him being in favour of the first option mentioned in the officer's recommendation.

**WEBCASTING OF MEETING**

The Mayor read the following:

*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**

The Mayor welcomed everyone to the December Council Meeting.

**CIVIC PRAYER**

The Mayor read the following:

*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**

The Mayor read the following:

*We acknowledge the Ngarabal, Jukemba, Bundjalung, Kamilaroi, Githabul and Wahluwal people as the traditional custodians of various parts of the Tenterfield Shire.*

The Mayor before the start of the meeting with a request to all in attendance to stand and hold a one minute silence, paying their respects to the victims killed in Sunday, 21 December 2025 shooting at Bondi Beach.

**APOLOGIES**

No apologies were received from any Councillors.

**DISCLOSURE & DECLARATIONS OF INTEREST**

That councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

| <b>Name</b> | <b>Type</b> | <b>Item</b> |
|-------------|-------------|-------------|
| Nil.        | Nil.        | Nil.        |
|             |             |             |

**(ITEM MIN11/25) CONFIRMATION OF PREVIOUS MINUTES**

**228/25**

**Resolved**

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

- Ordinary Council Meeting – 27 November 2025**

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

(Peter Petty/Owen Bancroft)

**Motion Carried**

**TABLING OF DOCUMENTS**

Nil.

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

Nil.

**MAYORAL MINUTE**

The Mayor put forward the following Mayoral Minute:

*That Tenterfield Shire Council provide a letter of support to the New England Railway Incorporated (NERI) for their licence application over the rail corridor between Bluff Rock and Jennings/Wallangarra for a restoration project of the rail corridor for rail-based activities and heritage rail services.*

**LETTER OF SUPPORT FOR NEW ENGLAND RAILWAY INCORPORATED:  
LICENCE APPLICATION**

**229/25**

**Resolved**

That Tenterfield Shire Council provides a letter of support to the New England Railway Incorporated (NERI) for their licence application over the rail corridor between Bluff Rock and Jennings/Wallangarra for a restoration project of the rail corridor for rail-based activities and heritage rail services.

(Bronwyn Petrie/Greg Sauer)

Motion Carried

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

**230/25** 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.

(Gregory Purcell/Kim Rhodes)

Motion Carried

**OPEN COUNCIL REPORTS**

**OUR COMMUNITY**

**(ITEM COM39/25) FRIENDS OF TENTERFIELD AERODROME  
INCORPORATED REQUEST FOR EXTENDED LEASE TERMS**

**SUMMARY**

The purpose of this report is for Council to consider a request from the Friends of Tenterfield Aerodrome Incorporated for an extension to the lease term to facilitate attracting businesses and interested parties to setup hangars at the Tenterfield Aerodrome.

**231/25** Resolved

That Council:

1. Approves a new lease term for the Friends of the Tenterfield Aerodrome Incorporated for 30 x 30 x 30 years with a maximum period of tenancy under this new lease and permitted renewals of 90 years.

2. Authorises the Director of Corporate Services to engage legal representation to execute the updating of the Lease Agreement, to include the new lease term, as soon as practicable after the Council Meeting.
- 3 Notes the Tenterfield Airport Master Plan (Version 10) dated 23 September 2025.

(Greg Sauer/Peter Petty)

**Motion Carried Unanimously**

**(ITEM COM40/25) SCHOOL OF ARTS - ROOFING WORKS**

**SUMMARY**

The purpose of this report is to provide Council with an update on the roofing works for the School of Arts building.

232/25

**Resolved**

**That Council:**

**Notes the information contained in the report.**

(Kim Rhodes/Greg Sauer)

**Motion Carried**

Tamai Davidson, Manager Planning and Development entered the room at 9.46am.

**OUR ECONOMY**

**(ITEM ECO12/25) FINAL DESTINATION MANAGEMENT PLAN AND ECONOMIC DEVELOPMENT STRATEGY**

**SUMMARY**

The purpose of this report is for Council to adopt the final Tenterfield Destination Management Plan 2025-2030 (DMP) and the final Tenterfield Shire Economic Development Strategy 2026-2030 (EDS).

233/25

**Resolved**

1. That Council adopts the final Tenterfield Destination Management Plan 2025-2030 as prepared by the Destination Store, and the final Tenterfield Shire Economic Development Strategy 2026-2030 as prepared by SC Lennon & Associates.

2. That Council notes that three (3) public submissions were received and reviewed for the Destination Management Plan.
3. That Council notes that one (1) public submission was received and reviewed for the Economic Development Strategy.

(Roger Turner/Kim Rhodes)

**Motion Carried**

**(ITEM ECO15/25) PROPOSED DEVELOPMENT 253 ROUSE STREET TENTERFIELD - REQUEST FOR ACCESS TO PRIVATE LAND VIA BRUXNER PARK**

**SUMMARY**

The purpose of this report is to consider a request from a landowner to allow for access into 253 Rouse Street, Tenterfield from Bruxner Park – 247 Rouse Street, Tenterfield. The proposed point of access is located on the northern side of the park as is detailed below in the body of the report. It is recommended that Council agrees to the request.

234/25

**Resolved**

**That Council:**

**Provides consent for the proposed access from Bruxner Park, 247 Rouse Street, Tenterfield into the rear of the adjoining land at 253 Rouse Street, Tenterfield, for the purposes of lodgment of a Development Application for the use of the site.**

(Peter Petty/Tim Bonner)

**Motion Carried Unanimously**

**OUR ENVIRONMENT**

**(ITEM ENV24/25) DEVELOPMENT APPLICATION 2024.104 - REQUEST FOR REVIEW OF CONDITION - ROAD WORKS AND KERB & GUTTERING**

**SUMMARY**

The purpose of this report is to consider a request by the applicant for Development Application (DA) 2024.104 to review a condition of consent imposed by Council at its Ordinary Meeting of 24 September 2025 in relation to road construction and installation of kerb and gutter on Francis Street, Tenterfield. The DA approved a Caravan Park at 44 Francis Street, Tenterfield for the Campervan & Motorhome Club of Australia.

235/25

**Resolved**

**That Council:**

After having reviewed the development consent "8. Section 138 Roads Act 1993 Approval", changes the "Works required" as follows:

- a) *Driveway to be a dual lane access, minimum of 8 metres wide of concrete construction – to remain as is.*
- b) *Reconstruct the shoulders on both sides of Francis Street for the full frontage of the development site, to achieve a minimum width of 11m – to be referred to the Director Infrastructure Services for an assessment on the minimum requirements needed for the safe access and egress of vehicles to and from the site.*
- c) *Kerb and gutter to be provided on Francis Street from Douglas Street to the entrance of the site to control vehicle movements – to be changed to: Advanced trees to be planted on Francis Street from Douglas Street to the entrance of the site to control vehicle movements.*
- d) *Any street trees required to be removed to undertake the works are to be replaced in consultation with Council – to remain as is.*

(Bronwyn Petrie/Greg Sauer)

**Motion Carried**

Councillor Peter Petty requested his vote to be recorded as voting against the motion.

**SUSPENSION OF STANDING ORDERS**

**236/25 Resolved**

**That standing orders be suspended for the purpose of a morning tea break, the time being 10.45am.**

(Greg Sauer/Peter Petty)

**Motion Carried**

Recording of the session was paused at 10.45am.

Tamai Davidson, Manager Planning and Development left the room at 10.45am.

**RESUMPTION OF STANDING ORDERS**

**237/25 Resolved**

**That the meeting be resumed at 11.15am.**

(Gregory Purcell/Owen Bancroft)

**Motion Carried**

The recording device was turned on, the time being 11.15am.

**(ITEM ENV25/25) WAIVING OF GREEN WASTE CHARGES: SUNDAY 7  
DECEMBER 2025 STORM DEBRIS**

**SUMMARY**

The purpose of this report is for Council to ratify the decision of the Mayor to exercise, in a case of necessity, the policy-making function of the governing body of the Council between meetings of the Council.

**238/25**

**Resolved**

**That Council:**

**Ratifies the decision of the Mayor to exercise, in a case of necessity, the policy-making function of the governing body between meetings of the Council – by allowing residents who have been severely impacted by the wild storm that hit Tenterfield township late in the afternoon on Sunday, 7 December 2025, not to pay for the disposal of their storm debris but for Council to accept this green waste free of charge for a period of a week. Further, for allowing those residents who have been subjected to damages which cannot reasonably be attended to during this week period, to approach Council with photographic evidence of the damage caused by the storm and requesting a further individual extension.**

(Greg Sauer/Owen Bancroft)

**Motion Carried Unanimously**

**(ITEM ENV26/25) WASTE SERVICES REVIEW**

**SUMMARY**

As part of the Delivery Plan, the review of the Waste Service Unit is to be carried out.

**239/25**

**Resolved**

**That Council:**

1. Allocates the necessary funds for the engagement of a suitable consultant to carry out a comprehensive review of Council's Waste Services from Council's Waste Reserve.
2. Approves the transfer of an amount of up to \$55,000 (ex GST) from Council's Waste Reserve for this purpose.
3. As part of the review mentioned in paragraph one (1) above, investigates a garbage pick-up service on Billirimba Road, Kochs Road, Scrub Road, and the Sunnyside Area where a number of new subdivisions are being pursued.

(Peter Petty/Owen Bancroft)

**Motion Carried**

**(ITEM ENV27/25) MT LINDESAY ROAD PRIVATE WATER MAIN**

**SUMMARY**

The purpose of this report is to provide the Council with a pathway for the removal of conflicting privately owned infrastructure from the construction of the Mount Lindesay Road (Boundary Road to Bryans Gap Road) Project.

**240/25** **Resolved**

**That Council:**

**Acknowledges the contents of this report and endorses the proposed way forward, as follows:**

1. Council would offer to provide two 22,500L tanks and a domestic pressure pump to each connected residence. Residents would be responsible for installation of this equipment. If unanimous support of all water main users is gained for this option, the water line would be disconnected from the town water supply on 1 March 2026. This would give enough time to finalise construction of the Mt Lindesay Road Project by May 2026.
2. If unanimous support isn't forthcoming from the affected metered residents for option one (1) by 6 January 2026, the offer for the two (2) 22,500l tanks and domestic pressure pump would be withdrawn and the impacted sections of the water line would be re-laid in a new alignment clear of the road footprint. A bulk water meter would be installed at the point of connection with the town supply and residents would be billed on a pro rata arrangement based on individual meter readings. This would be a temporary reconnection with residents informed that the line would be disconnected by 1 December 2026 – unless the remainder of the water line is renewed by the group of users.

3. A requirement of renewal of the water line would include the formation of a managing body with suitable insurances and appropriate legal easements. All subsequent costs associated with the renewal beyond the original impacted sections (approx. 330m) and any additional water usage identified by the bulk water meter would need to be borne by the connected residents.

(Kim Rhodes/Tom Peters)

**Motion Carried**

## OUR GOVERNANCE

### **(ITEM GOV108/25) NSW GOVERNMENT RESPONSE TO THE PARLIAMENTARY INQUIRY INTO ASSETS, PREMISES AND FUNDING OF THE NSW RURAL FIRE SERVICE**

#### **SUMMARY**

The purpose of this report is to advise Council of the NSW Government's responses on the recommendations made by the Parliamentary Inquiry into Assets, Premises and Funding of the NSW Rural Fire Service.

241/25

#### **Resolved**

**That Council:**

**Notes the responses of the NSW Government on the recommendations made by the Parliamentary Inquiry into Assets, Premises and Funding of the NSW Rural Fire Service.**

(Gregory Purcell/Tom Peters)

**Motion Carried**

### **(ITEM GOV109/25) MODEL CODE OF CONDUCT COMPLAINTS STATISTICS 2024/2025**

#### **SUMMARY**

This report is to provide the Council with statistics on the Model Code of Conduct complaints for the reporting period of 1 September 2024 to 31 August 2025 as provided to Office of Local Government (OLG).

242/25

#### **Resolved**

**That Council:**

**Notes the contents of the report.**

(Peter Petty/Greg Sauer)

**Motion Carried**

Councillor Rhodes left the room at 12.18pm.

**(ITEM GOV110/25) 2025 MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW**

**SUMMARY**

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025. Public exhibition of the Draft 2025 Model Code of Meeting Practice concluded on 3 December 2025.

243/25

**Resolved**

**That Council:**

**Adopts the 2025 Model Code of Meeting Practice as prescribed by the NSW Office of Local Government, without any amendments as per Resolution Number 180/25 adopted at the Ordinary Council Meeting held on 22 October 2025, and as is annexed to the report as Attachment 1.**

(Peter Petty/Greg Sauer)

**Motion Carried**

**(ITEM GOV111/25) INVESTMENT REPORT FOR PERIOD ENDED 30 NOVEMBER 2025**

**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 2021*, 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.

244/25

**Resolved**

**That Council:**

**Notes the Investment Report for the period ended 30 November 2025.**

(Peter Murphy/Owen Bancroft)

**Motion Carried**

**(ITEM GOV112/25) CORPORATE SERVICES DIRECTORATE MONTHLY REPORT**

**SUMMARY**

The purpose of this report is to:

- update the Council on activities within the Corporate Services Directorate
- provide a written report that sets out details required in accordance with relevant legislation and regulations
- provide statistics and data that support corporate policy and activities in accordance with the Operational Plan and Delivery Program 2025 – 2029

245/25

**Resolved**

**That Council:**

**Notes the Corporate Services Directorate Report for the month end of November 2025.**

(Roger Turner/Gregory Purcell)

**Motion Carried**

**(ITEM GOV113/25) INFRASTRUCTURE SERVICES DIRECTORATE  
MONTHLY REPORT**

**SUMMARY**

The purpose of this report is to provide Councillors for their information with an overview of work carried out in the Department of Infrastructure Services for the month of November 2025.

246/25

**Resolved**

**That Council:**

**Receives and notes the information contained in the report.**

(Peter Petty/Gregory Purcell)

**Motion Carried**

**(ITEM GOV114/25) WORKFORCE, SAFETY, RISK, RECORDS AND  
COMMUNICATIONS REPORT - NOVEMBER 2025**

**SUMMARY**

The purpose of this report is to provide a standing monthly report to Council that provides data within the Civic Department for Workforce, Safety, Risk, Records and Communications.

247/25

**Resolved**

**That Council:**

**Notes the Workforce, Safety, Risk, Records and Communications Report for November 2025.**

(Kim Rhodes/Peter Petty)

**Motion Carried**

**(ITEM GOV115/25) COUNCILLOR WORKS/SERVICE REQUESTS - NOVEMBER 2025**

**SUMMARY**

The purpose of this report is to provide a standing monthly report to the Ordinary Meeting of Council that reports on the progress with Councillor Work/Service Requests, and as an opportunity to develop an understanding of other factors and considerations impacting the execution or progress of these requests.

**248/25**

**Resolved**

**That Council:**

**Notes the status of the Councillor Works/Service Requests for the month of November 2025.**

(Gregory Purcell/Owen Bancroft)

**Motion Carried**

**REPORTS OF DELEGATES & COMMITTEES**

Nil.

**NOTICES OF MOTION**

Nil.

**RESOLUTION REGISTER**

**(ITEM RES11/25) COUNCIL RESOLUTION REGISTER - NOVEMBER 2025**

**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. The updating of this report has been progressed with many actions that have now been finalised within the software system and no longer showing up in this report.

However, there are further actions in this report that still need to be attended to, and it should be regarded as work-in-progress that will continue for still some time because Council resolutions have not been consistently actioned in the past. There are still resolutions dating back to 2007 (that do not show up in this attached report) and are perceived not to have received the necessary executory attention. This situation is exacerbated by scarce resources.

249/25

**Resolved**

**That Council notes the status of the Council Resolution Register to November 2025.**

(Kim Rhodes/Roger Turner)

**Motion Carried**

**SUSPENSION OF STANDING ORDERS**

250/25

**Resolved**

**That standing orders be suspended for purpose of a lunch break and then to move into the closed session part of the meeting, the time being 12.56pm.**

(Greg Sauer/Peter Petty)

**Motion Carried**

The recording of the session was paused at 12.56pm.

James Paynter, Works Manager entered the room at 1.00pm.

Allison Graham, Executive Assistant and Media, left the room for the discussion on this item because of a conflict of interest (her and her husband's business being one of the tenderers).

**CONFIDENTIAL BUSINESS**

**(ITEM COM41/25) TENDER EVALUATION FOR RFT 06 25/26 TENDER ASSESSMENT FOR THE ESTABLISHMENT OF THE TENTERFIELD SHIRE COUNCIL SERVICE HIRE PANEL (SHP)**

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d(i)) of the *Local Government Act 1993*, as the matter involves commercial information of a confidential nature

that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

**SUMMARY**

The purpose of this report is to present the recommendations of the RFT 06 25/26 tender assessment for the establishment of the Tenterfield Shire Council Service Hire Panel (SHP). The report summarises the process and outcomes of the SHP Deed preparation and tender evaluation and recommends the establishment of the SHP by appointment of all tenderers to the SHP under the prepared Service Hire Panel Deed. The SHP will provide a standing Schedule of Rates framework for engaging plant, equipment, personnel and specialist services while ensuring compliance, probity, transparency and value for money.

**251/25**

**Resolved**

**That Council:**

- 1. Accepts the tenders received from the following companies/businesses:**
  - **A.M Graham & C.J Graham**
  - **AVADA Traffic Pty Ltd**
  - **Barker Ryan Stewart**
  - **D&K Earthworks Pty Ltd**
  - **David A Kelly Bobcat & Tipper Hire**
  - **de Witt Consulting Pty Ltd**
  - **Finn Valley Pty Ltd**
  - **Hughes Plant and Civil Pty Ltd**
  - **Jagon Pty Limited**
  - **Kembul Pty Ltd T/a AB Contracting (NSW)**
  - **M & L Tractor Mulching Services**
  - **Maslan Contractors Pty Ltd**
  - **MGB Components Trust T/a GPS Onsite**
  - **MJ Smith Ground Preparation Pty Ltd**
  - **Nathan Sweet Excavations Pty Ltd ATF the Nathan Sweet Family Trust**
  - **R&D Strong Bobcat Excavator & Tipper Hire**
  - **Smith Plant Hire NSW Pty Ltd**
  - **Tenterfield Mini Earthworx Pty Ltd**
  - **Terania Consulting Pty Ltd ATF Terania Consulting Unit Trust T/a Tenterfield Surveys**
  - **Terence E & Patricia Crome**
  - **The Control Group Pty Ltd**
  - **The Locating Group Pty Ltd**
  - **The Trustee for The Saxonchase Road Services Trust**
  - **Townes Group Operations Pty Ltd**
  
- 2. Authorises the General Manager to incorporate minor clarifications or adjustments to the initial Service Hire Panel Deed terms where required for legal, probity, or practical reasons, provided such adjustments are not significant and applied fairly and consistently across Suppliers.**

3. Approves the establishment of the Service Hire Panel (SHP) and authorises the General Manager to execute SHP Deeds with all RFT 06 25/26 Tenderers.
4. Authorises the General Manager to administer the SHP in accordance with the Deed, including:
  - Assessing, accepting and calling for offers from prospective new Suppliers during the SHP term, in accordance with the Deed and TSC's procurement policy.
  - Revising and updating SHP Suppliers' Schedules of Rates (including prices for CPI adjustments and any changes to service offerings) as permitted under the Deed, to maintain competitiveness and operational relevance.
  - Execution of the two optional term extensions for SHP Deeds, where applicable.
5. Authorises the General Manager and staff (in accordance with delegated authority) to assess options to issue, manage, and administer Purchase Orders under the Deed, including determining value for money selections for each engagement and applying Council's procurement and governance requirements.
6. Authorises the General Manager to make appropriate adjustments to the Deed during its term to reflect changes in the legal environment, statutory requirements, or practical considerations necessary to meet Council's operational needs, provided such adjustments are applied fairly and consistently across Suppliers.

(Peter Petty/Kim Rhodes)

**Motion Carried**

Allison Graham, Executive Assistant and Media, returned to the room at 1.37pm.

**(ITEM COM42/25) VARIATION TO FOUR (4) BRIDGES DESIGN & CONSTRUCT RFT 15 24/25 TO CONSTRUCT A BRIDGE AS A REPLACEMENT FOR THE STOCKYARD CREEK CULVERT ON MOUNT LINDESAY ROAD**

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

**SUMMARY**

This report assesses a Variation Proposal from Fulton Hogan Industries (FHI) for the design and construction of a new bridge at Stockyard Creek on Mount Lindesay Road.

**252/25** Resolved

**That Council:**

- 1. Approves Fulton Hogan Industries Pty Ltd to undertake the Mount Lindesay Road Stockyard Creek Bridge works as a Variation under their existing Design & Construct Contract (Four (4) Bridges Design and Construct, RFT 15 24/25), for the nominal amount of \$1,495,253.30 (excl. GST), subject to final negotiations.**
- 2. Authorises the General Manager to negotiate and execute the commercial mechanisms and final pricing, including for any provisional items, in accordance with the Four (4) Bridges Design and Construct AS 4902 Contract.**

(Kim Rhodes/Tim Bonner)

Motion Carried

#### **RESUMPTION OF STANDING ORDERS**

**253/25** Resolved

**That Council moves into Open Session again, the time being 2.01pm.**

(Greg Sauer/Owen Bancroft)

Motion Carried

The recording device was turned on, the time being 2.01pm.

James Paynter, Works Manager left the meeting at 2.01pm.

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

#### **(ITEM COM41/25) TENDER EVALUATION FOR RFT 06 25/26 TENDER ASSESSMENT FOR THE ESTABLISHMENT OF THE TENTERFIELD SHIRE COUNCIL SERVICE HIRE PANEL (SHP)**

That Council:

- 1. Accepts the tenders received from the following companies/businesses:**
  - A.M Graham & C.J Graham
  - AVADA Traffic Pty Ltd
  - Barker Ryan Stewart

- D&K Earthworks Pty Ltd
  - David A Kelly Bobcat & Tipper Hire
  - de Witt Consulting Pty Ltd
  - Finn Valley Pty Ltd
  - Hughes Plant and Civil Pty Ltd
  - Jagon Pty Limited
  - Kembul Pty Ltd T/a AB Contracting (NSW)
  - M & L Tractor Mulching Services
  - Maslan Contractors Pty Ltd
  - MGB Components Trust T/a GPS Onsite
  - MJ Smith Ground Preparation Pty Ltd
  - Nathan Sweet Excavations Pty Ltd ATF the Nathan Sweet Family Trust
  - R&D Strong Bobcat Excavator & Tipper Hire
  - Smith Plant Hire NSW Pty Ltd
  - Tenterfield Mini Earthworx Pty Ltd
  - Terania Consulting Pty Ltd ATF Terania Consulting Unit Trust T/a Tenterfield Surveys
  - Terence E & Patricia Crome
  - The Control Group Pty Ltd
  - The Locating Group Pty Ltd
  - The Trustee for The Saxonchase Road Services Trust
  - Townes Group Operations Pty Ltd
2. Authorises the General Manager to incorporate minor clarifications or adjustments to the initial Service Hire Panel Deed terms where required for legal, probity, or practical reasons, provided such adjustments are not significant and applied fairly and consistently across Suppliers.
  3. Approves the establishment of the Service Hire Panel (SHP) and authorises the General Manager to execute SHP Deeds with all RFT 06 25/26 Tenderers.
  4. Authorises the General Manager to administer the SHP in accordance with the Deed, including:
    - Assessing, accepting and calling for offers from prospective new Suppliers during the SHP term, in accordance with the Deed and TSC's procurement policy.
    - Revising and updating SHP Suppliers' Schedules of Rates (including prices for CPI adjustments and any changes to service offerings) as permitted under the Deed, to maintain competitiveness and operational relevance.
    - Execution of the two optional term extensions for SHP Deeds, where applicable.
  5. Authorises the General Manager and staff (in accordance with delegated authority) to assess options to issue, manage, and administer Purchase Orders under the Deed, including determining value for money selections for each engagement and applying Council's procurement and governance requirements.
  6. Authorises the General Manager to make appropriate adjustments to the Deed during its term to reflect changes in the legal environment, statutory requirements, or practical considerations necessary to meet Council's

operational needs, provided such adjustments are applied fairly and consistently across Suppliers.

**(ITEM COM42/25) VARIATION TO FOUR (4) BRIDGES DESIGN & CONSTRUCT RFT 15 24/25 TO CONSTRUCT A BRIDGE AS A REPLACEMENT FOR THE STOCKYARD CREEK CULVERT ON MOUNT LINDESAY ROAD**

That Council:

1. Approves Fulton Hogan Industries Pty Ltd to undertake the Mount Lindesay Road Stockyard Creek Bridge works as a Variation under their existing Design & Construct Contract (Four (4) Bridges Design and Construct, RFT 15 24/25), for the nominal amount of \$1,495,253.30 (excl. GST), subject to final negotiations.
2. Authorises the General Manager to negotiate and execute the commercial mechanisms and final pricing, including for any provisional items, in accordance with the Four (4) Bridges Design and Construct AS 4902 Contract.

**MEETING CLOSED**

There being no further business the Mayor declared the meeting closed at 2.06pm

.....  
Councillor Bronwyn Petrie  
Mayor/Chairperson



|                      |                                                                                                                |
|----------------------|----------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the General Manager</b>                                                                           |
| <b>Submitted by:</b> | Hein Basson, General Manager                                                                                   |
| <b>Reference:</b>    | <b>ITEM COM1/26</b>                                                                                            |
| <b>Subject:</b>      | <b>SUBMISSION TO TRANSPORT FOR NSW: STRATEGIC REGIONAL INTEGRATED TRANSPORT PLANS - NEW ENGLAND NORTH-WEST</b> |

|                                                               |                                                                                                  |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                  |
| <b>CSP Goal:</b>                                              | <b>LEADERSHIP</b> - Our local leaders are respected and trusted to make our shire a better place |
| <b>CSP Strategy:</b>                                          | Advocate community issues to State and Federal Government                                        |
| <b>Delivery Plan</b>                                          | Communications to politicians advocating community issues to state and federal government        |
| <b>Action:</b>                                                | state and federal government                                                                     |

### SUMMARY

The purpose of this report is for Council to provide approval for a submission to be made to the NSW Department of Transport regarding the Strategic Regional Integrated Transport Plan for New England North-West.

### OFFICER'S RECOMMENDATION:

#### That Council:

**Approves the submission to the NSW Department of Transport regarding the Strategic Regional Integrated Transport Plan for New England North-West, as is annexed to the report as Attachment 1.**

### BACKGROUND

At its Ordinary Meeting of 18 December 2025, the Mayor put a Mayoral Minute to Council, upon which Council has adopted the following resolution:

*That Tenterfield Shire Council provides a letter of support to the New England Railway Incorporated (NERI) for their licence application over the rail corridor between Bluff Rock and Jennings/Wallangarra for a restoration project of the rail corridor for rail-based activities and heritage rail services.*

*(Bronwyn Petrie/Greg Sauer)*

Councillor Greg Sauer has been in communication with community representatives who are expecting Council to put forward a submission to the NSW Department of Transport regarding the Strategic Regional Integrated Transport Plan for New England North-West.

### REPORT:

A draft submission has been prepared by one of the community representatives who Councillor Sauer has been in contact with, which has been adapted into a submission-format for Council. This submission is annexed to the report as Attachment 1, the contents of which is self-explanatory.

Our Community No. 1 Cont...

## COUNCIL IMPLICATIONS:

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

Council's community engagement during the preparation of the Integrated Planning and Reporting suite of documents, i.e. the Community Strategic Plan, highlighted the importance of public transport – or lack thereof – to the community.

### 2. Policy and Regulation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*

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

Nil.

### 4. Asset Management (AMS)

Nil.

### 5. Workforce (WMS)

Nil.

### 6. Legal and Risk Management

There is no risk for Council in lodging the submission with the Department of Transport.

### 7. Performance Measures

Nil.

### 8. Project Management

Nil.

**Hein Basson**  
General Manager

|                               |                                                        |            |
|-------------------------------|--------------------------------------------------------|------------|
| Prepared by staff member:     | Hein Basson, General Manager                           |            |
| Approved/Reviewed by Manager: | Hein Basson, General Manager                           |            |
| Department:                   | Office of the General Manager                          |            |
| Attachments:                  | <b>1</b> Submission to SRITP New England<br>North West | 5<br>Pages |



**SUBMISSION BY THE**  
**TENTERFIELD SHIRE COUNCIL**  
**TO THE**  
**DEPARTMENT OF TRANSPORT**  
**REGARDING THE**  
**STRATEGIC REGIONAL INTEGRATED TRANSPORT PLAN**  
**FOR**  
**NEW ENGLAND NORTH-WEST**

**To:** [engage.sritps@transport.nsw.gov.au](mailto:engage.sritps@transport.nsw.gov.au)

**From:** Tenterfield Shire Council

**RE: REGIONAL TRANSPORT PRIORITIES, TRANSPORT DISADVANTAGE,  
AND IN-PRINCIPLE SUPPORT FOR RESTORATION OF THE NORTHERN  
RAIL LINE**

Dear Sir/Madam,

Tenterfield Shire Council welcomes the opportunity to provide a submission to the New England–North West Strategic Regional Integrated Transport Plan (SRITP).

Council represents a border community that has experienced long-term transport disadvantage, particularly following the withdrawal of passenger rail services and the reduction of inter-regional coach services. Council considers transport access to be fundamental to regional liveability, economic participation, health outcomes, and social inclusion.

### **1. Transport Disadvantage and Lack of Public Transport Connectivity**

Tenterfield and surrounding communities currently have **no public transport services connecting them northwards** to Stanthorpe, Warwick, Toowoomba, or Brisbane. This significantly restricts access to:

- specialist medical services
- government and administrative services
- education and training
- employment opportunities

The only public transport option available is a **once-daily NSW TrainLink coach** to Armidale, connecting with a single daily rail service to Sydney. The journey time exceeds **10 hours**, and return travel requires inconvenient evening departures and late arrivals.

Council is concerned that the **frequency, timing, and capacity of current services are inadequate** for a regional centre servicing an ageing population, families, young people, and vulnerable residents. Many residents are required to stay overnight—often multiple nights—in Sydney or regional centres to attend medical appointments, placing significant financial pressure on households.

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## **2. Transport Justice and Equity for Regional Communities**

Council emphasises the principle of **transport justice**—that residents of regional NSW should have equitable access to public transport comparable to those living in metropolitan and major regional centres such as Sydney, Newcastle, and Wollongong.

Prior to COVID-19, direct coach services operated between Sydney and Brisbane via New England towns including Tamworth, Armidale, Glen Innes, and Tenterfield. These services were suspended and **have not been reinstated**, further isolating border communities.

The absence of reliable public transport particularly affects:

- residents without access to private vehicles
- older residents
- people with disability
- young people and students

In the context of the current **cost-of-living pressures**, transport isolation is compounding economic and social disadvantage in the region.

---

## **3. Population Change, Housing Growth, and Future Transport Demand**

Council notes that Tenterfield Shire is experiencing **increased population movement**, including residents relocating from flood-affected areas and high-cost housing markets such as Lismore, the Gold Coast, and Brisbane. Lower housing and land costs are attracting new residents; however, the **lack of adequate public transport infrastructure** presents a growing constraint.

Council is aware of proposals to support **housing development, including affordable housing**, within the **Jennings railway precinct**, in collaboration with UGL Regional. Council considers that future housing growth must be accompanied by **integrated transport planning**, including bus and rail connections to regional service centres in NSW and Queensland.

---

## **4. Education, Workforce Mobility, and Regional Access**

Employment opportunities within Tenterfield Shire are limited, requiring residents—particularly younger people—to travel to regional centres such as Armidale, Tamworth, and beyond. Armidale provides access to secondary education, vocational training, and the University of New England.

Council considers that **reliable public transport is essential** to support workforce participation, youth retention, and regional education access, and to prevent further population decline in smaller towns.

---

#### **5. In-Principle Support for Restoration of the Northern Rail Line**

Tenterfield Shire Council has **resolved in principle to support the restoration of the Northern Rail Line from Armidale to the Queensland border**, recognising its potential benefits for:

- passenger transport accessibility
- freight efficiency
- road safety
- regional economic development
- disaster resilience

Since the cessation of rail services in the late 1980s, the New England region has experienced significant growth in agriculture, industry, and renewable energy development. New England is now designated as a **Renewable Energy Zone (REZ)**, with multiple projects in planning and construction.

Council notes that increasing freight movements—particularly heavy vehicles transporting produce from the Granite Belt—are placing pressure on regional road networks, contributing to high maintenance costs and road safety risks. Recent flood events have demonstrated the vulnerability of relying solely on road infrastructure.

Council further notes that in 2024, more than **10,000 residents petitioned the NSW Legislative Assembly** seeking the restoration of passenger rail services to Jennings/Wallangarra. Council supports the view that **Transport for NSW should commission an independent feasibility study** to assess the restoration of passenger and freight services, rather than requiring community-led business cases that are beyond the financial capacity of regional communities.

---

#### **6. Integrated Bus Services and Airport Connectivity**

Council also highlights the importance of **regular, reliable bus services** linking towns along the former rail corridor, including connections to **Armidale Airport**. Integrated bus and rail services are essential to ensure regional mobility while longer-term rail planning is undertaken.

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## **7. Strategic Priority and Funding Considerations**

Tenterfield Shire Council requests that the SRITP:

- recognise the ongoing transport disadvantage affecting border communities
- identify restoration of cross-border rail connectivity as a **strategic regional priority**
- recommend State Government funding allocations
- support engagement with the **Australian Government** for co-funding of feasibility studies and infrastructure investment

Council looks forward to continued engagement with the NSW Government as the SRITP progresses and would welcome the opportunity to participate in further consultation.

Yours sincerely,

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Councillor Bronwyn Petrie  
**Mayor**

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Hein Basson  
**General Manager**

|                      |                                                                                                        |
|----------------------|--------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Corporate Services</b>                                                       |
| <b>Submitted by:</b> | Elizabeth Alley, Director Corporate Services                                                           |
| <b>Reference:</b>    | <b>ITEM COM2/26</b>                                                                                    |
| <b>Subject:</b>      | <b>ACKNOWLEDGEMENT OF TENTERFIELD TOURISM GROUP<br/>QUARTERLY REPORT FROM OCTOBER TO DECEMBER 2025</b> |

|                                                               |                                                                                                          |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                          |
| <b>CSP Goal:</b>                                              | <b>ECONOMY</b> - We actively promote all the tourism assets throughout our shire                         |
| <b>CSP Strategy:</b>                                          | Continue to financially support the Tenterfield Chamber Tourism Group (TCTG) to deliver tourism services |

## SUMMARY

The purpose of this report is to present to Council the Tenterfield Chamber of Tourism, Industry and Business (TCTIB) Report 8 under the funding agreement between TCTIB and Council. The Tenterfield Tourism Group (TTG) is required to report quarterly on activities within 30 days of the end of the quarter. The attached report covers the period from 1 October 2025 to 31 December 2025.

## OFFICER'S RECOMMENDATION:

### That Council:

- 1. Acknowledges receipt and notes the contents of Report 9 from the Tenterfield Chamber of Tourism, Industry and Business (TCTIB) for the period from 1 October 2025 to 31 December 2025.**

## BACKGROUND

Council entered into a funding agreement with the TCTIB on 3 October 2023 to provide and execute an annual plan for tourism in the Tenterfield region.

The services requirement within the funding agreement (October 2023), states that the:

*recipient will provide services for the Purpose including but not limited to:*

- Visitor information, memberships and related member services and support;*
- Product development; and*
- Marketing, advertising and promotion, including face-to-face, print, social media, online targeted and general advertising, SEO and promotional campaigns.*

The reporting requirements of the agreement are to report on a quarterly basis and:

- Identify the amount of Funds expended in connection with the Permitted Purpose in the preceding Quarter (Funds Expended) against the Funds provided by Council (Funds received) with evidence of such expenses incurred; and*
- Contain such other information required to complete the Report.*

## REPORT:

Our Community No. 2 Cont...

The Tenterfield Tourism Group is required to report quarterly on activities within 30 days of the end of the quarter. The attached report covers the period from 1 October 2025 to 30 December 2025. This report was received by Council on 6 January 2026.

Key highlights from 1 October 2025 to 31 December 2025 include:

- continued work and efforts for the New Tenterfield Information Centre;
- auditing brochures;
- developing and producing more material for visitors;
- opening hours 9am to 2pm Thursday, Friday and Saturday;
- call for more volunteers followed by training and inductions;
- administration functions of databases for volunteers/staff details, visitor details, and rostering;
- maintain flow of new content on social media;
- continued relationship with the New England High Country Group with 4,552 NEHC map/guides collected and distributed;
- video shoot took place at the end of October covering the Spring months;
- collation of content for the Australian Data Tourism Warehouse, Experience Tenterfield Website, magazine advertisements and auditing Soundtrails.

Financial highlights include:

- Tenterfield Tourism Group bank balance was \$47,335.23 (as of 31 December 2025).
- Tenterfield Shire Council Contribution of \$30,000 was received.
- During the quarter \$14,783.10 was spent in total, with expenditure on:
  - a. Sera Wright social media
  - b. advertisements in Granite Belt High Country Magazine
  - c. memberships for Soundtrails
  - d. further footage
  - e. update of ADTW search engine
  - f. administrative work
  - g. TIC fitout
  - h. website

## **COUNCIL IMPLICATIONS:**

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

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

Nil.

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

### **4. As per Councils 2025/2026 budget, where adequate provision has been made to cover the \$50,000 payable to **Asset Management (AMS)****

Nil.

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

Nil.

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

Nil.

Our Community No. 2 Cont...

**7. Performance Measures**

As per the executed agreement between Council and the Tenterfield Chamber of Tourism, Industry and Business – as is quoted under the “Background” section of this report.

**8. Project Management**

Nil.

**Hein Basson  
General Manager**

|                               |                                                                                        |
|-------------------------------|----------------------------------------------------------------------------------------|
| Prepared by staff member:     | Elizabeth Alley, Director Corporate Services                                           |
| Approved/Reviewed by Manager: | Hein Basson, General Manager                                                           |
| Department:                   | Office of the Director Corporate Services                                              |
| Attachments:                  | <b>1</b> Tenterfield Chamber of Tourism Industry and Business - Tourism Group Report 9 |



## **Tenterfield Tourism Group**

### **REPORT 9**

**DATE:** 1st October - 31st December 2025

**MISSION:** *To build a vibrant and proactive tourism and business community in the Tenterfield Shire making it a great place to visit.*

#### **TENTERFIELD TOURISM GROUP (TTG)**

A Tenterfield Tourism Group (TTG) has been formed through the Tenterfield Chamber of Tourism Industry and Business (TCTIB) delegated by the Board.

**Chair :** Kathryn (Kat) Davis

**Members:**

Nick De Git  
Michele Grass  
Sue Walsh  
Dean Hines  
Laura Mitchell  
Belinda Smith  
Cathryn Van der Walt  
Sera Wright  
Tim Bonner and Kim Rhodes (TSC Representatives)

#### **Meetings held during this quarter:**

Meetings were held every 1st Monday of the month commencing at 5.30pm at the Tenterfield Golf Club. Moving forward meetings will be held every alternate month, with communication where necessary in between.

#### **ACTIVITIES ACHIEVED THIS QUARTER**

- (1) Continued work and efforts for the TIC (Tenterfield Information Centre), auditing brochures, developing and producing more material for visitors, extended opening hours (9-2pm Thursday, Friday, Saturday), encouraging more volunteers followed by training, and induction. Our admin assistant has been fabulous at collating and creating databases for volunteer/staff details, visitor details, rostering, auditing brochures etc.

VOLUNTEER HOURS - 80

- (2) Maintained flow of new content on socials through Sera Wright including having her available for the opening of the TIC and running alongside the recent videographers to town (Vagary Studios) to obtain further content for Spring and Summer socials.

VOLUNTEER HOURS - 2



- (3) Continued relationship with the New England High Country Group (NEHC) 4,552 NEHC map/guides collected and distributed. Video shoot had taken place at the end of October covering the Spring months.

VOLUNTEER HOURS - 20

- (4) Collating of content for ADTW annual updates. Collating of further material for Experience Tenterfield Website, training new administrative assistant, collating content for magazine advertisements, auditing Soundtrails.

VOLUNTEER HOURS - 20

It is estimated that in the last quarter the TCTIB have invested an estimated 122 VOLUNTEER HOURS solely on Tourism related activities.

#### **1 October -31st December 2025 TTG Finances**

Bank balance on 1 October 2025 = \$32,208.33

Bank Balance on 31st December 2025 -\$47,335.23

+ TSC Contribution of - \$30,000

Investment for Tenterfield tourism this quarter of \$14,873.10

Investment this quarter has gone into \$5725 for social media posts for the quarter including further content creation and photographic footage of the TIC (Tenterfield Information Centre), \$1175 for advertisements and front page exposure for Granite Belt High Country Magazine, \$440 Renewed membership for Soundtrails, \$2432.19 for further footage, talent, hair and make up for recent Video shoot through NEHC, \$575.90 towards updates on the ADTW search engine, \$1848 for administrative work, \$1186.51 continued development of the TIC and \$1490.50 for updates to the new Experience Tenterfield Website.

#### **TASKS TO TAKE PLACE FOR 2026-**

As further funding has been kindly approved by the TSC and alongside the continued efforts of the TCTIB to source grants, develop a tiered membership system and more as noted in the Tenterfield Tourism plan for 2026 the TCTIB will endeavour to roll out Events Program every second year), upgrades to the Tourism Website & TIC, Content Asset Development (every second year), TIC signage and pamphlets, NEHC (New England High Country annual subscription and affiliation, Granite Belt Magazine Quarterly 1 page 'Experience Tenterfield' advertisement, ADTW (Aust. Data Tourism Warehouse) annual updates, Sera Wright' Social media annual campaign, as well as updates and promotion of the Soundtrails and highway signage with focus on our new branding.

Moving forward for 2026 apart from the above mentioned main activities and depending on timeframe, resources and funding the Tourism Group would also like to do their best to chip away at the below initiatives -

- TCTIB to lead advocacy with TSC for increased funding for local tourism support.
- TCTIB to work with TSC to gain access to, and update all fixed signage in parks, at shire entry points, on maps at public facilities etc.
- Develop key messages for locals to share with visitors about what to see and do in Tenterfield
- Initiate an outbound media relationship program directly with media targets and partner agencies



- Use existing social media channels to continue telling the story of existing tourism assets that highlight Tenterfield's unique attractions with a focus on natural beauty, historical sites, unique assets and seasonal events
- Establish new campaigns and event incentives to attract visitors to new events
- Annually review and update ATDW (Australia Data Tourism Warehouse) listing and work with experts to ensure PR opportunities are established and maximised
- Bring key stakeholders together to develop an annual event calendar with cross selling, marketing and packaging of experiences, services and assets.
- Create and promote new experience tourism products that showcase the region's strengths including nature, seasons, adventure, heritage and indigenous knowledge
- Organise events and festivals that work on the region's seasonal appeal and natural beauty, that target specific or niche visitor market segments
- Coordinate efforts and share resources with NEHC and GBWC (Granite Belt Wine Country) to maximise visitor numbers
- Work with Villages for each to create a signature event
- TCTIB in partnership with Business NSW and Tafe NSW to provide training and support for local tourism operators to enhance their skills and improve service quality

We thank the Tenterfield Shire Council for their continued support and look forward to many more years of collaboration together. We understand that with the business led Tenterfield Chamber taking handle of the tourism component from council allows the council to focus on other major initiatives, vital workings and events to make Tenterfield an even more amazing place to work, live and visit and we hope that our collaboration continues well into the future.

Please feel free to contact us if there are any questions on the above.

Kind regards,

**Kathryn (Kat) Davis**  
**(President TCTIB)**

**31st December 2025**

|                      |                                            |
|----------------------|--------------------------------------------|
| <b>Department:</b>   | <b>Office of the General Manager</b>       |
| <b>Submitted by:</b> | Sophie Richardson, Communications Officer  |
| <b>Reference:</b>    | <b>ITEM COM3/26</b>                        |
| <b>Subject:</b>      | <b>DRAFT COMMUNICATIONS PLAN 2026-2029</b> |

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

|                      |                                                                            |
|----------------------|----------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>LEADERSHIP</b> - We understand and agree with how public money is spent |
| <b>CSP Strategy:</b> | Continue to provide financial reports to Council                           |
| <b>Delivery Plan</b> | Manage the Long-term Financial Plan, aligned with the Asset                |
| <b>Action:</b>       | Management Plan, and Workforce Management Plan                             |

#### **I HAVE EDISUMMARY**

The purpose of this report is to present the draft *Communications Plan 2026–2029* for Council’s consideration and adoption.

#### **OFFICER’S RECOMMENDATION:**

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

**Adopts the draft Communications Plan 2026 – 2029.**

#### **BACKGROUND**

Council operates in an increasingly complex environment, characterised by rising service expectations, ageing infrastructure, constrained financial capacity and growing regulatory and reporting obligations. At the same time, community trust and confidence are strongly influenced by how clearly Council communicates its role, workload, limitations and long-term planning responsibilities.

Historically, community engagement has often been concentrated at key decision points, without sufficient shared understanding of the broader context in which decisions are made. This can lead to misunderstanding, frustration and reduced confidence in outcomes, even where decisions are sound and well-considered.

#### **REPORT:**

The Communications Plan 2026–2029 has been developed to address this challenge by shifting from ad-hoc or issue-based communication toward a structured, progressive narrative approach. The plan emphasises early visibility, plain-English explanations and consistent messaging to support improved understanding before complex or high-impact discussions occur.

The primary purpose of the Communications Plan is to:

- Improve community understanding of Council’s services, responsibilities and constraints.
- Strengthen trust and credibility through visibility and transparency.
- Support more informed and constructive community conversations over time.
- Provide a consistent framework for communication across services and programs.

The Communications Plan is strategic rather than prescriptive, providing clear direction and sequencing for communication and engagement while retaining flexibility to respond to emerging issues. It offers Council a measured, low-risk framework to build understanding, trust and engagement with our community over time.

The plan implements a coordinated approach to print and digital communication, ensuring Council messaging is delivered consistently, effectively, and in line with community needs. As detailed in the Action Plan (page 10), it is envisaged that the Communications Officer will re-establish Council's digital e-newsletter (a revised format of the former *Tenterfield in Touch*, discontinued in 2023 due to resource constraints) to improve the timeliness, reach, and consistency of Council communications.

Council will continue to distribute the printed *Your Local News* on a bi-monthly basis to ensure equitable access for residents who do not currently use digital channels and aims to introduce a monthly digital newsletter by January 2027. Staff will maintain consistent media releases for important public broadcasting and have already increased the frequency of updates on Council's Facebook page, resulting in notable growth in online engagement and community followers.

## **COUNCIL IMPLICATIONS:**

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

Council's approach to engagement under this plan will be structured, staged, and phased over 2026–2029 to progressively build awareness, understanding, and informed participation. Engagement will align with Council's existing *Community Engagement Strategy* and will follow the three-phase communications framework as detailed in the plan.

Phase 3 of the plan will deliver a structured and comprehensive engagement program to explore options for a Special Rate Variation (SRV) in 2029, ensuring Council's proposal supports the Shire responsibly beyond 2028/29. This targeted engagement will present all options for community feedback and reassure the community that any proposal will undergo independent review and approval by the Independent Pricing and Regulatory Tribunal (IPART), reinforcing transparency, accountability, and confidence in Council's decision-making.

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

- Complies with *Local Government Act 1993* (NSW) for community consultation
- Reinforces compliance with Council's *Community Engagement Strategy* and integrates with the *Media Policy* to maintain consistent standards for communication.
- Supports Council's Integrated Planning and Reporting (IP&R) framework by providing a structured and consistent mechanism to communicate Council's planning priorities, service delivery, and performance outcomes.

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

- The Communications Plan will be delivered within existing operational budgets.
- Improved community understanding of services and constraints may facilitate more constructive discussion around future budget and funding decisions.

#### 4. Asset Management (AMS)

- No changes to the Asset Management Strategy. Communication of infrastructure projects and service delivery will increase public awareness of asset condition, asset renewal priorities, and maintenance planning.

#### 5. Workforce (WMS)

Nil.

#### 6. Legal and Risk Management

- Reduces reputational and engagement risk by ensuring accurate, consistent, and timely messaging.
- Mitigates misinformation that could result in complaints, disputes, or reduced community confidence.
- Supports Council in meeting its communication and public consultation obligations.

#### 7. Performance Measures

- Key performance measures are outlined on page 8 of the plan. Progress against these measures will be reported to Council following results of the 2027 and 2029 *Community Satisfaction Survey*.

#### 8. Project Management

- The plan provides a coordinated approach to keeping the public and stakeholders informed of current and future projects, increasing transparency.

#### Hein Basson General Manager

|                               |                                                 |
|-------------------------------|-------------------------------------------------|
| Prepared by staff member:     | Sophie Richardson, Communications Officer       |
| Approved/Reviewed by Manager: | Hein Basson, General Manager                    |
| Department:                   | Office of the General Manager                   |
| Attachments:                  | <b>1</b> Draft Communications Plan<br>2026–2029 |
|                               | 17<br>Pages                                     |



## COMMUNICATIONS PLAN 2026 – 2029

### Overview

The Communications Plan 2026–2029 provides a structured framework to improve community understanding, trust, and engagement with Council. It responds to growing expectations, constrained resources, and increasing complexity in service delivery by shifting from reactive, issue-based communications to a strategic, phased approach.

Key outcomes include:

- Increased awareness of Council services, responsibilities and long-term planning
- Enhanced community trust, confidence and social licence through transparency
- A flexible framework for communication across Council services, programs and strategies
- More informed participation and constructive conversations with our community

The Communications Plan is strategic rather than prescriptive, providing clear direction while retaining flexibility to respond to emerging priorities. It is low-risk, measurable, and aligned with Council's policies, statutory obligations, and long-term objectives.

### Objective

To progressively strengthen community understanding, trust and shared responsibility by clearly communicating Council's role, decision-making and long-term planning, and by supporting informed and constructive engagement on future service and investment decisions.

This communication plan aims to:

#### **1. Build trust and confidence through visible, equitable delivery**

Strengthen community trust in Council and Councillor decision-making through clear, consistent, and accountable communication that demonstrates what Council does, where it works, and how decisions are implemented across the Shire. Increase the visibility of projects and services (both completed and underway) across town, villages, and rural areas to reinforce equitable delivery and shared benefit across the Shire.



**2. Improve understanding of Council’s role, responsibilities and capacity**

Increase awareness of Council’s statutory responsibilities, scale of operations and financial capacity, including the challenges of delivering services and infrastructure across a large rural local government area.

**3. Strengthen understanding of long-term planning and decision-making**

Support residents to understand how Council plans for the long term, balances priorities and costs, and links current decisions to long-term community benefit.

**4. Support informed participation and reduce misinformation**

Provide timely, accurate and locally relevant information that enables constructive community discussion and builds confidence to participate meaningfully in consultation aligned with Council’s strategies and plans.

**5. Encourage shared stewardship for the Shire’s future**

Promote a shared sense of responsibility for community assets, services and long-term outcomes, highlighting that collective care and community input help shape Council decisions and the Shire’s future.

**6. Maintain a balanced and credible public profile**

Provide accurate, transparent, and balanced information that reflects Council’s delivery progress, public issues, and resource constraints, while maintaining a positive, professional, and welcoming presence for residents, visitors, businesses, and investors.

Achieving these objectives requires a coordinated approach, outlined below.



## Overview – Three Phase Approach & Key Messaging

This Communications Plan adopts a staged, multi-year approach designed to progressively build community awareness, confidence and engagement readiness. The approach recognises that informed participation in future decisions depends on first establishing visibility, context and trust.

The plan is structured around three interconnected phases to build:

**AWARENESS → UNDERSTANDING → PARTICIPATION**

### Phase 1: Service Awareness & Transparency

Build community understanding of Council's service delivery across the Shire by increasing visibility of essential services and the scale of infrastructure works. This phase focuses on clarifying Council's complex role and broad responsibilities and reinforcing fairness and consistency in how services are delivered across towns, villages and rural areas.

### Phase 2: Understanding Priorities, Planning & Resources

Strengthen literacy on how Council plans, prioritises and sequences works, including the financial and operational trade-offs involved in long-term decision-making. This phase builds awareness of Council's financial position, asset responsibilities and funding constraints. It prepares the community to engage with sustainability challenges and ensures that future financial decisions are understood with appropriate context and grounded in evidence.

### Phase 3: Long-Term Sustainability & Shared Responsibility

Deliver structured and meaningful community engagement to consult on long-term priorities and financial sustainability options. This phase emphasises transparency in decision-making, informed participation, and shared stewardship of community assets, while building confidence in the Shire's long-term future.

## How the Phases Work Together

Each phase purposely builds on the one before it. Phase 1 establishes **credibility and trust** by making Council's work more visible and easier to understand. Phase 2 builds on this foundation by explaining **how and why choices are made**, strengthening understanding and preparing the community for more complex conversations. Phase 3 draws on this accumulated awareness and understanding to support **transparent, informed and constructive engagement** on long-term decisions.



Informed participation in complex decisions also requires time, layered understanding and consistency - not one-off consultation. The staged progression ensures that community conversations evolve from awareness, to understanding, to participation - rather than moving directly to consultation without adequate context.

Consistent budget-related communication will be embedded from Phase 1 onward and reinforced through Phases 2 and 3 to progressively strengthen community understanding of Council's planning, resource allocation and decision-making processes. By Phase 3, the community will have had sustained exposure to how services are delivered, funded and prioritised. Phase 3 focuses on a structured community engagement program regarding a potential Special Rate Variation (SRV) in 2029 to support the Shire beyond 2028/29. This targeted engagement will present all options for feedback and clearly communicate that any proposal would be independently reviewed and approved by the Independent Pricing and Regulatory Tribunal (IPART), ensuring transparency, accountability and confidence in Council's decision-making.

Phase 1 (Service Awareness & Transparency) will be the primary focus for 2026, with Phases 2 and 3 implemented from 2027-2028. While each phase has a defined focus, elements will run in parallel, with emphasis shifting over time as community understanding deepens.

See Attachment 1 - Communications Timeline 2026-2029.

### Target Audiences and Communication Methods

Communications and content will be guided by the objectives and purposes of each phase, while remaining flexible and adaptable to respond to emerging information, priorities, local issues, additional grant funding, and evolving community needs. Consideration will continue to be given to the diverse communities and audience groups across the Shire, ensuring communications are relevant, accessible, and effective.

A series of coordinated content themes will be designed to complement the plans progressive approach, layering information over time. Indicative Phase 1 themes are provided separately to illustrate intended tone and focus.

See Attachment 3 - Example Phase 1 Themes / Content.

Information will be distributed consistently via Council's website, social media, printed publications, and local community groups and progress associations. Channels and tactics will be tailored, where appropriate, to suit different audiences and engagement contexts.



Printed communications, such as the Council newsletter, remain essential alongside consistent messaging through digital channels. At the same time, Council will continue to strengthen digital engagement to encourage greater adoption, improve cost efficiency over time, and gradually reduce reliance on printed communications (without compromising accessibility for residents).

Refer to Attachment 2 – Tenterfield Shire Audience Matrix.

DRAFT



Communications Framework – Snapshot

| Phase                         | <b>SERVICE AWARENESS &amp; TRANSPARENCY</b><br>PHASE 1 (2026)                                                                                                                                                                                                                                                                                                                                         | <b>UNDERSTANDING PRIORITIES, PLANNING &amp; RESOURCES</b><br>PHASE 2 (FROM 2027)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>LONG-TERM SUSTAINABILITY &amp; SHARED RESPONSIBILITY</b><br>PHASE 3 (FROM 2028)                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Purpose</b>                | <p><i>Increase visibility of Council's service delivery and infrastructure works across the Shire</i></p> <p>Phase 1 emphasises demonstrated delivery and building social capital through continuous sharing of works, services and outcomes via the Council newsletter, digital channels and media releases</p>                                                                                      | <p><i>Build shared understanding of how Council plans, prioritises and allocates limited resources</i></p> <p>Phase 2 provides insight into Council's financial and operational constraints, preparing the community for meaningful, informed engagement in Phase 3</p>                                                                                                                                                                                                                                                                                         | <p><i>Support informed community engagement on long-term financial sustainability and asset outcomes</i></p> <p>Phase 3 focuses on enabling informed participation in discussions about sustainable funding, service levels and shared responsibility for community assets</p>                                                                                                                                                                                              |
| <b>Core Community Message</b> | Council delivers a wide range of essential services across a large rural Shire - much of this work happens quietly, but it matters every day                                                                                                                                                                                                                                                          | Council carefully plans and prioritises how limited resources are used, balancing today's needs with the long-term needs of the Shire                                                                                                                                                                                                                                                                                                                                                                                                                           | Council is focused on sustaining the services and assets the community relies on, now and into the future, and working together to consider sustainable funding options                                                                                                                                                                                                                                                                                                     |
| <b>Key Focus</b>              | <ul style="list-style-type: none"> <li>• What Council does and what it takes to deliver services</li> <li>• The size and diversity of the Shire</li> <li>• Everyday delivery of essential services and infrastructure</li> <li>• Fairness across the Shire matters</li> <li>• Grant funded projects and infrastructure</li> <li>• How decisions are prioritised across a large rural Shire</li> </ul> | <ul style="list-style-type: none"> <li>• Priority projects and delivery</li> <li>• Responsible planning</li> <li>• Why trade-offs exist between services, timing &amp; funding</li> <li>• Long-term planning protects the future</li> </ul>                                                                                                                                                                                                                                                                                                                     | <ul style="list-style-type: none"> <li>• Maintaining existing assets safely &amp; reliably into the future</li> <li>• What choices exist</li> <li>• Focus on long-term community outcomes</li> <li>• Shared understanding and stewardship</li> <li>• Details of Council's proposed SRV (if pursued)</li> </ul>                                                                                                                                                              |
| <b>Community Takeaways</b>    | <p><b>"I see what Council does"</b></p> <ul style="list-style-type: none"> <li>✓ The scale and spread of Council responsibilities</li> <li>✓ Fairness and equity in service delivery across the Shire</li> <li>✓ How grant funding support projects and infrastructure</li> <li>✓ Council plans and acts responsibly with the resources it has</li> </ul>                                             | <p><b>"I understand the constraints and context"</b></p> <ul style="list-style-type: none"> <li>✓ How priorities are set and reviewed</li> <li>✓ Why rural Council's face unique pressures</li> <li>✓ Council's financial position and operational constraints</li> <li>✓ Council's long term planning tools (LTFP, management plans)</li> <li>✓ How community input informs future planning &amp; decisions</li> <li>✓ Council needs to address financial sustainability early to avoid service decline, asset failure or emergency decisions later</li> </ul> | <p><b>"I can engage meaningfully"</b></p> <ul style="list-style-type: none"> <li>✓ Long term financial outlook and sustainability challenges</li> <li>✓ How community input shapes long term financial decisions</li> <li>✓ Financial sustainability options and consequences</li> <li>✓ Proposed SRV timeline and details</li> <li>✓ What changes might mean for them &amp; available support</li> <li>✓ Governance safeguards, transparency and accountability</li> </ul> |
| <b>Outcome</b>                | A well-informed community that understands Council's role and constraints, has confidence in how decisions are made, and participates constructively in conversations about the Shire's long-term future.                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



### Target Outcomes & Key Performance Indicators (KPI's)

Changes in community perception are typically gradual and reflect cumulative experience over time, rather than the effect of a single initiative. Research across local government shows that trust, understanding, and confidence are influenced by consistent delivery, visible actions, and clear communication over multiple years.

Some indicators, such as awareness or access to information, may improve more quickly, while measures related to trust and confidence often shift more slowly, as they are affected by longer-term experience and external factors including economic conditions, media coverage, and major events. For this reason, the targets in this strategy reflect *incremental, realistic improvement* rather than sudden increases.

The KPIs focus on tracking changes in community understanding, trust, engagement, and perception. Measures are drawn from Council's *Community Satisfaction Survey*, aligned to existing baseline data from Council's 2025 survey results. Annual movements of 1 – 3% (or small shifts on a 5-point scale) are considered meaningful. In rural and regional LGAs, a 5 - 12% total shift over a three-year communications program ( $\approx 0.3-0.5$  on a 5-point scale) is considered strong and credible, with larger shifts typically occurring only after major infrastructure delivery or crisis recovery.

It is important to note that perception measures *can be* influenced by factors beyond Council's direct control, such as cost-of-living pressures, policy changes by other spheres of Government, extreme weather events, or media coverage. These KPIs should be interpreted as *trend indicators rather than short-term performance scores*. Sustained upward movement over multiple survey cycles demonstrate growing community understanding, confidence, and readiness to engage constructively in Council decisions.

Together, these indicators provide a *structured, evidence-based way* to assess whether Council's communications and engagement efforts are enhancing transparency and fostering more informed participation, trust, and confidence in Council.



KPI Measures / Success Signals

| Focus Area / Survey Measure                                                                                                                                                                                                                                                                                                                                                                                                     | Agreement Scale (1-5)  |                        |                         | Success Signal: What Reaching the Target Indicates                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                 | Baseline (2025 median) | Target by 2027 (+1-3%) | Target by 2029 (+5-12%) |                                                                                                                                    |
| <b>1. Trust &amp; Confidence in Council + Community Readiness for Long-Term Financial &amp; Asset Conversations</b>                                                                                                                                                                                                                                                                                                             |                        |                        |                         |                                                                                                                                    |
| <i>Council acts in a transparent and professional manner</i>                                                                                                                                                                                                                                                                                                                                                                    | 2.64                   | 2.67 - 2.72            | 3.0 – 3.2               | Improved perception of openness and integrity                                                                                      |
| <i>Satisfaction with Council leadership</i>                                                                                                                                                                                                                                                                                                                                                                                     | 2.59                   | 2.62 - 2.67            | 2.9 – 3.1               | Growing institutional confidence and reduced cynicism                                                                              |
| <i>Council’s operations are efficient and effective</i>                                                                                                                                                                                                                                                                                                                                                                         | 2.42                   | 2.44 - 2.49            | 2.8 – 3.0               | Stronger belief Council manages resources responsibly. Increased community readiness for Long-Term Financial & Asset Conversations |
| <i>Council considers long-term planning carefully</i>                                                                                                                                                                                                                                                                                                                                                                           | 2.27                   | 2.30 - 2.34            | 2.7 – 2.9               | Community increasingly connects decisions to future outcomes                                                                       |
| <i>Council does a good job with available resources</i>                                                                                                                                                                                                                                                                                                                                                                         | 2.72                   | 2.75 - 2.80            | 3.1 – 3.3               | Reduced perception of waste or mismanagement                                                                                       |
| Proxy indicators: While some of these measures do not directly assess financial literacy or readiness, these are established survey questions used as a reliable signal of community perceptions related to Council planning, transparency and responsible resource management. Improvements in these areas are strong indicators of growing community understanding of and confidence in Council’s long-term responsibilities. |                        |                        |                         |                                                                                                                                    |
| <b>2. Understanding of Council Role &amp; Constraints</b>                                                                                                                                                                                                                                                                                                                                                                       |                        |                        |                         |                                                                                                                                    |
| <i>Council provides adequate information to the community</i>                                                                                                                                                                                                                                                                                                                                                                   | 2.56                   | 2.59 - 2.64            | 3.0 – 3.2               | Community feels better informed rather than surprised. Residents have more answers than questions                                  |
| <i>Council communicates its vision effectively</i>                                                                                                                                                                                                                                                                                                                                                                              | 2.46                   | 2.49 - 2.54            | 2.9 – 3.1               | Clearer understanding of Council direction and priorities                                                                          |
| <i>Council considers long-term planning carefully</i>                                                                                                                                                                                                                                                                                                                                                                           | 2.27                   | 2.30 - 2.34            | 2.7 – 2.9               | Increased recognition that Council plans strategically, not reactively                                                             |



| <b>3. Perceptions on Service Delivery</b>                                     |      |             |             |                                                                                                     |
|-------------------------------------------------------------------------------|------|-------------|-------------|-----------------------------------------------------------------------------------------------------|
| <i>Council recognises the diversity of communities across the Shire</i>       | 2.84 | 2.87 - 2.92 | 3.1 – 3.3   | Stronger perception of geographic fairness beyond the town centre                                   |
| <i>Council does a good job with the resources it has</i>                      | 2.72 | 2.75 - 2.80 | 3.1 – 3.3   | Greater acceptance of financial constraints - “large task, limited means”                           |
| <i>Satisfaction with how Council interacts with residents</i>                 | 2.5  | 2.53 - 2.58 | 2.8 – 3.0   | Improved perception of responsiveness. Improved customer experiences of service provided by Council |
| <i>Median satisfaction with Council services</i>                              | 2.77 | 2.80 - 2.86 | 3.07 – 3.27 | Increased recognition that Council maintains/delivers quality services                              |
| <b>4. Community Engagement &amp; Participation</b>                            |      |             |             |                                                                                                     |
| <i>Council makes an effort to engage the community in planning</i>            | 2.44 | 2.46 - 2.51 | 2.9 – 3.1   | Engagement seen as earlier, more genuine and more visible                                           |
| <i>Council provides opportunity to participate in decision-making</i>         | 2.45 | 2.47 - 2.53 | 2.8 – 3.0   | Residents feel they have clearer pathways to contribute                                             |
| <i>Council’s decision-making reflects community opinion</i>                   | 2.24 | 2.26 - 2.31 | 2.6 – 2.7   | Residents increasingly feel decisions are fair and representative rather than imposed               |
| <i>Median satisfaction with Council customer service/staff</i>                | 2.84 | 2.87 - 2.92 | 3.14 – 3.34 | Improved perception of Council staff service and experience                                         |
| <i>Median satisfaction of resident’s experience with Council interactions</i> | 2.98 | 3.01 - 3.07 | 3.16 - 3.44 | Improved quality of community engagements/ experiences by residents interacting with Council        |
| <b>5. Community Pride, Culture &amp; Shared Stewardship</b>                   |      |             |             |                                                                                                     |
| <i>I am proud to tell people I live in Tenterfield Shire</i>                  | 3.78 | 3.82 - 3.89 | 4.0 – 4.1   | Stronger emotional connection to place                                                              |
| <i>Council has resources to support community groups</i>                      | 2.59 | 2.62 - 2.67 | 2.9 – 3.1   | Council increasingly seen as an enabler of local initiatives                                        |



**Action Plan 2026 – 2029**

The below Action Plan outlines key activities that will deliver on the Communications Plan objectives.

| <b>Action</b>                                                                                                                                                                             | <b>Further Details</b>                                                                                                                                                                                                                                   | <b>Indicative Timeframe</b> | <b>Responsible Staff</b>                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------|
| Essential updates to digital channels / social media (Facebook & LinkedIn)                                                                                                                | Review and update of Councils digital profile to reflect current information<br><br>Update outdated photographs/images to improve visual impression – e.g. grainy photos                                                                                 | Completed - January 2026    | Communications Officer                                          |
| Essential updates and removal of outdated information across Council’s website                                                                                                            | Review of all active pages and content<br>Removal of outdated references / information / pages / links                                                                                                                                                   | By April 2026               | Communications Officer<br>- consult with IT / GIS Officer       |
| Increase following and engagement on social media pages through organic content (not paid ads)<br><br>(Council owned content as well as sharing relevant community content)               | Post / share content regularly (aim for minimum x4 week)<br><br>Keep information current, visually appealing and maintain positive public profile to engage and increase followers<br><br>Identify and promote community content                         | Ongoing                     | Communications Officer                                          |
| Identify and promote community information and events held across the Shire                                                                                                               | Continued sharing of information and events across the Shire<br>Publish on Councils website / calendar<br>Promotion through digital and printed channels                                                                                                 | Ongoing                     | Communications Officer – consult with key stakeholders / groups |
| Meet with and establish working relationships with all key stakeholders / community groups<br><br>Update master contact list to ensure correct contact details (due to personnel changes) | Including but not limited to:<br><ul style="list-style-type: none"> <li>• TSC Library</li> <li>• Village Progress Associations</li> <li>• Tenterfield Rotary Club, Lions Club, RSL</li> <li>• School of Arts Tenterfield Incorporated (SOATI)</li> </ul> | By April 2026               | Communications Officer                                          |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                              |                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------|
| <p>Understand roles/connections to Council Plans and priority work including the recently adopted Destination Management Plan 2025-2030 &amp; Economic Development Strategy 2026-2030</p>                                                                                                                                                                                                                                                             | <ul style="list-style-type: none"> <li>• Tenterfield Social Development Committee</li> <li>• Tenterfield Chamber of Tourism, Industry &amp; Business (TCTIB)</li> <li>• Angry Bull Trails</li> <li>• Country Women’s Assoc.</li> <li>• Railway Museum</li> <li>• Tenterfield Centenary Cottage Museum</li> <li>• Tenterfield Aquatic Centre</li> <li>• Local Business</li> <li>• Sporting Clubs / Groups</li> <li>• SES</li> <li>• RFS</li> <li>• Schools (3)</li> <li>• Local Media &amp; Press</li> <li>• Other Government Depts/Agencies</li> </ul> | <p>By April 2026</p>         | <p>Communications Officer</p>                                                                                 |
| <p>Develop and deliver Phase 1 communication themes &amp; content<br/> <i>(Service Awareness &amp; Transparency)</i></p>                                                                                                                                                                                                                                                                                                                              | <p>Identify key projects to develop communications/content for 2026 that aim to build awareness, credibility and visibility of Council service delivery and infrastructure work</p>                                                                                                                                                                                                                                                                                                                                                                    | <p>Ongoing - 2026</p>        | <p>Communications Officer – consult with relevant Council staff</p>                                           |
| <p>Deliver public updates on the progress of actions detailed in Council’s plans/strategies:</p> <ul style="list-style-type: none"> <li>• Community Strategic Plan 2025-2036</li> <li>• Destination Management Plan 2025-2030</li> <li>• Economic Development Strategy 2026-2030</li> <li>• Long-Term Financial Plan (LTFP) 2025 -2036</li> <li>• Asset Management Strategy 2022-2032</li> <li>• Workforce Management Plan – to be renewed</li> </ul> | <p>Regular community updates of noteworthy action/progress towards achieving targets, and working with local groups and relevant stakeholders</p> <p>Major milestones will be communicated via printed materials (newsletter, media releases/articles) and supplemented with regular digital updates to ensure timely and accessible information for the community</p>                                                                                                                                                                                 | <p>Ongoing – 2026 - 2030</p> | <p>Communications Officer – consult with relevant Council Staff, TCTIB, Community Groups, Economic Bodies</p> |



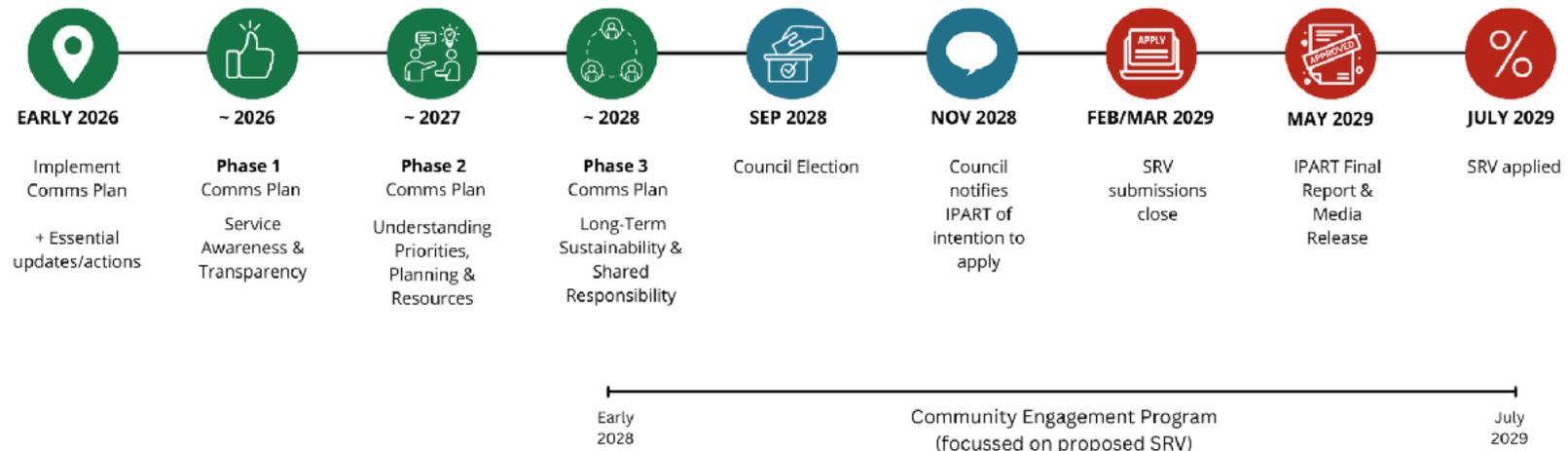
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|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------------------------------------------------|
| Essential update of Council’s website                                                                                                                            | Complete required system update as current version of Council’s WordPress website is becoming redundant (this will also increase Council’s online security, reduce risk)                                                                                                                                                                                                                                                                                                                          | By January 2027                              | IT / GIS Officer<br>Communications Officer                   |
| Re-establish Council’s digital e-newsletter<br><br>(a revision of the previous “ <i>Tenterfield in touch</i> ” which ceased in 2023 due to resource constraints) | Establish Council’s new digital newsletter <ul style="list-style-type: none"> <li>Establish mailing / distribution list of residents, businesses &amp; visitors</li> <li>Define cadence of digital Your Local News e-newsletter alongside printed <i>Your Local News</i> (Target: maintain bi-monthly print and introduce monthly digital e-news)</li> <li>Promote greater adoption of digital communications amongst the community - reducing mass reliance on printed communications</li> </ul> | By January 2027                              | Communications Officer                                       |
| Develop and deliver Phase 2 communications<br>( <i>Understanding Priorities, Planning &amp; Resources</i> )                                                      | Develop draft plan for priority content / themes for 2027<br>Includes announcement of Council’s updated Long-Term Financial Plan (LTFP) and related IP&R Reporting / Plans (Workforce Management Plan etc)                                                                                                                                                                                                                                                                                        | Ongoing throughout 2027<br><br>TBC           | Communications Officer – consult with relevant Council staff |
| Submit progress report to Council – Update on Communications Plan KPI measures                                                                                   | Track +/- movement of baseline data from 2025 Community Satisfaction Survey                                                                                                                                                                                                                                                                                                                                                                                                                       | Following 2027 Community Satisfaction Survey | Communications Officer                                       |
| Consider Community Engagement Platform for formal community consultation programs                                                                                | Identify options and research cost for community engagement platform/tool (if not housed on Council’s website)<br>Adopt platform if budget allows or adapt Councils website                                                                                                                                                                                                                                                                                                                       | By February 2028                             | Communications Officer                                       |



|                                                                                                             |                                                                                                                                                                                                                                                                                  |                                              |                                                              |
|-------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------------------------------------------------|
| Develop and deliver Phase 3 communications<br><i>(Long-Term Sustainability &amp; Shared Responsibility)</i> | Develop draft plan for priority content / themes for Phase 3 communications                                                                                                                                                                                                      | Ongoing throughout 2028                      | Communications Officer – consult with relevant Council staff |
| Develop comprehensive Community Engagement Program relating to Special Rate Variation (SRV) proposal        | Detailed plan for public consultation including engagement events and information sessions, key information relating to % proposed (in addition to rate peg), timeline, benefits, hardship support etc<br>(Note: SRV applications due early 2029)                                | By 1 March 2028                              | Communications Officer – consult with relevant Council staff |
| Deliver Community Engagement Program                                                                        | <ul style="list-style-type: none"> <li>• Direct/targeted communications and consultation relating to SRV proposal</li> <li>• Host community discussions / Q&amp;A sessions</li> <li>• Collate feedback for Council consideration and accompaniment to SRV application</li> </ul> | By July 2028                                 | Communications Officer – consult with relevant Council staff |
| Submit progress report to Council - Update on Communications Plan KPI measures                              | Track +/- movement of baseline data from 2027 Community Satisfaction Survey                                                                                                                                                                                                      | Following 2029 Community Satisfaction Survey | Communications Officer                                       |



Attachment 1: Communications & Engagement Timeline 2026 – 2029





**Attachment 2: Tenterfield Shire Audience Matrix**

This audience analysis supports Council’s Communications Plan and provides a shared understanding of who Council communicates with, what they need, and how best to reach them. It reflects the Shire’s rural context, ageing population, dispersed villages and strong community networks.

It should be used to: Select the most appropriate channels for each message, tailor tone and detail to different audiences, prioritise resources where they will have the greatest impact and ensure Council communications are accessible, inclusive and effective.

| <b>Audience Group</b>                                                  | <b>Who They Are</b>                                                                                                                  | <b>Key Needs / Interests</b>                                                  | <b>Key Messages / Focus</b>                                        | <b>Preferred Channels</b>                                                                                               | <b>Considerations / Barriers</b>                                                                                                                                                                  |
|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Residents – General</b><br>~7,000+ population<br>Median age ~55 yrs | People living across the Shire (Tenterfield + villages: Urbenville, Drake, Jennings, Legume, Liston, Torrington, Mingoola)           | Local services, rates, roads, waste, health, community events, emergency info | What Council is doing, why it matters locally, how it affects them | Local newspaper, printed letters, website and digital news, Facebook, community noticeboards                            | TSC has a relatively older population with a high median age and lower household income. Mix of digital and print required due to varied access and digital confidence. Avoid jargon and acronyms |
| <b>Older Residents</b>                                                 | Significant portion aged 60+ and often key community volunteers / caretakers                                                         | Accessibility, health services, transport, rates relief, community support    | Reassurance, clarity, stability, practical impacts                 | Printed letters, newsletter, newspaper articles, Seniors’ forums/events                                                 | Plain English, larger font for specific news/events, avoid jargon and acronyms, digital skills/literacy/access is generally lower                                                                 |
| <b>Aboriginal &amp; Torres Strait Islander Communities</b>             | ~7.5% of population (Meaningful proportion of Aboriginal and Torres Strait Islander people in the Shire - higher than state average) | Recognition, culturally appropriate engagement, inclusion in planning         | Listening, partnership, respect, shared outcomes                   | Dedicated outreach (direct engagement with trusted intermediaries), community leaders, face-to-face, community meetings | Important to understand cultural sensitivities and people of influence in their community (e.g. Elders)                                                                                           |
| <b>Youth &amp; Families</b>                                            | Younger people, parents with school-aged kids                                                                                        | Youth Precinct, Library events, traineeships                                  | Opportunities, participation, future-focused messages              | Social media, school newsletters, events                                                                                | Keep messages short, visual and relevant                                                                                                                                                          |



| <b>Audience Group</b>                                                                          | <b>Who They Are</b>                                                                                                                                                                         | <b>Key Needs / Interests</b>                                                                                       | <b>Key Messages / Focus</b>                                                               | <b>Preferred Channels</b>                                                                                          | <b>Considerations / Barriers</b>                                            |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <b>Local Businesses</b><br><br>including Tenterfield Chamber of Tourism, Industry and Business | ~1,000 active businesses across sectors including agriculture, tourism, retail                                                                                                              | Economic development, planning approvals, events that drive visitation and increase customer base, tourism support | Support, certainty, economic resilience                                                   | Local Chamber meetings, email updates, direct contact/engagements                                                  | Concise and practical messaging<br>Sometimes face time/resource constraints |
| <b>Ratepayers</b>                                                                              | All property owners (residential, rural residential, farmland, business)                                                                                                                    | Transparency on rates, budgets, service delivery, long-term planning                                               | Value for money, accountability, long-term planning, financial constraints and trade-offs | Letters, website, online reporting/Council minutes, digital media platforms, public meetings/community engagements | Varied – refer to all audiences                                             |
| <b>Visitors &amp; Tourists</b>                                                                 | People visiting for heritage, nature-based tourism                                                                                                                                          | Events, attractions, facilities, safety info                                                                       | Welcoming, place-based storytelling                                                       | Visitor guides, social media, tourism partners                                                                     | Content should align with regional tourism and cross-border messaging       |
| <b>Community Groups / NFPs</b>                                                                 | Tenterfield Rotary Club, Lions Club, CWA, TSDC, SOATI, Moombahlene LALC, SES & RFS, Museums, Tenterfield Hospital Auxiliary, Local Health Services, Sporting clubs/groups, Arts groups etc. | Funding, facility access, volunteer support, partnership opportunities                                             | Partnership, support, shared goals                                                        | Direct emails, meetings                                                                                            | Strong local networks<br>Word of mouth is influential                       |
| <b>Media &amp; Local Press</b>                                                                 | Local newspapers, radio, regional outlets                                                                                                                                                   | Timely updates, access to spokespeople/quotes                                                                      | Community impact, transparency                                                            | Media releases, press briefings, proactive stories                                                                 | Local media has high trust and reach                                        |
| <b>Other Government &amp; Agencies</b>                                                         | State and Federal departments, emergency services, health and education bodies                                                                                                              | Co-ordination, reporting, partnership, collaboration on grants, infrastructure, emergency response                 | Compliance, collaboration, outcomes                                                       | Formal correspondence, briefings/meetings                                                                          | Often funding-linked<br>Accuracy is critical                                |



Attachment 3: EXAMPLE Phase 1 Themes / Content

(NOTE: This is *indicative content* reflective of tone/focus, not an exhaustive plan for Phase 1)

| Theme 1: What Council Does — and What It Takes to Deliver |                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Theme 2: A Vast Shire, Shared Fairly   |                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus</b>                                              | Council’s responsibilities and essential services<br>Distinction between Council, State and Federal roles<br>The complexity of delivering services across distance, terrain and low population density<br>Making invisible work visible                                                                                                                                                                                                              | <b>Focus</b>                           | Council delivers services across the entire Shire, beyond Tenterfield town<br>Visibility of works in villages, rural roads and remote areas<br>Place-based storytelling and geographic equity                                                                                                                                        |
| <b>Message tone</b>                                       | Informative, practical, factual                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Message tone</b>                    | Inclusive, equitable, community-focused                                                                                                                                                                                                                                                                                              |
| <b>Key messages / example phrasing</b>                    | <p>“Council is responsible for more than 70 essential services and programs that most residents never see”</p> <p>“Council is the custodian of a large, complex Shire - not just a town centre - and our work happens everywhere, often invisibly”</p> <p>“Every kilometre of road, bridge, pipe and facility must be maintained - whether it serves 10 people or 10,000”</p> <p>“You may not see every project, but you benefit from every one”</p> | <b>Key messages / example phrasing</b> | <p>“Our Shire covers thousands of square kilometres - and Council delivers services to every corner”</p> <p>“Progress is not just in town - it’s in villages, roads, halls, parks, water systems and rural areas”</p> <p>“Delivering services means planning for distance, weather, usage and safety - not just population size”</p> |
| <b>Primary campaigns &amp; tactics</b>                    | <p>“<i>Did you know Council does...</i>” education series</p> <p>Short explainers on Council responsibilities and service scope</p> <p>Translate Council information into visuals/graphics</p> <p>Fact sheets and social posts / content -</p> <p>“What Council Looks After (That You Might Not See)”</p>                                                                                                                                            | <b>Primary campaigns &amp; tactics</b> | <p><b>Village &amp; Precinct Spotlight rotation</b></p> <p>Regular features on villages and rural areas</p> <p>Local projects, people, facilities and events</p> <p>Maps and visuals showing works distribution</p>                                                                                                                  |

|                      |                                                            |
|----------------------|------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Corporate Services</b>           |
| <b>Submitted by:</b> | Milan Duwenhogger-Lange, Lands Management Officer          |
| <b>Reference:</b>    | <b>ITEM COM4/26</b>                                        |
| <b>Subject:</b>      | <b>VACANT COUNCIL LAND AT CLARENCE STREET, TENTERFIELD</b> |

|                                                               |                                                                                      |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                      |
| <b>CSP Goal:</b>                                              | <b>ECONOMY</b> - We promote and support progress in our shire                        |
| <b>CSP Strategy:</b>                                          | Work in collaboration to implement the Regional Economic Development Strategy (REDS) |
| <b>Delivery Plan Action:</b>                                  | Regular contact with Regional Economic body                                          |

**SUMMARY**

The purpose of this report is to provide Council with recent offers on the vacant Council land at Clarence Street (across from the TAFE) and to discuss the path moving forward in regard to the sale or retention of the associated allotment (Lot 1 DP 613385).

**OFFICER’S RECOMMENDATION:**

**That Council:**

- 1. Adopts to a resolution on whether to sell or retain the vacant land at Clarence Street.**
- 2. If choosing to sell, determines a minimum price point to assist with enquiry management.**

**BACKGROUND**

The property on Clarence Street (Lot 1 DP 613385), classed as Council owned ‘operational land’, was first put on the market in July 2023 for the sum of \$380,000 as per the resolution made at the Council meeting 30 June 2023.

|                 |                                                                                                                                                                                                                                                                                                                                                           |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>[113/23]</b> | <p><b>Resolved</b> that Council:</p> <p>Sell the land known as:</p> <p>(1) Lot 1 DP 613385 as one lot; and</p> <p>(2) Authorise the Chief Executive to invite all local agents to list the property for sale by private treaty, at asking price of \$380,000.</p> <p style="text-align: right;">[[Kim Rhodes/Geoff Nye]]</p> <p><b>Motion Carried</b></p> |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Since this time there has been minimal interest and the property has sat on the market, although not actively promoted.

**REPORT:**

Our Community No. 4 Cont...

A decision is required on moving forward with Clarence Street and the direction Council would like to proceed in regarding its sale. The property has been on the market since July 2023 with little to no interest, however, we have recently received several enquiries necessitating the need for a decision. The property description is below for context regarding the complexity of the property and the existing constraints.

### **Property Description**

Lot 1 DP 613385 is approximately 2.19ha (21,900m<sup>2</sup> or 5.4 acres) fronting both High Street and Clarence Street (Casino Road). The lot is bisected by a watercourse, running north-west to south-east, resulting in approximately 50% of the area subject to flooding.

The lot is cleared, grassland with some vegetation along the creek line and a thicket of trees mid-way along northern, Clarence Street, boundary.

Development surrounding the lot is residential in nature – comprising a retirement village, Shalstone Court, on the western boundary and the TAFE college opposite.

The lot is zoned RU5 Village under the provisions of the LEP, where various forms of development are permitted with Council consent in accordance with the Zoning table below:

### **Zone RU5 Village**

#### **1 Objectives of zone**

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

#### **2 Permitted without consent**

Building identification signs; environmental protection works; home occupations; roads; water reticulation systems.

#### **3 Permitted with consent**

Centre-based childcare facilities; community facilities; dwelling houses; liquid fuel depots; neighbourhood shops; oyster aquaculture; places of public worship; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); respite; day care centres; schools; tank-based aquaculture; any other development not specified in item 2 or 4.

#### **4 Prohibited**

Agriculture; air transport facilities; airstrips; cellar door premises; correctional centres; crematoria; eco-tourist facilities; farm buildings; farm stay accommodation; forestry; heavy industrial storage establishments; heavy industries; resource recovery facilities; roadside stalls; rural workers' dwellings; waste disposal facilities; wharf or boating facilities (Tenterfield LEP 2013).

### **Infrastructure**

A sewer main is located in the southwest corner of the lot, and water mains are located in High Street and East Street. No water main extends north from the southeast corner.

## Our Community No. 4 Cont...

Any proposal to construct in East Street would be at the expense of the developer.

### Future Development Potential

Taking into consideration the permissible uses under the zoning (above) and the flooding provisions, the site would be suitable for subdivision, residential development or other forms of development compatible with the surrounding uses.

It is unlikely any future use which generated noise, odour or emissions, or similar, would be considered compatible with the existing nearby residential uses.

### Bushfire and Flooding

The site is mapped as bushfire prone land and any future subdivision application would be required to be referred to the NSW Rural Fire Service for consideration.

The site is identified as flood-prone under *Tenterfield Floodplain Risk Management Study and Plan 2014*. The Flood Planning Level (FPL) is 853.84m AHD – any future residential floor levels must achieve this level. A survey would determine the existing levels and then inform the height of any proposed buildings to the above level.

Future lots would need to be designed to allow for suitable dwelling sites taking into consideration the constraints of the site.

## 1. Subdivision

Contributions will be payable as per below for each new lot created:

#### Developer Contributions - Section 64

| Name                                           | 2025/26<br>Fee<br>(excl. GST) | 2025/26<br>GST | 2025/26<br>Fee<br>(incl. GST) |
|------------------------------------------------|-------------------------------|----------------|-------------------------------|
| Sewerage per Equivalent Tenement – Tenterfield | \$14,507.00                   | \$0.00         | \$14,507.00                   |
| Water per Equivalent Tenement – Tenterfield    | \$12,714.00                   | \$0.00         | \$12,714.00                   |

#### s7.11 New Urban Residential Subdivision

| Name                              | 2025/26<br>Fee<br>(excl. GST) | 2025/26<br>GST | 2025/26<br>Fee<br>(incl. GST) |
|-----------------------------------|-------------------------------|----------------|-------------------------------|
| Plan Preparation & Administration | \$294.00                      | \$0.00         | \$294.00                      |
| Roads                             | \$0.00                        | \$0.00         | \$0.00                        |
| Emergency Services                | \$555.00                      | \$0.00         | \$555.00                      |
| Community & Civic Facilities      | \$259.00                      | \$0.00         | \$259.00                      |
| Open Space, Sporting & Recreation | \$98.00                       | \$0.00         | \$98.00                       |
| Waste Management                  | \$1,007.00                    | \$0.00         | \$1,007.00                    |
| Drainage                          | \$421.00                      | \$0.00         | \$421.00                      |
| TOTAL                             | \$2,634.00                    | \$0.00         | \$2,634.00                    |

## 2. Residential Development

- Single dwellings are permissible with consent.
- Multiple dwellings/units/townhouses etc. are permissible with consent.
- The provisions of Chapter 3 of Council's *Development Control Plan 2014* apply and refer to the requirements for density, design, parking, landscaping etc <https://www.tenterfield.nsw.gov.au/services/building-planning/planning-documents/development-control-plan>.

Our Community No. 4 Cont...

### **Recent Purchase Enquiries**

1. Private purchase, through APL Tenterfield, offering \$250,000 – subject to finance with pre-approval in place.
2. Private purchase, through APL Tenterfield, offering \$270,000 – subject to Council Approval (6 months) with an option to extend 6 months (if approval not obtained within 6 months).
3. Council has been approached by Dev Partners, who are a for-profit developer group. They focus on developing Specialist Disability Accommodation (SDA) and are open to incorporating affordable housing into their development proposal.

#### Commentary - General Manager:

Councillors will remember that another developer has also approached Council during the course of last year regarding the possible development of an "Affordable Housing" initiative. The proposed extended settlement period was a stumbling block for Council in the negotiations.

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

May result in financial contributions through rates and a reduction in maintenance costs for Council.

The sale of the property will result in a short-term cash injection for Council but will result in the loss of a future source of value in the land.

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

Property maintenance would no longer be required and would result in savings for Council.

#### **4. Workforce (WMS)**

Reduction in staff requirements through the removal of maintenance necessary.

#### **5. Legal and Risk Management**

The risk with selling off Council land is that there is no future capacity for development without significant financial outlay.

#### **6. Performance Measures**

Nil.

#### **7. Project Management**

Nil.

Our Community No. 4 Cont...

**Liz Alley**  
**Director Corporate Services**

Prepared by staff member: Milan Duwenhogger-Lange, Lands Management Officer  
Approved/Reviewed by Manager: Liz Alley, Director Corporate Services  
Department: Office of the Director Corporate Services  
Attachments: There are no attachments for this report.

|                      |                                                       |
|----------------------|-------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Infrastructure Services</b> |
| <b>Submitted by:</b> | James Paynter, Manager Works                          |
| <b>Reference:</b>    | <b>ITEM COM5/26</b>                                   |
| <b>Subject:</b>      | <b>COUNCIL SEALED ROAD PATCHING INFORMATION</b>       |

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

|                      |                                                                          |
|----------------------|--------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>INFRASTRUCTURE</b> - Our roads are safe and sustainably maintained    |
| <b>CSP Strategy:</b> | Maintain the local and regional road network                             |
| <b>Delivery Plan</b> | As per funding provisions made in Operational and Capital annual budgets |
| <b>Action:</b>       |                                                                          |

#### **SUMMARY**

The purpose of this report is to provide Council with information for maintaining Council's sealed road network.

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

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

- 1. Considers hiring a specialised patching truck for 12 months, and the necessary budget allocations to fund the ongoing maintenance of Council's sealed road network.**
- 2. Considers approving three new staff positions as from 1 July 2026 to form a patching team for Council's sealed road network.**

#### **BACKGROUND**

Council has approximately 644km of sealed road network that requires constant maintenance to keep the seal intact. Basically, the seal is a waterproofing membrane to protect the pavement from water ingress, and the aggregate is to stop the water proofing membrane from wearing out.

Materials used for patching sealed roads include emulsion, aggregate and cold mix.

Emulsion is a water based cold bitumen that has approximately 30% water. When the emulsion is applied to a surface, there is a delay before the emulsion turns into bitumen – this process is called "breaking". When the emulsion is applied, it has a brown appearance and over the next few minutes once it is exposed to the atmosphere, the emulsion breaks and leaves a residual bitumen on the pavement surface. This is now ready to have aggregate applied.

Cold mix is cold asphalt that consists of aggregates, sand, bitumen and additives to make a product that looks like hot asphalt but can be kept for a longer period of time and has an easy workability for the purpose of repairing potholes in sealed pavements. This work is normally a manual operation whereby a person with a shovel extracts the cold mix from a truck and fills the pothole. Cold mix can also be applied to the sealed surface via mechanical distribution methods (via a truck to distribute large amounts) to carry out edge break repair on the edge of sealed pavements or to correct pavement deflections where the pavement has deflected, where the waterproof bitumen surface remains effective.

Our Community No. 5 Cont...

Best practice for repairing potholes is to square up the pothole, that is straighten the edges up by cutting back the edges to about 50mm deep to retain the cold mix in the pothole. Compaction of the cold mix using a plate packer is best for ensuring the pothole fill will remain in place. Cold mix pothole patching is an art, as the cold mix appears "alive" when applied and applying the correct amount is an acquired skill. Council currently uses a small tip truck to do pothole patching with emulsion and aggregate and or cold mix. The compaction for this unit is only via the wheels of the tip truck and shoveling from the height of the back of the tipper is not ideal.

Council has owned the current jet patching truck for close to 10 years. This truck can repair small potholes via a front nozzle arrangement that cleans the hole and distributes emulsion and aggregate to fill the hole. This truck also can do a full width seal and spread aggregate, which is vital to pavement repair sealing (for in situ stabilisation or complete dig outs) and sealing of driveways and large stripped areas in the sealed pavement.

While this truck can travel around the Shire quickly and attend to quite a few areas in a short period of time, with minimal physical effort and lowered safety risks to Council for injuries, the truck is not appropriate for repairing large individual potholes.

Potholes and stripping of seals are generally related to seal deterioration due to not resealing within best practice parameters of the seal life. A seal life has an expectation of 10 to 15 years. For example, with 644 km of sealed network, resealed every 15 years, Council should reseal 42.9km each year.

Reseals are calculated per square metre, therefore if we allow an average width of 5 metres, the area is 214,500 square metres each year. For the reseal component only, at \$6 per square metre to reseal, equates to \$1,287,000 per year. Reseals require preparation work which includes grading shoulders, ensuring all drainage is working, conducting pavement repairs, re-installing road furniture and sealed pavement repairs including pothole patching. This type of work and value varies according to the condition of the road, but preparation work can cost up to \$3 per square metre, therefore \$643,500 can be needed for reseal preparation. Therefore, the total value to be expended on reseals is \$1,930,500.

#### **REPORT:**

Council can improve its sealed pavement repair outcomes by hiring a specialised pothole patching truck and appropriate personnel to do the physical work. This type of vehicle will assist staff to deliver a quality outcome each time a pothole is repaired. This type of vehicle has easy access to a plate packer that allows the crew to finish the pothole with good compaction.

Council currently has a Leading Hand Roads position that coordinates and assists the patching and organises all reseal preparation. This position is currently vacant. Council has one other staff member who operates the Jet Patcher. Other personnel are currently engaged under the Service Hire Panel. The cost of contract staff is higher than the cost of employing equivalent positions directly.

To remain efficient with sealed repairs, Council will need to appoint staff to provide Council with a crew of more than one. This will consist of three more personnel,

Our Community No. 5 Cont...

providing a crew of four staff to work with a specialised hired truck, escort vehicle and Jet Patcher.

See Table 1 below for a breakdown of costs for the Council to expand the current staff numbers from two to five and to hire a specialised item of plant to do patching work and continue to use the Jet Patcher in its best role of sealing larger spaces, repairing small depth potholes and sealing driveways for private works.

Table 1

| Description          | /year                    |                     |                   |                         |             |              |             |                        |
|----------------------|--------------------------|---------------------|-------------------|-------------------------|-------------|--------------|-------------|------------------------|
|                      | Truck Only<br>Hire Rates | Additional<br>Wages | Existing<br>Wages | Existing Jet<br>Patcher | Aggregate   | Emulsion     | Cold Mix    | Ute/ Escort<br>Vehicle |
| Labourer             |                          | \$ 86,952.00        |                   |                         |             |              |             |                        |
| Labourer             |                          | \$ 86,952.00        |                   |                         |             |              |             |                        |
| Labourer             |                          | \$ 86,952.00        |                   |                         |             |              |             |                        |
| Truck Operator       |                          |                     | \$ 89,491.00      |                         |             |              |             |                        |
| Ute (30,000km PA)    |                          |                     |                   |                         |             |              |             | \$ 27,000.00           |
| Ute (30,000km PA)    |                          |                     |                   |                         |             |              |             | \$ 27,000.00           |
| Leading Hand         |                          |                     | \$ 95,056.00      |                         |             |              |             |                        |
| Hired Patching Truck | \$ 115,200.00            |                     |                   |                         |             |              |             |                        |
| Jet Patcher          |                          |                     |                   | \$154,694.00            |             |              |             |                        |
| Materials            |                          |                     |                   |                         | \$50,766.00 | \$230,310.00 | \$73,235.00 |                        |
|                      |                          |                     |                   |                         |             |              |             |                        |
|                      |                          |                     |                   |                         |             |              |             |                        |
| Totals               | \$ 115,200.00            | \$260,856.00        | \$184,547.00      | \$154,694.00            | \$50,766.00 | \$230,310.00 | \$73,235.00 | \$ 54,000.00           |
|                      |                          |                     |                   |                         |             |              |             | \$ 1,123,608           |

## COUNCIL IMPLICATIONS:

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

Council has a Road Asset Management Plan (RAMP) that sets out service and intervention standards for Council's sealed network.

### 2. Policy and Regulation

Section 3.2.2 Sealed Roads in the RAMP discusses sealed road maintenance.

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

Council allocates budgets each year for maintenance of roads (not including bridges, footpaths & stormwater), activities include grading all classes of roads as per service level agreements set out in the RAMP, sealed maintenance patching, sealed pavement repairs, signage, drainage, culvert, and vegetation maintenance. The existing budgets reflect the current means of repairing potholes. The establishment of a new and expanded pothole patching team will require additional funding for the new staff and equipment. The expected

Our Community No. 5 Cont...

additional expenditure required to fund the expanded team and equipment is approximately \$403,000.

We currently service our roads and streets via the following budget allocations: Council budgets, Disaster Relief Arrangements Funding (DRFA) and Regional Emergency Road Repair Fund (RERRF). The Recoverable Works DRFA has set parameters where the money will be spent with exact locations and scope, and RERRF have set criteria around eligibility for works. Both of these sources of funding will be expended by June 2027.

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

Council's RAMP refers to Asset Management and the developing Transport Asset Management Plan (TAMP) will detail Council's need for financial commitment to assets in the coming years. Maintenance and Capital expenditure are closely tied, as good maintenance (and budgets) extends the life of assets and can reduce the capital input at the time of replacement.

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

This report has a direct impact to Full Time Equivalent (FTE) positions by elevating the FTE level by 3.

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

Council's Risk Management assessment reveals that Council could be exposed to manual handling injuries with the implementation of a manual pothole patching methodology. By implementing Council's Safe Work Method Statements (SWMS) and Council's manual handling procedure, exposure to risk is lowered and managed by training, monitoring control measures and rotation of staff through the vehicle spotter's role – therefore providing a reprieve from the manual handling task.

Council's exposure to risk from damage to vehicles or injury to road users and using Council's Risk Management Framework demonstrates that Council's risk is lowered with the implementation of this dedicated crew to maintaining Council's sealed road network.

Scheduled road condition reports via electronic road inspections every four years to capture road condition at a specific time. To assess and compare to the TAMP recommendations and asset management details for resealing sealed pavements. This provides and proves direction for Council's patching crew and asset management reseals.

Council's RAMP is influenced by the Roads Act and the Civil Liability Act as well as other legislation that influences how Council conducts business. These Acts directly impact Council budgets.

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

Potholes to be monitored for longevity from initial repair. That said, for this to be effective Council must also fund reseals to the level provided in current LTFP budget, as the network will degrade rapidly if reseal funding is significantly

Our Community No. 5 Cont...

reduced. Once a seal is cracked, no amount of patching will hold the seal together.

**8. Project Management**

To be managed internally by the Director of Infrastructure Services, Manager of Works, Manager Infrastructure Delivery (once filled) and on-site personnel.

**Matthew Francisco**  
**Director of Infrastructure Services**

Prepared by staff member: James Paynter, Manager Works  
Approved/Reviewed by Manager: Matthew Francisco, Director Infrastructure Services  
Department: Office of the Director Infrastructure Services  
Attachments: There are no attachments for this report.

|                      |                                                                |
|----------------------|----------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Corporate Services</b>               |
| <b>Submitted by:</b> | Milan Duwenhogger-Lange, Lands Management Officer              |
| <b>Reference:</b>    | <b>ITEM COM6/26</b>                                            |
| <b>Subject:</b>      | <b>TENTERFIELD TRANSPORT MUSEUM INCORPORATED LEASE RENEWAL</b> |

|                                                               |                                                                                      |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                      |
| <b>CSP Goal:</b>                                              | <b>ECONOMY</b> - We promote and support progress in our shire                        |
| <b>CSP Strategy:</b>                                          | Work in collaboration to implement the Regional Economic Development Strategy (REDS) |
| <b>Delivery Plan Action:</b>                                  | Seek funding for high priority asset renewal projects                                |

## SUMMARY

The purpose of this report is for Council to consider the proposed lease renewal term for the Tenterfield Transport Museum Incorporated.

## OFFICER'S RECOMMENDATION:

### That Council:

**Approves the new lease for the Tenterfield Transport Museum Incorporated for a 10 x 10 x 10 year lease term, with a maximum period of tenancy under this new lease and permitted renewals of 30 years.**

## BACKGROUND

At its Ordinary Meeting held on 28 August 2013, Council determined to provide Tenterfield Transport Museum Incorporated (TTMI) a peppercorn lease (\$1.00 (INCL GST) per annum payable in advance for the first term of the lease) with a period of ten (10) years and an option for a further ten (10) years. This was to provide the TTMI some surety in the development of the site and growth of the museum stock and was considered appropriate as it aligned with Council's strategic plan. This term was 1 November 2013 to 31 October 2023 with the option to renew for the further ten (10) years by way of negotiation.

TTMI is a community-based group of volunteers who are committed to developing a quality museum which is unique to the town and the region. At the time of the initial lease, it was deemed that "for the next five to ten years it is considered that a commercial lease rate would be a financial burden on the TTMI".

Our Community No. 6 Cont...

The main provisions of the existing lease include:

- Lease period of 10 years from 1 November 2013 to 31 October 2023. (Approx. 3 years remain). The lessee has a 10 year option.
- The rent is \$1.00 GST inclusive a year with no reviews.
- No outgoings are recovered from the lessee.
- The lessee pays the services including water, power and gas.
- The tenant is responsible for insurance of the property and improvements.
- Repairs and maintenance including of a structural nature are the responsibility of the lessee.

If the 10 year option is exercised, the new lease would be subject to the same provisions as the current lease except the rent is to be reviewed to an agreed amount.

(snippet from COM36/20)

It was recommended that a standard commercial lease be drawn up by Council solicitors, Jennings & Kneipp and approved by the General Manager prior to execution of the extension.

The extension lease proposal was made as follows:

#### **Proposed Lease**

Upon surrendering the existing lease, the Transport Museum be offered a new lease over Lots 2, 3 & 4 in Section 37 of DP 758959 which has a land area of approximately 24 700 square meters (2.47 hectares) subject to the following principle terms and conditions:

1. **Term:** Approximately 3 years to 31 October 2023 with a 10 year option. (Corresponds with the existing lease term).
2. **Rent:** Nominal amount of \$1,000 per annum excl GST.
3. **Rent Review:** Annual CPI increase.
4. **Outgoings:** Tenant pays 0.0% of Council Rates and charges.
5. **Services:** The tenant is responsible for their own electricity, gas and water usage.
6. **Insurances:** The tenant is responsible for all insurances including property, buildings and public liability
7. **Repairs and maintenance:** The tenant is responsible for all costs of maintaining the land including mowing/slashing, weed, pest control etc. The tenant is also responsible for all maintenance costs to the existing buildings and for any improvements added to the land.
8. **Water Bores/Easement:** The tenant to agree to the terms and conditions of the Easement.
9. **Expiry of the Lease:** All improvements become the property of the landlord at the expiry of the lease.
10. **Legal Cost:** The tenant is to pay for the legal costs to surrender the existing lease and establish the new lease.

Lot 4 was later removed from the lease to retain access for NSW RFS for training in response to the letter received on 18 March 2022. In response, Tenterfield Transport Museum requested a reduction in the rent which resulted in the original reduction to \$800.

Our Community No. 6 Cont...

**88/22**

**Resolved** that Council:

- (1) Delegates authority to the Chief Executive to enter into a new Lease over Lots 2 and 3 Section 37 DP758959 for a 2-year period from 1 November 2021 with a 10-year optional extension to the Lease; and
- (2) Reduces the annual rental from \$1,000 excluding GST to \$800 excluding GST with other lease terms and conditions to remain unchanged from Resolution 295/20; and
- (3) Authorises the Lease be signed under seal of Council by the Mayor and the Chief Executive.

(Peter Petty/Tom Peters)

**Motion Carried**

Since this time the rent has been reviewed and increased by CPI several times and the current calculated rent for 2025 is \$1072.29 + GST (2023 rent is \$1,041.61 + GST as per new lease) with rent to increase by CPI annually.

#### **REPORT:**

In reviewing the background information regarding the previous lease conditions for TTMI a new commercial lease has been drafted with a term of 10 years, back dated to 1 November 2023 to 31 October 2033, with the option to renew for a further 10 plus 10 years. This means that Council is bound for thirty (30) years with TTMI being bound for a minimum of ten (10) years.

The term of the lease provides adequate time and security to allow for the establishment of the Campervan & Motorhome Club of Australia (CMCA) campervan and motor home park.

Lease conditions state the lessee is responsible for:

1. Clause 7.1, 7.2 & 7.3 of Annexure B is removed and replaced with the following:

*"7.1 The lessee must –*

*7.1.1 maintain in a state of good condition and serviceable repair the roof, the ceiling, the external walls and external doors and associated door jambs, and the floors of the property; and*

*7.1.2 must fix structural defects; maintain the property in a structurally sound condition; and*

*7.1.3 maintain essential services.*

*7.1.4 Maintain the land including mowing/slashing of grass, weed and pest control."*

2. Clause 7.4 of Annexure B is removed and replaced with the following:

*"7.4 If an authority requires work to be done on the property and it is structural work or work needed to make the property safe to use then the lessee must do the work."*

5. The Lessee is solely responsible, and indemnifies the Lessor, for:

- a. payment of any charges regarding water, power or gas;
- b. the upkeep and maintenance of the property and any improvements;
- c. insurance of the property and any improvements.

Our Community No. 6 Cont...

The lessor is responsible for:

6. The Lessor will pay:
  - a. the registration fee for registration of this lease at Land and Property Information NSW; and
  - b. any required stamp duty on this lease.

## **COUNCIL IMPLICATIONS:**

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

Owing to this being a renewal of an existing lease on Operational land, there are no requirements for community engagement.

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

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*

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

Income of \$1,041.61 (2023) annually, increasing by CPI on the lease anniversary each year.

The lease will result in a continued decrease in financial outlay for the Council in the management of the land related to the lease. As stated above, the lessee is responsible for the maintenance and management of the land and structures within the associated allotments.

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

Savings in Council staff time spent on asset management will be a continued positive result of the TTMI lease.

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

Savings will continue with the management/maintenance of the land and structures being managed by TTMI.

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

Council has previously entered into a 10-year lease agreement with TTMI, which expired on 31 October 2023. The new lease will be back dated 1 November 2023 to 31 October 2033 with an option to renew the lease for another 10 plus 10 years.

A clear and legally binding lease between TTMI and Tenterfield Shire Council would provide a secure and clear management plan moving forward and would secure a solid relationship between both parties.

### **7. Performance Measures**

Nil.

Our Community No. 6 Cont...

**8. Project Management**

Nil.

**Liz Alley**

**Director Corporate Services**

Prepared by staff member: Milan Duwenhogger-Lange, Lands Management Officer

Approved/Reviewed by Manager: Liz Alley, Director Corporate Services

Department: Office of the Director Corporate Services

Attachments: **1** Tenterfield Transport Museum Lease

Form: 07L  
 Release: 1  
 www.lpi.nsw.gov.au

**LEASE**  
 New South Wales  
 Real Property Act 1900

Leave this space clear. Affix additional pages to the top left-hand corner.

**PRIVACY NOTE: this information is legally required and will become part of the public record**

|                                                              |                                                                                                                                                                                                                                                                                                                                                  |              |                                                              |                 |  |            |          |  |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------|-----------------|--|------------|----------|--|
| <b>STAMP DUTY</b>                                            | Office of State Revenue use only                                                                                                                                                                                                                                                                                                                 |              |                                                              |                 |  |            |          |  |
| <b>(A) TORRENS TITLE</b>                                     | Property leased: if appropriate, specify the part or premises<br>LOTS 2 and 3 SECTION 37 DP 758959                                                                                                                                                                                                                                               |              |                                                              |                 |  |            |          |  |
| <b>(B) LODGED BY</b>                                         | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Delivery Box</td> <td style="width: 60%;">Name, Address or DX and Telephone</td> <td style="width: 25%;">CODE</td> </tr> <tr> <td></td> <td>Reference:</td> <td style="text-align: center; vertical-align: middle;"><b>L</b></td> </tr> </table> | Delivery Box | Name, Address or DX and Telephone                            | CODE            |  | Reference: | <b>L</b> |  |
| Delivery Box                                                 | Name, Address or DX and Telephone                                                                                                                                                                                                                                                                                                                | CODE         |                                                              |                 |  |            |          |  |
|                                                              | Reference:                                                                                                                                                                                                                                                                                                                                       | <b>L</b>     |                                                              |                 |  |            |          |  |
| <b>(C) LESSOR</b>                                            | THE COUNCIL OF THE SHIRE OF TENTERFIELD                                                                                                                                                                                                                                                                                                          |              |                                                              |                 |  |            |          |  |
| <b>(D)</b>                                                   | The lessor leases to the lessee the property referred to above.                                                                                                                                                                                                                                                                                  |              |                                                              |                 |  |            |          |  |
| <b>(E) LESSEE</b>                                            | Encumbrances (if applicable):                                                                                                                                                                                                                                                                                                                    |              |                                                              |                 |  |            |          |  |
| <b>(F)</b>                                                   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>TENTERFIELD TRANSPORT MUSEUM INCORPORATED ABN 97 894 261 645</td> </tr> <tr> <td><b>TENANCY:</b></td> </tr> </table>                                                                                                                                                 |              | TENTERFIELD TRANSPORT MUSEUM INCORPORATED ABN 97 894 261 645 | <b>TENANCY:</b> |  |            |          |  |
| TENTERFIELD TRANSPORT MUSEUM INCORPORATED ABN 97 894 261 645 |                                                                                                                                                                                                                                                                                                                                                  |              |                                                              |                 |  |            |          |  |
| <b>TENANCY:</b>                                              |                                                                                                                                                                                                                                                                                                                                                  |              |                                                              |                 |  |            |          |  |

- (G)**
1. **TERM:** TEN YEARS
  2. **COMMENCING DATE:** 1 NOVEMBER 2023
  3. **TERMINATING DATE:** 31 OCTOBER 2033
  4. With an **OPTION TO RENEW** for a period of TEN YEARS PLUS TEN YEARS set out in clause 11A of ANNEXURE A
  5. With an **OPTION TO PURCHASE** set out in clause N.A. of N.A.
  6. Together with and reserving the **RIGHTS** set out in clause N.A. of N.A.
  7. Incorporates the provisions set out in **ANNEXURE A, B** hereto.
  8. Incorporates the provisions set out in **MEMORANDUM** filed at Land and Property Information New South Wales as No. N.A.
  9. The **RENT** is set out in item No. 9 of ANNEXURE A

All handwriting must be in block capitals.

Total Pages (office use only) \_\_\_\_\_

Page 1 of \_\_\_\_\_

LAND AND PROPERTY INFORMATION NSW

**DATE**

(H)

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below.

Signature of witness:

Signature of authorised officer:

Name of witness:

Authorised officer's name:

Address of witness:

Authority of officer:

Signing on behalf of:

Tenterfield Shire Council

Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the corporation named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Corporation: TENTERFIELD TRANSPORT MUSEUM INCORPORATED

Authority: S.36 Incorporated Associations Act

Signature of authorised person:

Signature of authorised person:

Name of authorised person:

Name of authorised person:

Office held:

Office held:

(I) **STATUTORY DECLARATION**

I,

solemnly and sincerely declare that—

1. The time for the exercise of option to \_\_\_\_\_ in expired lease No. \_\_\_\_\_ has ended;
2. The lessee under that lease has not exercised the option

Made and subscribed at \_\_\_\_\_

in the \_\_\_\_\_

on \_\_\_\_\_

in the presence of—

Signature of witness:

Signature of lessor:

Name of witness:

Address of witness:

Qualification of witness:

Page 2 of \_\_\_\_\_

**ANNEXURE A**

**ANNEXURE A**  
**SEE A SOLICITOR ABOUT THIS LEASE**

**Lessor:** THE COUNCIL OF THE SHIRE OF TENTERFIELD

**Lessee:** TENTERFIELD TRANSPORT MUSEUM INCORPORATED ABN 97 894 261 645

This annexure consists of 3 pages.

**NOTE:** Any alterations and additions to Lease Covenants in Annexure B **must** be made by additional clauses in Annexure A. The printed clauses in Annexure B are to remain in their copyright form without alteration.

**SCHEDULE**

- Item 1**      **Lessor**  
THE COUNCIL OF THE SHIRE OF TENTERFIELD
  
- Item 2**      **Lessee**  
TENTERFIELD TRANSPORT MUSEUM INCORPORATED
  
- Item 3**      **Guarantor**  
(Clauses 2.3 and 13.1)      NOT APPLICABLE
  
- Item 4**      **Limit of guarantor's liability**  
(Clause 13.7)      NOT APPLICABLE
  
- Item 5**      **Property**  
LOT 2 and 3 SECTION 37 DP 758959.
  
- Item 6**      **Term**  
10 YEARS
  
- Item 7**      **Commencing date**  
1 NOVEMBER 2023
  
- Item 8**      **Terminating date**  
31 OCTOBER 2033

Signature of lessor .....

Signature of lessee .....

Signature of guarantor .....

**ANNEXURE A**

**Item 9 Rent**  
(Clause 5) For the lease period: \$1041.61 GST exclusive a year with the payment due on each anniversary of the commencement date.

For the further period in Item 11A:

- (a) From the commencement date to the first rent review date: The rent to increase by method two (CPI)
- (b) Afterwards: Rent to increase by method two (CPI) by agreement between lessor and lessee with the payment due on each anniversary of the commencement date.

**Item 10 Rent review**  
(Clause 5.4) Rent review date: Each anniversary of the commencement date.  
Method of rent review: Method Two (CPI increase)

**Item 11 Option to renew**  
(Clause 4)

Item 11A. Further period of Ten years from 1 November 2033 to 31 October 2043 .

Item 11B. Further period of Ten years from 1 November 2043 to 31 October 2053

Item 11C. Maximum period of tenancy under this lease and permitted renewals: 30 YEARS

Item 11D. First day option for renewal can be exercised: 1 July 2033 and 1 July 2043

Item 11E. Last day option for renewal can be exercised: 30 September 2033 and 30 September 2043

**Item 12 GST**  
(Clause 15) Clause 15 provides for payment by the lessee of GST unless otherwise here indicated: STATED RENT IS GST EXCLUSIVE

**Item 13 Outgoings**  
(Clause 5) Share of outgoings: 100%

Outgoings -

- (a) ~~local council rates and charges;~~
- (b) ~~water sewerage and drainage charges;~~
- (c) ~~land tax;~~
- (d) insurance;(to be obtained by the Lessee)
- (e) ~~all levies and contributions of whatsoever nature determined and/or levied by the owners corporation with the exception of any contribution to a sinking fund or special levy in respect of the strata scheme of which the property forms part (if applicable);~~
- (f) ~~(other): NOT APPLICABLE~~

~~for the land or the building of which the property is part, fairly apportioned to the period of this lease.~~

**Item 14 Additional leased property**  
(Clause 3) NOT APPLICABLE

**Item 15 Interest rate**  
(Clause 5.1.5) 10%

**Item 16 Permitted use:**  
(Clause 6.1) TRANSPORT MUSEUM and CARAVAN PARK

**Item 17 Amount of required public liability insurance**  
(Clause 8.1.1) \$20,000,000.00

Signature of lessor .....

Signature of lessee .....

Signature of guarantor .....

**ANNEXURE A**

**Item 18      Bank Guarantee**  
(Clause 16)      NOT APPLICABLE

**Item 19      Security Deposit**  
(Clause 17)      NOT APPLICABLE

**Details of strata manager/secretary of the owners corporation (if applicable)**

NOT APPLICABLE

**The following alterations and additions are to be made to the Lease Covenants in Annexure B:**

1. Clause 7.1, 7.2 & 7.3 of Annexure B is removed and replaced with the following:  
    *“7.1 The lessee must –*  
        7.1.1 *maintain in a state of good condition and serviceable repair the roof, the ceiling, the external walls and external doors and associated door jambs, and the floors of the property; and*  
        7.1.2 *must fix structural defects; maintain the property in a structurally sound condition; and*  
        7.1.3 *maintain essential services.*  
        7.1.4 *Maintain the land including mowing/slashing of grass, weed and pest control.”*
2. Clause 7.4 of Annexure B is removed and replaced with the following:  
    *“7.4 If an authority requires work to be done on the property and it is structural work or work needed to make the property safe to use then the lessee must do the work.”*
3. Clauses 5.1.6 and 5.1.7 of Annexure B is removed.
4. Section 8.2 of Annexure B is removed.
5. The Lessee is solely responsible, and indemnifies the Lessor, for:
  - a. payment of any charges regarding water, power or gas;
  - b. the upkeep and maintenance of the property and any improvements;
  - c. insurance of the property and any improvements.
6. The Lessor will pay:
  - a. the registration fee for registration of this lease at Land and Property Information NSW; and
  - b. any required stamp duty on this lease.
7. Clause 6.1.2, 10.2, 10.3 & 10.4 removed.
8. Additional clause *“9.1.8 maintaining and repairing bores, water and electricity infrastructure and pumps.”*
9. The Lessor consents to a sublease of Part Lot 2 (as shown in the attached site plan) to Campervan & Motorhomes Club of Australia for the purpose of an RV Park in accordance with Development Consent 2024.104.

Signature of lessor .....

Signature of lessee .....

Signature of guarantor .....

**ANNEXURE B**

SEE A SOLICITOR ABOUT THIS LEASE

**Lessor:** THE COUNCIL OF THE SHIRE OF TENTERFIELD

**Lessee:** TENTERFIELD TRANSPORT MUSEUM INCORPORATED

This annexure consists of 12 pages.

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**NOTE:** Any alterations and additions to Lease Covenants in Annexure B **must** be made by additional clauses in Annexure A. The printed clauses in Annexure B are to remain in their copyright form without alteration.

**CLAUSE 1 FORM OF THIS LEASE**

**What are the parts to this lease?**

- 1.1. There are three parts to this lease – a lease form, Annexure A and this annexure.
- 1.2. This lease is a deed even if it is not registered.
- 1.3. A reference in this deed to an item is to an item in the schedule commencing at Item 1 and ending with Item 19 in Annexure A.

**CLAUSE 2 PARTIES**

**Who are the parties to this lease?**

- 2.1. The lessor is named on page 1 of this lease and in Item 1.
- 2.2. The lessee is named on page 1 of this lease and in Item 2.
- 2.3. The guarantor is named in Item 3, if there is a guarantor.
- 2.4. If a party consists of two or more persons, obligations of that party can be enforced against any one or more of them.

**CLAUSE 3 THE PROPERTY**

**What property is leased?**

- 3.1. The property leased is described on page 1 of this lease and in Item 5.
- 3.2. The lessor's fixtures are included in the property leased.
- 3.3. If anything else is leased (such as furniture belonging to the lessor) and is described in Item 14 it is included in the property.
- 3.4. If the property has facilities and services shared in common with other persons in the same building as the property, Clause 11.3.2 applies to those common facilities. The lessee shares the common facilities with the lessor, and with other lessees of the lessor. The lessor can set reasonable rules for sharing these common facilities.

Signature of lessor .....

Signature of lessee .....

Signature of guarantor .....

**CLAUSE 4 LEASE PERIOD**

**How long is this lease for?**

- 4.1. This lease is for the period stated in Item 6, commences on the date stated in Item 7 and ends on the date stated in Item 8.
- 4.2. If a further period, commencing when this lease ends, is stated in Item 11A then the lessee has the option to renew this lease for that period.
- 4.3. The lessee can renew this lease more than once if that is stated in Item 11B. However the period of tenancy under this lease and under any renewal(s) is, in total, not longer than the maximum period stated in Item 11C.
- 4.4. The lessee can exercise the option only if –
- 4.4.1 the lessee serves on the lessor a notice of exercise of option not earlier than the first day stated in Item 11D and not later than the last day stated in Item 11E;
- 4.4.2 there is at the time of service no rent or outgoing that is overdue for payment; and
- 4.4.3 at the time of service all the other obligations of the lessee have been complied with or fully remedied in accordance with the terms of any notice to remedy given by the lessor.
- If this lease is extended by legislation, Item 11D and Item 11E are adjusted accordingly.
- 4.5. After exercising the option the lessee must continue to pay all rents and outgoings on time and continue to comply with all of the lessee's obligations under this lease. If the lessee does not do so, the lessor may treat any breach as being a breach of the new lease as well as of this lease.
- 4.6. A new lease will be the same as this lease except for –
- 4.6.1 the new rent;
- 4.6.2 the commencement date and the termination date;
- 4.6.3 the omission of Clauses 4.2, 4.3, 4.4, 4.5 and 4.6 and Item 11A and Item 11B in the last lease allowed in Item 11;
- 4.6.4 Item 11B becoming Item 11A;
- 4.6.5 adjustment of Item 11C; and
- 4.6.6 adjustment of Item 11D and Item 11E. The number of days between the dates stated in Item 11D and Item 11E of the new lease and the termination date of the new lease and the number of days between each date stated in Item 11D and Item 11E of this lease and the termination date of this lease are to correspond.

If the new rent is to be current market rent it will be decided in the same way that current market rent is to be decided under Method 3 stated in Clause 5 assuming that this lease and the new lease were one continuous lease and the commencement date of the new lease was a rent review date.

**CLAUSE 5 MONEY**

**What money must the lessee pay?**

- 5.1. The lessee must pay to the lessor or as the lessor directs –
- 5.1.1 the rent stated in Item 9;
- 5.1.2 the share stated in Item 13 of outgoings stated in Item 13;
- 5.1.3 the reasonable cost to the lessor of remedying a default by the lessee;
- 5.1.4 the reasonable cost to the lessor of dealing with any application by the lessee for the lessor's consent under this lease (whether or not it is given);
- 5.1.5 interest on these moneys at the rate stated in Item 15 when payment is more than 14 days overdue, calculated from the due date to the date of payment;
- 5.1.6 registration fee for registration of this lease at Land and Property Information NSW (payable on delivery to the lessor's solicitor of the executed lease);
- 5.1.7 stamp duty on this lease (payable on delivery to the lessor's solicitor of the executed lease) if not previously paid by the lessee to the Office of State Revenue;

**ANNEXURE B**

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- 5.1.8 if the lessee defaults, the lessor's reasonable legal costs relating to the default;
- 5.1.9 the lessor's reasonable costs and expenses in connection with the preparation of this lease; and
- 5.1.10 GST as provided for in Clause 15.

5.2. The first month's instalment of rent is to be paid by the commencement date. Each later month's instalment of rent is to be paid in advance.

5.3. A payment under Clause 5.1.2 must be paid on the next rent day after a request for payment is made by the lessor.

A request for payment can be made –

- 5.3.1 after the lessor has paid an outgoing; or
- 5.3.2 after the lessor has received an assessment or account for payment of an outgoing.

If Item 13 refers to land tax –

- if the property is a strata lot, the relevant land tax is land tax on that lot;
- if the property is not a strata lot but is part of a building, the relevant land tax is land tax on the land on which the building is situated, plus any land of the lessor used or available for use by or for the benefit of lessees conducting business in the building or in connection with trading in the building; and
- in either case, the land tax must be calculated as if the land was the only land owned by the lessor and there was no special trust or non-concessional company involved.

**When and how is the rent to be reviewed?**

5.4. The rent is to be reviewed on the rent review dates stated in Item 10.

If this lease is extended by legislation, the rent review dates include each anniversary of the latest rent review date stated in Item 10 (or if none is stated each anniversary of the commencement date) which falls during the extension.

5.5. The lessee must continue to pay rent at the old rate until the new rate is known. After that, the lessee is to pay the new rent from the next rent day. By that rent day the lessee is also to pay any shortfall between the old and new rate for the period since the rent review date. Alternatively, the lessor is to refund to the lessee any overpayment of rent.

5.6. There are three different methods described here for fixing the new rent on a rent review date. The method agreed by the lessor and the lessee is stated at Item 10. The lessee is entitled to a reduction if the method produces a rent lower than the rent current just before the review date.

**Method 1. By a fixed amount or percentage.**

5.7. In this case the rent beginning on each review date will be increased by the percentage or amount stated in Item 10.

**Method 2. By reference to Consumer Price Index.**

5.8. In this case –

- take the yearly rent as of the last review date or if none, the rent at the commencement date (\$X),
- divide that rent by the Consumer Price Index Number for Sydney (All Groups) for the quarter ended just before that date (CPI 1),
- multiply the result by the Consumer Price Index Number for Sydney (All Groups) for the quarter ended just before the review date (CPI 2).

The product is the new rent for the year beginning on the review date (\$Y), written as a formula –

$$\frac{\$X}{\text{CPI 1}} \times \text{CPI 2} = \$Y$$

5.9. The lessor must calculate the new rent after each review date and give the lessee written notice of the new rent.

**ANNEXURE B**

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- 5.10. If the Australian Bureau of Statistics makes a change in the reference base of the index and there is a published co-relation between the old and new base then the published co-relation is to be applied to convert the CPI 1 figure to the new reference base. If there is none then the lessor and the lessee agree to accept the calculations of the lessor's solicitor who must be retained to determine a fair co-relation between the old and the new series of numbers.
- 5.11. If the index used to calculate the new rent is discontinued the lessor may substitute another index that, as nearly as practicable, serves the same purpose and, if there is no such index, then the rent will be fixed by Method 3.

**Method 3. By reference to current market rent.**

- 5.12. In this case the rent is to be the current market rent. This can be higher or lower than the rent payable at the rent review date and is the rent that would reasonably be expected to be paid for the property, determined on an effective rent basis, having regard to the following matters –
- 5.12.1 the provisions of this lease;
  - 5.12.2 the rent that would reasonably be expected to be paid for the property if it were unoccupied and offered for renting for the same or a substantially similar use to which the property may be put under this lease;
  - 5.12.3 the gross rent, less the lessor's outgoings payable by the lessee;
  - 5.12.4 the value of goodwill created by the lessee's occupation and the value of lessee's fixtures and fittings are to be ignored.
- 5.13. The lessor or the lessee can inform the other in writing at least 60 days before the rent review date of the rent that the lessor or lessee thinks will be the current market rent at the review date.
- 5.14. If the lessor and the lessee agree on a new rent then that rent will be the new rent beginning on the rent review date and the lessor and the lessee must sign a statement saying so.
- 5.15. If the lessor and the lessee do not agree on the amount of the new rent 30 days before the rent review date, the current market rent will be decided by a valuer appointed under Clause 5.16.
- 5.16. The lessor and the lessee can either agree upon a valuer or can ask the President of the Law Society of New South Wales to nominate a person who is a licensed valuer to decide the current market rent.
- 5.17. The valuer will act as an expert not an arbitrator. The lessor and the lessee can each make submissions in writing to the valuer within 14 days after they receive notice of the valuer's appointment but not later unless the valuer agrees.
- 5.18. The valuer's decision is final and binding. The valuer must state how the decision was reached.
- 5.19. If the valuer
- 5.19.1 does not accept the nomination to act; or
  - 5.19.2 does not decide the current market rent within 1 month after accepting the nomination; or
  - 5.19.3 becomes incapacitated or dies; or
  - 5.19.4 resigns,
- then another valuer is to be appointed in the same way.
- 5.20. The lessor and lessee must each pay half the valuer's costs.
- 5.21. If the lessor and lessee do not agree upon a valuer and neither asks for a valuer to be nominated before –
- 5.21.1 the next rent review date passes; or
  - 5.21.2 this lease ends without the lessee renewing it; or
  - 5.21.3 this lease is transferred after the rent review date with the lessor's consent; or
  - 5.21.4 the property is transferred after the rent review date
- then the rent will not change on that rent review date.

**CLAUSE 6 USE**

**How must the property be used?**

- 6.1. The lessee must –
- 6.1.1 use the property for the purpose stated in Item 16 and not for any other purpose;
  - 6.1.2 open for business at times usual for a business of the kind conducted by the lessee;
  - 6.1.3 keep the property clean and dispose of waste properly; and
  - 6.1.4 comply with all laws relating to strata schemes and all other laws regulating how the property is used, obtain any consents or licences needed, comply with any conditions of consent, and keep current any licences or registrations needed for the use of the property or for the conduct of the lessee's business there.
  - 6.1.5 where the property is a lot in a strata scheme:
    - 6.1.5.1 use the lessor's common property only in connection with the use of the property;
    - 6.1.5.2 co-operate with all other permitted users of the common property;
    - 6.1.5.3 comply with so many of the provisions of the *Strata Schemes Management Act 1996* and the *Strata Schemes (Freehold Development) Act 1973* and the by-laws and all lawful orders, motions and directives under these Acts as may be applicable to the exercise of the lessee's rights and obligations under this lease.
- 6.2. The lessor can consent to a change of use and cannot withhold consent unreasonably.
- 6.3. The lessee must not –
- 6.3.1 do anything that might invalidate any insurance policy covering the property or that might increase the premium unless the lessor consents in which case the lessee must pay the increased premium; or
  - 6.3.2 use the property as a residence or for any activity that is dangerous, offensive, noxious, illegal or immoral or that is or may become a nuisance or annoyance to the lessor or to the owner or occupier of any neighbouring property; or
  - 6.3.3 hold any auction, bankrupt or fire sale in the property; or
  - 6.3.4 display signs or advertisements on the outside of the property, or that can be seen from the outside, unless the lessor consents (but the lessor cannot withhold consent unreasonably);
  - 6.3.5 overload the floors or walls of the property; or
  - 6.3.6 without the prior written consent of the lessor and/or the owners corporation, use the common property for any purpose other than for access to and egress from the property.

**CLAUSE 7 CONDITION AND REPAIRS**

**Who is to repair the property?**

- 7.1. The lessor must –
- 7.1.1 maintain in a state of good condition and serviceable repair the roof, the ceiling, the external walls and external doors and associated door jambs, and the floors of the property and must fix structural defects;
  - 7.1.2 maintain the property in a structurally sound condition; and
  - 7.1.3 maintain essential services.
- 7.2. The lessee must otherwise maintain the property in its condition at the commencement date and promptly do repairs needed to keep it in that condition but the lessee does not have to –
- 7.2.1 alter or improve the property; or
  - 7.2.2 fix structural defects; or
  - 7.2.3 repair fair wear and tear.
- 7.3. The lessee must also –
- 7.3.1 reimburse the lessor for the cost of fixing structural damage caused by the lessee, apart from fair wear and tear;
  - 7.3.2 maintain and decorate the shop front if the property has one;

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- 7.3.3 decorate the inside of the property in the last 3 months of the lease period (however it ends) – ‘decorate’ here means restoring the surfaces of the property in a style and to a standard of finish originally used e.g. by repainting;
- 7.3.4 where the property is a lot in a strata scheme:
- 7.3.4.1 meet the cost of all damage to the common property occasioned by the lessee or any invitee or licensee of the lessee; and
- 7.3.4.2 permit the owners corporation, temporarily, to close any part of the common property for the purpose of making and effecting repairs to it.
- 7.4. If an authority requires work to be done on the property and it is structural work or work needed to make the property safe to use then the lessor must do the work unless it is required only because of the way the lessee uses the property. But if it is any other work or is required only because of the way the lessee uses the property then the lessee must do the work.
- 7.5. If the lessee fails to do any work that the lessee must do the lessor can give the lessee a notice in writing stating what the lessee has failed to do. After the notice is given the lessee must –
- 7.5.1 do the work immediately if there is an emergency; and
- 7.5.2 do the work promptly and diligently in any other case.
- If the lessee does not do the work, the lessor can do it and the lessee must reimburse the lessor for the cost of the work.
- 7.6. The lessee must not make any structural alterations to the property. Any other alterations require the lessor’s consent in writing (but the lessor cannot withhold consent unreasonably).

**CLAUSE 8 INSURANCE AND DAMAGE**

**What insurances must the lessee take out?**

- 8.1. The lessee must keep current an insurance policy covering –
- 8.1.1 liability to the public in an amount not less than the amount stated in Item 17 (for each accident or event); and
- 8.1.2 damage or destruction from any cause to all plate glass in the windows and other portions of the property
- and must produce to the lessor, upon request, the policy and the receipt for the last premium.

**What happens if the property is damaged?**

- 8.2. If the property or the building of which it is part is damaged (a term which includes destroyed) –
- 8.2.1 the lessee is not liable to pay rent, or any amount payable to the lessor in respect of outgoings and other charges, that is attributable to any period during which the property cannot be used under this lease or is inaccessible due to that damage;
- 8.2.2 if the property is still useable under this lease but its useability is diminished due to the damage, the lessee’s liability for rent and any amount in respect of outgoings attributable to any period during which useability is diminished is reduced in proportion to the reduction in useability caused by the damage;
- 8.2.3 if the lessor notifies the lessee in writing that the lessor considers that the damage is such as to make its repair impracticable or undesirable, the lessor or the lessee can terminate this lease by giving not less than 7 days notice in writing of termination to the other and no compensation is payable in respect of that termination;
- 8.2.4 if the lessor fails to repair the damage within a reasonable time after the lessee requests the lessor to do so the lessee can terminate this lease by giving not less than 7 days notice in writing of termination to the lessor; and
- 8.2.5 nothing in Clause 8.2 affects any right of the lessor to recover damages from the lessee in respect of any damage or destruction to which the clause applies.

**CLAUSE 9 ACCESS**

**What are the lessor's rights of access to the property?**

- 9.1. The lessee must give the lessor (or anyone authorised in writing by the lessor) access to the property at any reasonable time for the purpose of –
- 9.1.1 inspecting the condition of the property, or how it is being used; or
  - 9.1.2 doing anything that the lessor can or must do under this lease or must do by law; or
  - 9.1.3 viewing the property as a valuer, prospective buyer or mortgagee; or
  - 9.1.4 fixing a notice in a reasonable position on the outside of the property saying that it is for sale; or
  - 9.1.5 viewing the property as a prospective lessee not earlier than 6 months before the lease period ends; or
  - 9.1.6 fixing a notice not earlier than 6 months before the lease period ends in a reasonable position on the outside of the property saying that it is to let; or
  - 9.1.7 inspecting, cleaning or repairing another property or any services to another property.
- 9.2. The lessor must give the lessee at least 2 days written notice for access (except in an emergency). The day of the giving of the notice and any Saturday, Sunday or public holiday on which the property is not open for business are not counted.
- 9.3. The lessor must promptly make good any damage caused to the property and to any of the lessee's belongings which results from exercising these rights.
- 9.4. The lessee must give to the lessor a copy of any notice relating to the property or relating to any neighbouring property immediately after receiving the notice.

**CLAUSE 10 TRANSFER AND SUB-LEASE**

**Can this lease be transferred or the property shared or sub-let?**

- 10.1. The lessee must not transfer this lease without consent.
- 10.2. The lessor can withhold consent only if –
- 10.2.1 the proposed transferee proposes to change the use to which the property is put; or
  - 10.2.2 the lessee has not complied with Clause 10.3.
- 10.3. A request for the lessor's consent to a transfer of lease must be made in writing and the lessee must provide the lessor with such information as the lessor may reasonably require concerning the financial standing and business experience of the proposed transferee.
- 10.4. Where the lessee has complied with Clause 10.3, and the lessor has not within 42 days after the request was made given notice in writing to the lessee either consenting or withholding consent, the lessor is taken to have consented.
- 10.5. The lessee has to pay in connection with any consent the lessor's reasonable legal costs, the reasonable costs of obtaining any mortgagee's consent, the stamp duty and the registration fee for the transfer.

**CLAUSE 11 LESSOR'S OTHER OBLIGATIONS**

**What are the lessor's other obligations?**

- 11.1. So long as the lessee does all the things that must be done by the lessee under this lease the lessor must allow the lessee to possess and use the property in any way permitted under this lease without interference from the lessor, or any person claiming under the lessor or having superior title to the title of the lessor.
- 11.2. The lessor must pay all outgoing for the land or the building of which the property is part when they fall due.
- 11.3. If the property is part of a building owned or controlled by the lessor –
- 11.3.1 the lessor must maintain in reasonable structural condition all parts of the building that the lessee can use under this lease; and

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- 11.3.2 if the property has facilities and service connections shared in common with other persons the lessor must –
- 11.3.2.1 allow reasonable use of the facilities and service connections including –
- the right for the lessee and other persons to come and go to and from the property over the areas provided for access;
  - access by the lessee to service connections; and
  - the right for the lessee's customers to park vehicles in any area set aside for customer parking, subject to any reasonable rules made by the lessor.
- 11.3.2.2 maintain the facilities and service connections in reasonable condition.
- 11.4. Where registration is necessary for the validity of this lease, the lessor must ensure that this lease is registered.
- 11.5. If a consent is needed for this lease, from someone such as a mortgagee or head lessor of the property, then the lessor must get the consent.

**CLAUSE 12 FORFEITURE AND END OF LEASE**

**When does this lease end?**

- 12.1. This lease ends –
- 12.1.1 on the date stated in Item 8; or
- 12.1.2 if the lessor lawfully enters and takes possession of any part of the property; or
- 12.1.3 if the lessor lawfully demands possession of the property.
- 12.2. The lessor can enter and take possession of the property or demand possession of the property if –
- 12.2.1 the lessee has repudiated this lease; or
- 12.2.2 rent or any other money due under this lease is 14 days overdue for payment; or
- 12.2.3 the lessee has failed to comply with a lessor's notice under section 129 of the *Conveyancing Act 1919*; or
- 12.2.4 the lessee has not complied with any term of this lease where a lessor's notice is not required under section 129 of the *Conveyancing Act 1919* and the lessor has given at least 14 days written notice of the lessor's intention to end this lease.
- 12.3. When this lease ends, unless the lessee becomes a lessee of the property under a new lease the lessee must –
- 12.3.1 return the property to the lessor in the state and condition that this lease requires the lessee to keep it in; and
- 12.3.2 have removed any goods and anything that the lessee fixed to the property and have made good any damage caused by the removal.
- Anything not removed becomes the property of the lessor who can keep it or remove and dispose of it and charge to the lessee the cost of removal, making good and disposal.
- 12.4. If the lessor allows the lessee to continue to occupy the property after the end of the lease period (other than under a new lease) then –
- 12.4.1 the lessee becomes a monthly lessee and must go on paying the same rent and other money in the same way that the lessee had to do under this lease just before the lease period ended (apportioned and payable monthly);
- 12.4.2 the monthly tenancy will be on the same terms as this lease, except for –
- Clause 4;
  - Clauses 5.4 to 5.21 inclusive; and
  - Clause 6.2 unless consent has previously been given;
- 12.4.3 either the lessor or the lessee can end the monthly tenancy by giving, at any time, 1 month written notice to the other expiring on any date; and
- 12.4.4 anything that the lessee must do by the end of this lease must be done by the end of the monthly tenancy.

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- 12.5. Essential terms of this lease include –
- 12.5.1 the obligation to pay rent not later than 14 days after the due date for payment of each periodic instalment (and this obligation stays essential even if the lessor, from time to time, accepted late payment);
  - 12.5.2 the obligations of the lessee in Clause 5.1.2 (dealing with outgoings);
  - 12.5.3 the obligations of the lessee in Clause 6.1 (dealing with use);
  - 12.5.4 the obligations of the lessee in Clause 7 (dealing with repairs);
  - 12.5.5 the obligations of the lessee in Clause 10 (dealing with transfer and sub-lease); and
  - 12.5.6 the obligations of the lessee in Clause 15 (dealing with GST).
- 12.6. If there is a breach of an essential term the lessor can recover damages for losses over the entire period of this lease but must do every reasonable thing to mitigate those losses and try to lease the property to another lessee on reasonable terms.
- 12.7. The lessor can recover damages even if –
- 12.7.1 the lessor accepts the lessee's repudiation of this lease; or
  - 12.7.2 the lessor ends this lease by entering and taking possession of any part of the property or by demanding possession of the property; or
  - 12.7.3 the lessee abandons possession of the property; or
  - 12.7.4 a surrender of this lease occurs.

**CLAUSE 13 GUARANTEE**

**What are the obligations of a guarantor?**

- 13.1. This clause applies if a guarantor of the lessee is named in Item 3 and has signed or executed this lease or, if this lease is a renewal of an earlier lease, the earlier lease.
- 13.2. The guarantor guarantees to the lessor the performance by the lessee of all the lessee's obligations (including any obligation to pay rent, outgoings or damages) under this lease, under every extension of it or under any renewal of it or under any tenancy and including obligations that are later changed or created.
- 13.3. If the lessee does not pay any money due under this lease, under any extension of it or under any renewal of it or under any tenancy the guarantor must pay that money to the lessor on demand even if the lessor has not tried to recover payment from the lessee.
- 13.4. If the lessee does not perform any of the lessee's obligations under this lease, under any extension of it or under any renewal of it or under any tenancy the guarantor must compensate the lessor even if the lessor has not tried to recover compensation from the lessee.
- 13.5. If the lessee is insolvent and this lease or any extension or renewal of it is disclaimed the guarantor is liable to the lessor for any damage suffered by the lessor because of the disclaimer. The lessor can recover damages for losses over the entire period of this lease or any extension or renewal but must do every reasonable thing to mitigate those losses and try to lease the property to another lessee on reasonable terms.
- 13.6. Even if the lessor gives the lessee extra time to comply with an obligation under this lease, under any extension of it or under any renewal of it or under any tenancy, or does not insist on strict compliance with the terms of this lease or any extension of it or renewal of it or of any tenancy, the guarantor's obligations are not affected.
- 13.7. If an amount is stated in Item 4 the guarantor's liability under this clause is limited to that amount.
- 13.8. The terms of this guarantee apply even if this lease is not registered, even if any obligation of the lessee is only an equitable one, and even if this lease is extended by legislation.

**ANNEXURE B**

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**CLAUSE 14 EXCLUSIONS, NOTICES AND SPECIAL CLAUSES**

- 14.1. No covenant or power is implied in this lease by section 84 or 85 of the *Conveyancing Act 1919*.
- 14.2. A document under or relating to this lease is –
  - 14.2.1 served if it is served in any manner provided in section 170 of the *Conveyancing Act 1919*; and
  - 14.2.2 served on the lessee if it is left at the property.
- 14.3. This lease is subject to any legislation that cannot be excluded.

**CLAUSE 15 GOODS AND SERVICES TAX**

Unless Item 9 has been completed in a way that indicates that this clause is not to apply:

- 15.1. As consideration in whole or in part for a taxable supply the person receiving the supply must pay to the party making the supply an additional amount equal to the amount of GST payable on the supply.
- 15.2. To the extent that the lessee is required to reimburse the lessor in whole or in part for outgoings incurred by the lessor, for the purposes of this lease the amount of the outgoings must be reduced by the amount of any credit or refund of GST to which the lessor is entitled as a result of incurring outgoings.
- 15.3. Outgoings in Item 13 are to be calculated after deducting any input tax credit to which the lessor is entitled.
- 15.4. For the purposes of this lease GST means a tax in the nature of a supply of goods and services tax levied or imposed by the Commonwealth of Australia.

**CLAUSE 16 BANK GUARANTEE**

- 16.1. If a number of months appears in Item 18, Clauses 16.2 to 16.5 apply.
- 16.2. On or before the commencement date of this lease the lessee will deliver to the lessor a guarantee by a bank trading in the State of New South Wales in the form of an unconditional and irrevocable undertaking to pay drawn in favour of the lessor (unlimited as to time) in a form acceptable to the lessor and for an amount equivalent to the number of months referred to in Item 18.
- 16.3. The lessor is entitled to claim under the guarantee an amount equal to any moneys due but unpaid by the lessee to the lessor under this lease.
- 16.4. The lessee agrees to vary the amount of the guarantee immediately upon each rent review so that the amount at all times represents the equivalent of the number of months referred to Item 18 .
- 16.5. The lessor will deliver the guarantee (or so much of it as is then held by the lessor) to the lessee on the last of:
  - 16.5.1 the terminating date of this lease;
  - 16.5.2 the expiry date of any holding over under this lease; and
  - 16.5.3 the date that the lessee has no further obligations under this lease or at law.

**CLAUSE 17 SECURITY DEPOSIT**

- 17.1. If an amount or a number of months appears in Item 19, Clauses 17.2 to 17.6 apply.
- 17.2. On or before the commencement date of this lease the lessee will deliver the security deposit to the lessor.
- 17.3. The lessor is entitled to deduct from the security deposit an amount equal to any monies due but unpaid by the lessee to the lessor under this lease.
- 17.4. The lessee will not make an application seeking the return of the security deposit until the later of:
  - 17.4.1 the terminating date of this lease;
  - 17.4.2 the expiry date of any holding over under this lease; and
  - 17.4.3 the date that the lessee has no further obligations under this lease or at law.
- 17.5. The security deposit (or so much of it as is then held by the lessor) will be returned to the lessee on the later of the dates as specified in Clause 17.4.
- 17.6. The lessee agrees to vary the amount of the security deposit immediately upon each rent review so that it represents the equivalent of the number of months referred to in the schedule.

**ANNEXURE B**

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**CLAUSE 18 STRATA CONVERSION**

- 18.1. 'Owners corporation', 'owner', 'strata scheme', 'lot' and 'parcel' where used in this lease have the meanings given under the *Strata Schemes Management Act 1996* and the *Strata Schemes (Freehold Development) Act 1973*.
- 18.2. 'Strata Acts' means the *Strata Schemes Management Act 1996* and the *Strata Schemes (Freehold Development) Act 1973*, and includes any amending Acts, rules, regulations, ordinances, by-laws, statutory instruments, orders or notices now or hereafter made under those Acts.
- 18.3. 'Strata conversion' means a subdivision of the property under the *Strata Schemes (Freehold Development) Act 1973* or the *Community Land Development Act 1989* or the *Community Land Management Act 1989* or other legislation permitting such subdivision.
- 18.4. Strata Titles
- 18.4.1 Lessee consents to registration of strata plan
- 18.4.1.1 By its entry into this lease the lessee acknowledges that the lessor can register a strata plan, a strata schemes plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan insofar as any of these may relate to the property, the Building or the land. The lessor will provide the lessee with copies of the proposed strata plan and associated documentation for the lessee's approval, which approval will not be unreasonably withheld.
- 18.4.1.2 Provided the lessee consents to the strata conversion as per Clause 18.4.1.1 then within 7 days of written request by the lessor the lessee will sign and return to the lessor any consents or other documents necessary to enable the lessor to carry out the strata conversion and will make no objection or claim for compensation in relation to the strata conversion.
- 18.4.2 Compliance with the Strata Acts and by-laws:
- 18.4.2.1 Covenant: The lessee and any and all persons acting by, through or under it or with its authority express or implied will comply with so many of the provisions of the Strata Acts and the by-laws and all lawful orders, motions and directives under the Strata Acts as may be applicable to the exercise of the lessee's rights and obligations under the provisions elsewhere contained in this lease.
- 18.4.2.2 Not to prejudice interests of owners corporation: Without the prior written consent of the owners corporation, the lessee will not do any act, matter or thing under the exercise of its rights and obligations elsewhere contained in this lease or permit or allow any act, matter or thing to be done which will or may:
- increase the rate of premium payable by the owners corporation under any policy of insurance taken out by the owners corporation; or
  - invalidate, avoid or suspend the operation of any such policy of insurance or otherwise prejudice the owners corporation rights under any such policy.
- 18.4.2.3 Upon the occurrence of any of the matters previously referred to the lessee will:
- pay to the lessor or such other person responsible for payment any amounts payable to the owners corporation as a consequence of any such matters;
  - pay to the lessor for and on behalf of the owners corporation any amounts payable by the owners corporation as a consequence of any such matters and not the subject of Clause 18.4.2.2; and
  - pay to the lessor for and on behalf of the owners corporation the amount of any and all losses and damages arising from the occurrence of any such matters.

**ANNEXURE B**

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18.4.2.4 Indemnity: The lessee will indemnify the lessor for any loss or damage suffered by the lessor if the lessee or the lessee's employees fail to comply with the obligations as to conduct imposed upon the lessee or the lessee's employees by this lease or by reason of the Strata Acts.

18.4.3 If the strata conversion occurs:

18.4.3.1 any reference in this lease will be deemed to be a reference to the buildings comprised in the registered plan or plans of which the property forms part;

18.4.3.2 any levies or other monies payable to the owners corporation will be payable by the lessee with the exception of any contribution to a sinking fund or special levy; and

18.4.3.3 this lease will be deemed to be amended in any respect that is necessary to ensure that this lease reflects that the strata conversion has been carried out.

**IMPORTANT NOTES**

The following notes are for guidance and do not form part of this lease.

If you are a lessee, a solicitor can advise you about it.

1. This document creates legal rights and legal obligations.
2. Failure to register a lease can have serious consequences.
3. If an option for renewal is not exercised at the right time it will be lost.
4. The lessee can exercise an option for renewal even if there has been a breach of this lease in a case where Section 133E of the *Conveyancing Act 1919* applies. The lessor must give a prescribed notice within 14 days after the option is exercised if the lessor wants to rely on the breach to prevent the exercise of the option.

**SIGNATURE OF LESSOR**

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of witness:

Name of witness:  
Address of witness:

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below.

Signature of authorised person:

Name of authorised person:  
Office held: GENERAL MANAGER  
Signing on behalf of: TENTERFIELD SHIRE COUNCIL

**SIGNATURE OF LESSOR**

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of witness:

Name of witness:  
Address of witness:

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below.

Signature of authorised person:

Name of authorised person:  
Office held: MAYOR  
Signing on behalf of: TENTERFIELD SHIRE COUNCIL

**SIGNATURE OF LESSEE**

Certified correct for the purposes of the Real Property Act 1900 by the corporation named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below:

Corporation: TENTERFIELD TRANSPORT MUSEUM INCORPORATED  
Authority: S.36 Incorporated Associations Act

Signature of authorised person:

Name of authorised person:  
Office held:

Signature of authorised person:

Name of authorised person:  
Office held:

**Figure 4: Revised Proposed Site Plan**



Environmental Planning & Assessment Act, 1979 – Section 4.15 Assessment

Pursuant to Section 4.15 (formerly Section 79C) of the *Environmental Planning and Assessment Act 1979*, the following matters of relevance have been taken into consideration when assessing a development application:

**4.15 Evaluation**  
(cf previous s 79C)

**Matters for consideration—general**

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

- (a) *the provisions of:*
  - (i) *any environmental planning instrument, and*
  - (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 Secretary has*

|                      |                                                                                                                 |
|----------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Corporate Services</b>                                                                |
| <b>Submitted by:</b> | Tamai Davidson, Manager Planning & Development                                                                  |
| <b>Reference:</b>    | <b>ITEM ECO1/26</b>                                                                                             |
| <b>Subject:</b>      | <b>DEVELOPMENT APPLICATION 2024.104 - REQUEST FOR REVIEW OF CONDITION - ROAD WORKS AND KERB &amp; GUTTERING</b> |

|                                                               |                                                                                                                  |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                  |
| <b>CSP Goal:</b>                                              | <b>ECONOMY</b> - We are nurturing our environment, both built and natural attractions for residents and visitors |
| <b>CSP Strategy:</b>                                          | Implement Plans that balance the built environment with the natural environment                                  |
| <b>Delivery Plan</b>                                          | Monitor and deliver the Tenterfield Local Environment Plan 2013                                                  |
| <b>Action:</b>                                                | and Development Control Plan 2014 (as amended)                                                                   |

### SUMMARY

The purpose of this report is to further consider a request by the applicant for Development Application (DA) 2024.104 to review a condition of consent imposed by Council at its Ordinary Meeting of 24 September 2025 in relation to road construction and installation of kerb and gutter on Francis Street, Tenterfield. The DA approved a Caravan Park at Francis Street, Tenterfield for the Campervan & Motorhome Club of Australia.

### OFFICER'S RECOMMENDATION:

#### That Council:

**Advises the application that Condition Number Eight (8) of Development Consent 2024.104 can be amended as follows, subject to lodgment of a modification application via the NSW Planning Portal:**

#### 8. Section 138 Roads Act 1993 Approval

**The developer must obtain approval from Council (as the Roads Authority and/or as required under Section 138 of the Roads Act 1993 before any works are undertaken. Works within the road reserve may include activities such as erection of a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the Roads Act 1993.**

#### Works required:

- a) Driveway to be a dual lane access, minimum of 8 metres wide of concrete construction.
- b) Reconstruct the shoulders on the western side of Francis Street for the full frontage of the development site, to achieve a minimum width of 8.5m.
- c) Advanced trees to be planted on Francis Street from Douglas Street to the entrance of the site to control vehicle movements.
- d) Any street trees required to be removed to undertake the works are to be replaced in consultation with Council.

Our Economy No. 1 Cont...

## **BACKGROUND**

At its ordinary meeting of 24 September 2025, Council considered DA 2024.104 for the establishment of a Caravan Park at 44 Francis Street, Tenterfield. The DA consents to the following:

- *8m gated entrance with cross over*
- *14m length sites x 8m wide (approximately 25 based on available area)*
- *6m wide driveway – 130m long*
- *Park dump point*
- *Water points*
- *Fire hose reel*
- *Power and water to Custodian Site*
- *Barbecue shelter with concrete pad 9m x 6m*
- *Storage/garden shed*

A copy of the Development Consent Notice of Determination can be found at Attachment 1.

At its ordinary meeting of 17 December 2025, Council considered the request to review Condition 8 and resolved as follows:

Our Economy No. 1 Cont...

[235/25] **Resolved**

**That Council:**

**After having reviewed the development consent "8. Section 138 Roads Act 1993 Approval", changes the "Works required" as follows:**

- a) Driveway to be a dual lane access, minimum of 8 metres wide of concrete construction – to remain as is.**
- b) Reconstruct the shoulders on both sides of Francis Street for the full frontage of the development site, to achieve a minimum width of 11m – to be referred to the Director Infrastructure Services for an assessment on the minimum requirements needed for the safe access and egress of vehicles to and from the site.**
- c) Kerb and gutter to be provided on Francis Street from Douglas Street to the entrance of the site to control vehicle movements – to be changed to: Advanced trees to be planted on Francis Street from Douglas Street to the entrance of the site to control vehicle movements.**
- d) Any street trees required to be removed to undertake the works are to be replaced in consultation with Council – to remain as is.**

[

(Bronwyn Petrie/Greg Sauer)]

**Motion Carried**

Councillor Peter Petty requested his vote to be recorded as voting against the motion.

## REPORT:

In accordance with Council's resolution part b) has been reviewed by Council's Director Infrastructure Services for assessment of the minimum requirements needed for the safe access and egress of vehicles to and from the site.

### Director of Infrastructure Comments:

Following the Council resolution to review the conditions imposed on the proposed development, Council's staff have considered the infrastructure requirements.

The original conditions were recommended to reduce the risk of damage to Francis Street and to reduce the likelihood of additional expenditure from Council's General Fund to carry out repairs to the road in the future.

Council's staff understands the concerns of the developer and suggests that the reconstruction of Francis Street for the full frontage of the development site could be reduced to 8.5m, comprised of one 2.5m parking lane and two 3.0m travel lanes - removing the requirement for the parking lane on the eastern side of the street.

Our Economy No. 1 Cont...

Council would be able to construct the eastern parking lane at a later date if this is required in the future.

### **COUNCIL IMPLICATIONS:**

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

Council carried out extensive advertising and notification of the proposal on two (2) separate occasions, where a total of 27 objections were received to the proposal. Objections made reference to Francis Street being of insufficient width, including concerns over the bus route (extract from assessment report below)

|                   |                                                                                                                                                                                                                                                                                                                                       |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Increased Traffic | Francis Street is sufficiently wide enough to enable traffic to turn into the property whilst not obstructing through traffic. The development is within the town 50km/hr speed limit. Sight lines are unrestricted in both directions from the entranceway and traffic speeds are low.<br><br>Refer to above comments in the report. |
| Bus Route         | The objectors state:<br><br>“the proposal is using roads that are already on our school bus route. Francis Street will not cater for a bus and caravan side by side. The space required for a large caravan to turn into the entrance and a bus coming along the road is a major hazard.”                                             |

Conditions were drafted to reflect the increase in traffic relevant to the use of the site as a caravan park, in doing so, these also address some of the concerns raised during the community engagement process.

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

- *Environmental Planning & Assessment Act, 1979*
- *Tenterfield Local Environmental Plan 2013*
- *Tenterfield Development Control Plan 2014*
- *Local Government Act, 1993*
- *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*
- Limit of Delegated Authority in Dealing with Development Applications and Complying Development Certificates – Council Policy No. 3.122

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

The modification of Condition 8 of the consent has the potential to increase the expected costs of road maintenance and will reduce Council’s ability to maintain the road network.

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

Our Economy No. 1 Cont...

As noted above, the variation of the condition will affect the Transport Asset Management plan by likely increasing Council's maintenance costs.

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

Nil.

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

If the recommendation is adopted, there is a significant risk to Council for ongoing costs to upkeep Road Infrastructure on Francis Street.

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

Nil.

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

Nil.

**Liz Alley**

**Director Corporate Services**

|                               |                                                                   |
|-------------------------------|-------------------------------------------------------------------|
| Prepared by staff member:     | Tamai Davidson, Manager Planning & Development                    |
| Approved/Reviewed by Manager: | Liz Alley, Director Corporate Services                            |
| Department:                   | Office of the Director Corporate Services                         |
| Attachments:                  | <b>1</b> Development Application 2024.104 Notice of Determination |



*Birthplace of Our Nation*

24 September 2025  
Our Ref: IN24/3D24A865  
(PAN-474114)

Mr David Casson  
5 Stanstead Close  
**SCONE NSW 2337**

Dear Mr Casson,

**Re: Development Application No. 2024.104  
Lot 2 Section 37 DP 758959, 44 Francis Street, Tenterfield**

Please find attached Council's development consent for a Caravan Park (Self contained only) in relation to the abovementioned property.

Your attention is drawn to your rights of appeal should you be dissatisfied with Council's determination of your application.

Should you require further information please do not hesitate in contacting Council's Planning, Property & Development Services Department on 02 6736 6002.

Yours sincerely,

Tamai Davidson  
**Manager Planning &  
Regulation**

Encl.

CC: Sean Constable - [seanconstable@cmca.net.au](mailto:seanconstable@cmca.net.au)  
Dan Shaw - [danshaw@cmca.net.au](mailto:danshaw@cmca.net.au)

*All correspondence should be addressed to:*  
**General Manager**

**Tenterfield Shire Council**  
247 Rouse Street (PO Box 214) TENTERFIELD NSW 2372

Telephone: (02) 6736 6000 email: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au) website: [www.tenterfield.nsw.gov.au](http://www.tenterfield.nsw.gov.au)

ABN: 85 010 810 083



## Tenterfield Shire Council

247 Rouse Street (PO Box 214)  
TENTERFIELD NSW 2372

Ph: (02) 6736 6000

e-mail: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au)

### Notice of Determination of a Development Application

issued under Section 4.16 of the *Environmental Planning and Assessment Act 1979*

|                                       |                                                                                                                                                                |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Development Application No.</b>    | <b>2024.104</b>                                                                                                                                                |
| <b>NSW Planning Portal Ref No.:</b>   | <b>PAN-474114</b>                                                                                                                                              |
| <b>Development Application</b>        |                                                                                                                                                                |
| Applicant Name:                       | David Casson                                                                                                                                                   |
| Applicant Address:                    | 5 Stanstead Close<br><b>SCONE NSW 2337</b>                                                                                                                     |
| Land to be Developed:                 | <b>Lot 2 Section 37 DP 758959</b>                                                                                                                              |
| Address:                              | <b>44 Francis Street, Tenterfield</b>                                                                                                                          |
| Proposed Development:                 | <b>Caravan Park – Self contained</b>                                                                                                                           |
| Determination:                        | <del>Consent granted unconditionally</del><br>Consent granted subject to conditions described below<br><del>Application refused</del>                          |
| Consent to Operate from (date)        | 24 September 2025                                                                                                                                              |
| Consent to Lapse on (date)            | <b>24 September 2030 (if not commenced)</b>                                                                                                                    |
| <b>Conditions:</b>                    | <i>Please read the conditions carefully as failure to comply with all conditions could result in the Subdivision Certificate not being endorsed by Council</i> |
| <b>Other Approvals:</b>               |                                                                                                                                                                |
| list <i>Local Government Act 1993</i> | To be issued                                                                                                                                                   |

Development Application No. 2024.104

**INFORMATION ABOUT THE DECISION**

**RIGHTS OF REVIEW AND APPEAL**

Under Section 8.2, 8.3, 8.4 & 8.5 of the Environmental Planning and Assessment Act 1979, **any applicant** who is dissatisfied with Council's determination of their application may request the Council to **review** its determination; such a request can be made within 6 months or after an appeal to the Land and Environment Court has been lodged, but before it has been disposed of in the Land & Environment Court. A review cannot be made on designated or integrated development.

**If the applicant is dissatisfied with this decision**, Section 8.7 & 8.10 of the *Environmental Planning and Assessment Act 1979* gives the applicant the right to appeal to the Land and Environment Court within 6 months after the date on which the applicant received the 'Notice of Determination' under Section 4.19 of the *Environmental Planning and Assessment Act 1979*.

**If the applicant appeals**, Section 8.7 & 8.10 of the *Environmental Planning and Assessment Act 1979* gives any person who made a submission in relation to designated development the right to be given notice of the appeal, and to be heard at the hearing of the appeal (you need to apply to the court within 28 days of the notice of the appeal).

**If you are an objector to designated development**, and are dissatisfied with a decision to grant consent (either unconditionally or subject to conditions), Section 8.8 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 28 days of the date of the notice of determination.

Your appeal may be made by lodging an application to the Court in accordance with the Rules of Court.

**PERIOD OF APPROVAL**

This approval remains valid for a period of 5 years from the date of this notice, or as otherwise identified in the consent.

**(Under Section 4.53 of the Environmental Planning and Assessment Act 1979 and Section 103 of the Local Government Act 1993, the approval does not lapse if building, engineering or construction work on the land to which the approval relates is physically commenced before the date on which this approval would otherwise lapse).**

**DEFERRED COMMENCEMENT**

In the case of an approval which is granted subject to a condition that the approval cannot operate until the applicant satisfies the Council as to any matter specified in the condition (a "deferred commencement"), the date from which the approval operates will not be endorsed on this notice. A separate notice will be issued in the event that the Council is satisfied that the applicant has satisfied such conditions.

**CONDITIONS OF DEVELOPMENT CONSENT**

**ADMINISTRATION CONDITIONS**

**1. Approved Development – “Self-contained moveable dwellings”**

Development consent has been issued for the “Use of site only for “Self-Contained Moveable Dwellings – 25 sites”.

No approval is given for the use of the site by non-self contained caravans or for camping.

**Note:** A self-contained moveable dwelling means a moveable dwelling that contains shower and toilet facilities. All self-contained moveable dwellings must be fitted with mechanisms for on board storage of all waste from internal facilities – toilets, showers, sinks and laundries. No grey water is to be disposed of directly on to the ground.

**Reason:** *To clarify the use of the site.*

**2. Development in Accordance with Plans and Documents**

The development shall be implemented by the approved plans and supporting documents set out in the following table except where modified by any conditions of development consent.

| <b>Plan Title Supporting Document</b> | <b>Reference / Version</b> | <b>Prepared by</b> | <b>Dated</b> |
|---------------------------------------|----------------------------|--------------------|--------------|
| Site Plan                             | 2.4.25                     | Casson PDS         | 16.9.25      |
| Proposed Shelter                      | -                          | -                  | undated      |
| Floor Plan                            | -                          | -                  | undated      |
| Proposed Storage Shed                 | -                          | -                  | undated      |

**Reason:** *To ensure the development is carried out in accordance with the approved plans and documentation.*

**3. Inconsistency between Documents**

In the event of any inconsistency between the conditions of this consent and the drawings/documents referred to above, the conditions of this consent shall prevail to the extent of the inconsistency.

**Reason:** *To ensure that the development is undertaken in accordance with the submitted plans and documents (as amended).*

**4. Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021**

The development must be designed, constructed, maintained and operated in accordance with the relevant requirements of Subdivisions 1-8 of Division 3 *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*, except as in accordance with the exemptions provide by the Instrument of Compliance issued under Section 82(3) of the Local Government Act 1993 by the Department of Planning, Housing and Infrastructure dated 2 September 2025.

**Reason:** *To ensure that the development is undertaken in accordance with the relevant provisions of the Regulation.*

**5. Compliance with Building Code of Australia**

Development that involves building work that the work must be carried out in accordance with the requirements of the *Building Code of Australia*.

A reference to the Building Code of Australia is a reference to the *Building Code of Australia* as in force on the day on which the application for the Construction Certificate was made.

**Reason:** *The condition is prescribed under clause 69 of the Environmental Planning and Assessment Regulation 2021.*

**6. Erection of Signs**

A sign must be erected in a prominent position on a site on which building work, subdivision work, or demolition work is being carried out—

- (a) showing the name, address and telephone number of the principal certifier for the work, and
- (b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and stating that unauthorised entry to the work site is prohibited.

The sign must be—

- (a) maintained while the building work, subdivision work or demolition work is being carried out, and
- (b) removed when the work has been completed.

**Reason:** *The condition is prescribed under clause 70 of the Environmental Planning and Assessment Regulation 2021.*

**CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK**

**7. Construction Certificate**

No work shall commence until a:

- (a) Construction Certificate is obtained from either the Tenterfield Shire Council or an Accredited Certifier, and
- (b) Construction Certificate lodged with Council obtained from an Accredited Certifier (together with associated plans and documents) - a fee applies for this service.

**Reason:** *Statutory Requirement.*

#### **8. Section 138 Roads Act 1993 Approval**

The developer must obtain approval from Council (as the Roads Authority and/or as required under Section 138 of the *Roads Act 1993*) before any works are undertaken. Works within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the *Roads Act 1993*.

Works required;

- a) Driveway to be a dual lane access, minimum of 8 metres wide of concrete construction; and
- b) Reconstruct the shoulders on both sides of Francis Street for the full frontage of the development site, to achieve a minimum width of 11m.
- c) Kerb and gutter is to be provided on Francis Street from Douglas Street to the entrance of the site to control vehicle movements.
- d) Any street trees required to be removed to undertake the works are to be replaced in consultation with Council.

The following details must be submitted to Council in order to obtain the Section 138 approval:

- Engineered design plans for the proposed works.
- Traffic Management Plan (TMP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TMP must comply with "Traffic Control at Worksites Technical Manual". The plan must be prepared and certified by a person holding the appropriate accreditation (PWZ), a copy of which is to be submitted with the plan.
- Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant/contractor undertaking the works.

**Reason:** Statutory requirement.

#### **9. Section 68 Approval – Local Government Act 1993**

The developer must obtain the following approvals under Section 68 of the *Local Government Act 1993*:

- B1 Carry out water supply work
- B4 Carry out sewerage work
- F2 Operate a caravan park or camping ground

**Reason:** Statutory requirement.

#### **10. Landscape Plan**

Prior to commencement of works, a landscape plan shall be submitted to Council for approval. The plan must provide for advanced tree/hedge plantings along the eastern boundary of the site to achieve an effective visual screen. The plan is to:

- Nominate suitable long-lived tree/hedge species capable of reaching a mature height of at least 3 metres;
- Specify a minimum tree planting height of 2.5 metres, or hedge planting height of 1 metre at installation;
- Detail planting density and spacing sufficient to ensure a continuous vegetated screen within 3 years of establishment; and

- Include ongoing maintenance measures requiring replacement of any dead, diseased or damaged plants for the life of the development.
- Provide for the erection of a temporary screening fence on the eastern boundary of the premises (until the tree/hedge plantings reaches the specified 3 metres height).

**Reason:** *To ensure effective screening and mitigate visual impacts on the surrounding area through appropriate and well-maintained landscaping.*

**11. Appointment of Principal Certifier (PC)**

No work shall commence in connection with this Development Consent until:

- (a) A Construction Certificate for the building work has been issued by:
- (i) the consent authority; or
  - (ii) a Principal Certifier (PC); and
- (b) the person having the benefit of the development consent has:
- (i) appointed a Principal Certifier (PC) for the building work, and
  - (ii) notified the Principal Certifier (PC) that the person will carry out the building work as an owner-builder, if that is the case, and
- (b1) the Principal Certifier (PC) has, no later than 2 days before the building work commences:
- (i) notified the Council of his or her appointment, and
  - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (b2) the person having the benefit of the development consent, if not carrying out the work as an owner builder, has:
- (i) appointed a principal contractor for the building work who must be the holder of a contractor license if any residential building work is involved, and notified the Principal Certifier (PC) of such appointment, and
  - (ii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (c) the person having the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

**Reason:** *To ensure that there is certainty as to the consent applying to the land.*

**12. Notice of Commencement**

No work shall commence until a notice of commencement form has been submitted (form will be attached with issue of a Construction Certificate or Subdivision Works Certificate or available from Council's website), giving the Principal Certifier (PC):

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent.
- (b) Details of the appointment of a Principal Certifier (PC) (either Snowy Valleys Council or another Principal Certifier).
- (c) Details of the Principal Contractor or Owner Builder:
  - Name
  - Builders License Number or Owner Builder Permit Number
  - Principal Contractor Company Name
  - Principal Contractor ABN
  - Address of Principal Contractor or Owner Builder
  - Email Address
- (d) Copy of the HBCF Insurance Certificate (if residential building works exceed \$20,000) or Owner Builder Permit.
- (e) Details demonstrating compliance with development consent conditions relevant prior to commencement of the development been satisfied.

**Reason:** *Statutory requirement.*

**13. Development Contribution**

In accordance with Council's adopted Section 7.12 Development Contributions Plan (General Development), a contribution of \$688.00 is payable prior to the issue of the Construction Certificate for the site.

**Reason:** *To provide appropriate development contributions in accordance with Council's adopted plan.*

**CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE**

**14. Approved hours of Construction**

Construction activities shall be limited to the following hours:

| <b>Day</b>         | <b>Hours</b>     |
|--------------------|------------------|
| Monday to Saturday | 7:00am to 5:00pm |
| Sunday             | Nil              |
| Public Holidays    | Nil              |

**Reason:** *To ensure that the amenity of the surrounding area is not compromised because of the construction of the proposal.*

**Note:** *Any variation to these hours shall require Council consent via the lodgement of an application under Section 4.55 of the Environmental Planning and Assessment Act 1979.*

**15. Maintenance of the Site**

All materials and equipment shall be stored wholly within the work site.

Waste materials (including excavation, demolition and construction waste materials) shall be

managed on the site and then disposed of at a waste management facility.

Any run-off and erosion control measures required shall be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

- (a) all vehicles entering or leaving the site shall have their loads covered, and
- (b) all vehicles, before leaving the site, shall be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site shall be left clear of waste and debris.

**Reason:** *Environmental amenity*

**16. Temporary Onsite Toilet**

Toilet facilities shall be available or provided at the work site prior to the commencement of work and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet shall:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

**Reason:** *To ensure that there are appropriate facilities on-site for construction workers.*

**17. Damage to Adjoining Properties**

All precautions shall be taken to prevent any damage likely to be sustained to adjoining properties. Where damage occurs to adjoining property, all necessary repairs or a suitable agreement for necessary repairs shall be undertaken by the applicant in consultation with, and with the consent of, the affected property owner.

**Reason:** *Structural safety.*

**18. Existing Utilities – Above and below ground**

The developer is to locate and protect all existing infrastructure assets and design appropriate protection treatments during and post construction.

**Reason:** *To ensure existing infrastructure is not impacted by the development.*

**19. Prevention of Nuisance**

All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris and noise during the demolition, excavation and building works.

**Reason:** *Health and amenity*

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

**20. Occupation Certificate**

In accordance with Section 6.9 of the *Environmental Planning and Assessment Act 1979*, an application for an Occupation Certificate shall be made on completion of the works and the relevant application fee paid. All works specified in the development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to the issue of the Occupation Certificate.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- Any preconditions to the issue of the certificate required by a development consent have been met.

**Reason:** *To comply with the provisions of the Environmental Planning and Assessment Act 1979*

**Note:** *A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of Section 6.10 of the Environmental Planning and Assessment Act 1979 unless an Occupation Certificate has been issued in relation to the building or part.*

**21. Sewer Connection**

Council's sewer infrastructure is to be connected to service the development, including any mains extensions required. All costs shall be the responsibility of the applicant, and works are to be completed prior to the issue of the Occupation Certificate. A separate application is required to Council's Engineering Department (32 Riley Street, Tenterfield, 02 6736 6001) or via the online form on Council's website under *Application for Connection of Sewer*.

**Reason:** *To ensure the development is adequately serviced by sewer infrastructure.*

**22. Water Connection**

The development shall be connected to Council's reticulated water supply and provided with a water meter. All costs shall be the responsibility of the applicant, and works are to be completed prior to the issue of the Occupation Certificate. A separate application is required to Council's Engineering Department (32 Riley Street, Tenterfield, 02 6736 6001) or via the online form on Council's website under *Application for Connection of Water*.

**Reason:** *To ensure the development is adequately serviced by water infrastructure.*

**PRIOR TO OPERATION CONDITIONS**

**23. Waste Management**

The provision of a sufficient number of garbage bins for both general waste and recycling to ensure that all waste is contained on the site.

Recycling and waste bin location is to be indicated on the submitted plans.

**Reason:** *To ensure lawful and sustainable disposal of waste generated from the temporary event is contained on the site.*

#### **24. Amenity**

The development is to be conducted in such a manner so as not to interfere with the amenity of the neighbouring landowners in respect of noise, vibration, smell, dust, wastewater, waste products, or otherwise.

**Reason:** *To ensure that development does not negatively impact the quality of life for nearby residents and the overall environment.*

#### **25. General Terms of Approval - NSW RFS**

##### **Construction Standards**

**The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:**

1. All new Class 10 structures as defined per the "Building Code of Australia" shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard "AS3959-2018 Construction of buildings in bush fire-prone areas" or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and section 7.5 of 'Planning for Bush Fire Protection 2019'.

##### **Landscaping Assessment**

**The intent of measures is for landscaping. To achieve this, the following conditions shall apply:**

2. Landscaping shall comply with Appendix 4 of Planning for Bush Fire Protection 2019.

##### **Emergency and Evacuation Planning Assessment**

**The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:**

3. A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'.

**END OF CONDITIONS**

***Signed on behalf of the consent authority***



Tamai Davidson  
**Manager Planning & Regulation**

24 September 2025  
**Date**

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

|                      |                                                       |
|----------------------|-------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Infrastructure Services</b> |
| <b>Submitted by:</b> | Matthew Francisco, Director Infrastructure Services   |
| <b>Reference:</b>    | <b>ITEM ECO2/26</b>                                   |
| <b>Subject:</b>      | <b>TRANSPORT ASSET MANAGEMENT PLAN</b>                |

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

|                      |                                                                          |
|----------------------|--------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>INFRASTRUCTURE</b> - Our roads are safe and sustainably maintained    |
| <b>CSP Strategy:</b> | Maintain the local and regional road network                             |
| <b>Delivery Plan</b> | As per funding provisions made in Operational and Capital annual budgets |
| <b>Action:</b>       |                                                                          |

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#### **SUMMARY**

The Transport Asset Management Plan has been updated based on the work carried out last year on the sealed road network and the bridge inspections that were carried out. The Asset Management Plan gives a greater understanding of the finances relating to maintaining Council's extensive road network. As expected, the financial impact on Council's finances in the long term is significant. The following report is a high-level overview of the Asset Management Plan. The Transport Asset Management Plan will be released for comment in the coming weeks following internal review. The financial forecasts in this report relate to the sealed and unsealed roads network. Additional expenditure will be required for the other components of the Asset Management Plan including Bridges, Footpaths and Drainage Infrastructure.

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

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

- 1. Notes the report of the Director Infrastructure Services.**
- 2. Considers the proposed budget allocations to Transport Infrastructure in the 2026/27-Operational Plan and Budget at the March 2026 Ordinary Council Meeting.**
- 3. Following the adoption of the 2026/27-Operational Plan and Budget, Council staff be requested to prepare revised service standards based on the budgets adopted by Council, for those revised service standards to be considered by Council at a future meeting.**

#### **BACKGROUND**

Our community depends on a wide range of transport infrastructure assets that form the backbone of daily life and economic activity. These assets include an extensive network of roads, bridges, footpaths and stormwater drainage systems, collectively valued at approximately \$480 million. This infrastructure supports the safe and efficient movement of people and goods.

To ensure these assets continue to meet the needs of our community, both now and in the future, a comprehensive Transport Asset Management Plan has been developed. This strategic document provides a structured framework for the sustainable management of transport-related infrastructure. It outlines the principles, practices, and priorities that guide decision-making around maintenance, renewal, and

Our Economy No. 2 Cont...

investment. The Transport Asset Management Plan has been prepared to ensure that infrastructure remains safe, reliable, and fit for purpose.

The Transport Asset Management Plan provides a strategic framework for managing our community's infrastructure assets including roads, bridges, footpaths and stormwater drainage, ensuring they remain safe, reliable, and capable of meeting current and future demands.

#### **REPORT:**

Further to the previous reports to Council regarding Asset Management, Council has a Transport Network comprised of the following assets:

- 644 kms of Sealed Roads
  - 994 kms of Unsealed Roads
  - 98 Bridges and 47 Major Culverts
  - 25,349 square metres of Footpaths
  - 42,703 lineal metres of Stormwater Pipe
  - 1,057 lineal metres of Stormwater Culverts
  - 7,789 lineal metres of Causeways
  - 32,946 lineal metres of Kerb and Gutter
- \*Please note these dimensions are approximate

The aggregate value of these assets is approximately \$480 million based on valuations carried out.

Due to the nature of the assets, a significant budget is required for maintenance and renewal each year. In the Asset Management Plan, the finances are described in terms of Operational Expenditure or Capital Expenditure. While not exactly the same, Operational Expenditure roughly approximates maintenance and Capital Expenditure roughly approximates renewals.

Maintenance Costs or Operational Expenditure is heavily dependent on the standards we set for levels of service, for example grading gravel roads, the frequency of filling potholes, mowing verges and similar items. As presented in previous Council workshops, the length of the unsealed road network means that small changes to levels of service have significant funding impacts.

Renewals or Capital Expenditure costs are influenced by matters such as asset lives and intervention levels for items such as road roughness and resealing frequency. The desired levels of service that influence the expenditure are detailed in the Asset Management Plan.

Based on the service standards that are currently set and the expected asset lives the Asset Management Plan identifies the expected budget impacts. Due to the size of the network the expenditure recommended by the Asset Management Plan is high level (strategic). More detailed annual budgets are prepared to deliver the annual works program. The important measure is the overall shortfall in available expenditure which affects the currently accepted levels of service.

As previously advised, the works carried out by Council's consultants, Pavement Management Services, have identified that based on the proposed budgets for the sealed local road network, the condition of the sealed local road network will deteriorate

## Our Economy No. 2 Cont...

from 7 to 6.1 over the next four years. This means, on the network level, the local sealed roads will be rougher and be more rutted for example. This may also mean that more maintenance such as pothole patching will need to be carried out. By the end of the 10-year Long Term Financial Plan, the average condition of the sealed local road network condition is expected to be 6.5, based on the current funding. If the funding reduces further the average condition of the local sealed road network will deteriorate more rapidly.

I should note that the deterioration model will improve as more network assessments are carried out in the future and we better understand how the network is deteriorating.

The other significant matter to note is the weather conditions and how they affect roads over the term of the Long Term Financial Plan. If the weather conditions are significantly wetter or drier over the term of the Long Term Financial Plan, the condition of the network will be affected.

The budget impacts over the next 10 years for sealed and unsealed roads have been analysed and are summarized below:

**Operational Expenditure** – Required expenditure, based on current service standards

|                         |         |
|-------------------------|---------|
| Sealed Road Network -   | \$13.3M |
| Unsealed Road Network - | \$43.3M |
| Total -                 | \$56.6M |

Planned expenditure - \$33.3M

*Shortfall over next ten years - \$23.3M*  
*Annual Shortfall - \$2.3M*

**Capital Expenditure** – Required expenditure, based on current service standards and expected asset lives

|                         |         |
|-------------------------|---------|
| Sealed Road Network -   | \$38.6M |
| Unsealed Road Network - | \$15.5M |
| Total -                 | \$54.1M |

Planned expenditure - \$47.2M

*Shortfall over next ten years - \$6.9M*  
*Annual Shortfall - \$0.69M*

**Total annual shortfall - \$2.99M**

The total annual shortfall of Capital and Operational expenditure is significant. Unless additional sources of funding can be obtained, service standards will need to be reviewed.

Further consideration of the service standards may be carried out following the adoption of the 2026/27-Operational Plan and Budget. Council staff may prepare revised service standards once the budget is adopted and presented to an Informal Workshop to seek Councilor's views regarding the revised service standards. Due to the critical nature of the service standards and the impact on the community a series of workshops may be

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required to fully consider the impacts of the changes to the service standards and their impact on the whole community.

### **COUNCIL IMPLICATIONS:**

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

If the road network degrades as expected due to the available expenditure, additional complaints will be expected to be received, which will negatively affect Councils' works staff and customer services staff.

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

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*
- Council's Procurement Policy
- Risk Management Policy
- Asset Management Policy

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

The financial impacts are detailed in the body of the report.

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

The asset management impacts are detailed in the body of the report.

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

Council's workforce will need to adjust to meet the budget allocated.

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

Council's exposure to risk from damage to vehicles or injury to road users is increased or lowered based on the funding provided.

Funding the operational and capital budgets adequately, together with scheduled road condition assessments every four years to understand the state of the network and develop the deterioration model for our network. This expenditure and information will assist staff in managing legal and other risks appropriately.

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

The performance of the Transport Asset Management Plan will be monitored through detailed network assessments and structure assessments.

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

The implementation of the Transport Asset Management Plan will be carried out through the line management of Council.

**Hein Basson**  
**General Manager**

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Prepared by staff member: Matthew Francisco, Director Infrastructure Services

Approved/Reviewed by Manager: Hein Basson, General Manager

Department: Office of the Director Infrastructure Services

Attachments: There are no attachments for this report.

|                      |                                                                                                                         |
|----------------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Corporate Services</b>                                                                        |
| <b>Submitted by:</b> | Tamai Davidson, Manager Planning & Development                                                                          |
| <b>Reference:</b>    | <b>ITEM ENV1/26</b>                                                                                                     |
| <b>Subject:</b>      | <b>DEVELOPMENT APPLICATION 2025.113 BATTERY ENERGY STORAGE SYSTEM- Lot 1 DP 777724 OLD RACECOURSE ROAD, TENTERFIELD</b> |

|                                                               |                                                                                                                  |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                  |
| <b>CSP Goal:</b>                                              | <b>ECONOMY</b> - We are nurturing our environment, both built and natural attractions for residents and visitors |
| <b>CSP Strategy:</b>                                          | Implement Plans that balance the built environment with the natural environment                                  |
| <b>Delivery Plan Action:</b>                                  | Manage and deliver development, building and construction assessment and regulatory services                     |

### SUMMARY

The purpose of this report is to present to Council Development Application (DA) 2025.113 for a Battery Energy Storage System (BESS) – 4.95MW for determination. The application has been assessed in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979* and is recommended for approval subject to conditions.

### OFFICER'S RECOMMENDATION:

#### That Council:

**Approves Development Application 2025.113 for the establishment of a 4.95MW Battery Energy Storage System (BESS) at Lot 1 DP 777724, Old Racecourse Road, Tenterfield pursuant to Section 4.16(1)(a) of the *Environmental Planning & Assessment Act, 1979* subject to the draft conditions contained in Attachment 1.**

### BACKGROUND

Development Application 2025.113 was lodged with Council on 22 September 2025 and was placed on public exhibition, including neighbour notification from 16 October 2025 to 31 October 2025. At the close of the exhibition period a total of five (5) submissions were received which are addressed below, with two (2) submissions duplicated, bringing the number to three (3) objections.

Private infrastructure, including *electricity generating facilities* that have a capital investment value of over \$5 million, are declared regionally significant in *SEPP (Planning Systems) 2021*. The proposed BESS has an estimated development cost of \$4.496 million and is therefore identified as Local Development. The proposal is not classified as Designated Development under Section 4.10 of the Act and may be determined by Council.

Battery Energy Storage Systems (BESS) use large scale batteries to store electrical energy from grids or renewable sources for later use. Their aim is to stabilize power grids, provide backup power and manage peak demand by discharging energy when it is most needed.

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The proposal is supported by the below-listed assessments, plans and documents:

- **Certificate of Title**  
*Folio 1/777724*
- **Proposed Development Plans**  
*by ACEnergy Pty Ltd – Revision E – 11/07/2025*
- **Appendix A – AHIMS Search Result**  
*by CS&A, dated 27/07/25*
- **Appendix B – Noise Impact Assessment Report**  
*by WMG Acoustics, Proj. 13350, Ver. 1*
- **Appendix C – Landscaping Plan**  
*by Ground Control, Ref. 25738*
- **Appendix D – Flora and Fauna Report**  
*by Waratah Ecology, Proj. No WE20250621, Ver. 2, dated 29/7/25*
- **Appendix E – Flood Impact Assessment**  
*by SWM Consulting, Ref. 25-1271, Ver. R01-A*
- **Appendix F – Bushfire Management Plan**  
*by Harris Environmental, Ref. 7566BF*
- **Appendix G – Feature Survey Plan**  
*by Tenterfield Surveys, Ref. TE251260-1*
- **Appendix H – Traffic Impact Assessment**  
*by Barker Ryan Steward, 250378, Rev. 2*
- **Appendix I – Development Application Cost Plan**  
*by MCG Quantity Surveyors, dated 27/8/25*
- **Appendix J – Section 7.12 Cost Summary Report**  
*by Denary Quantity Surveying, dated 27/8/25*

**REPORT:****The Proposal**

The proposal is for a battery energy storage system (BESS), with a total development footprint of approximately 3,782 square metres on a title with an area of approximately 11.84 hectares located on Old Racecourse Road, Tenterfield (Lot 1 DP 777724).



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Diagram 1 – Locality and Subject Site

The proposed facility is intended to supply the local distribution network with 4.95 megawatts (MW) of power.

Construction of the facility will occur over an approximate four-week period, during which there is anticipated to be no more than three to four vehicles on site at any given time, which would largely be local contractors. During operation, the site will only be intermittently attended by maintenance contractors.

The subject site has been selected based on its proximity to an existing power station and nearby transmission lines, and represents co-location with existing electrical infrastructure.

The facility comprises a 61m x 62m compound surrounded by 1.8m high security chain mesh fence, including an acoustic wall surrounding electrical equipment and double rows of landscaping as below. A full set of plans is included in Attachment 2.

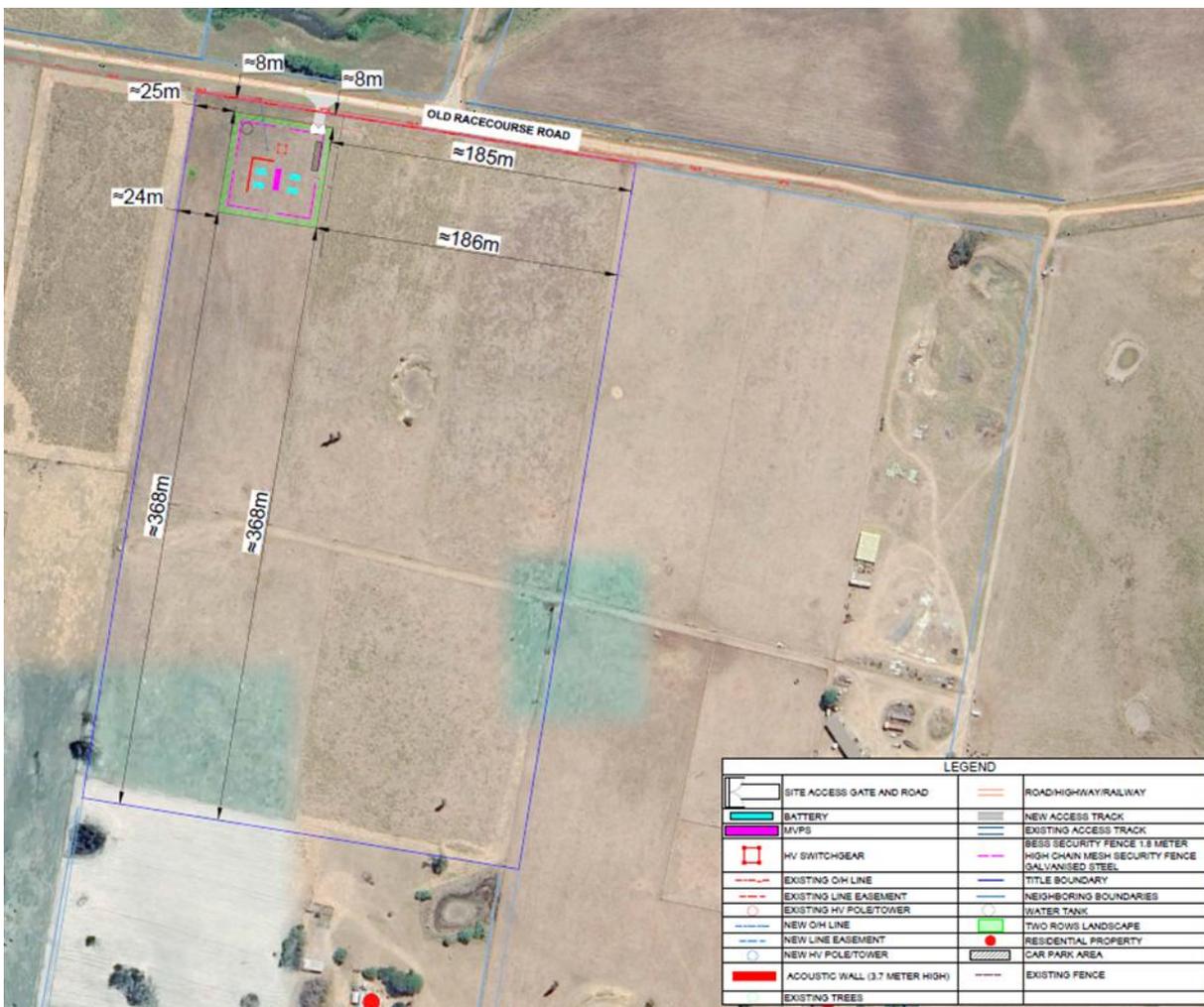


Diagram 2 – Locality Diagram

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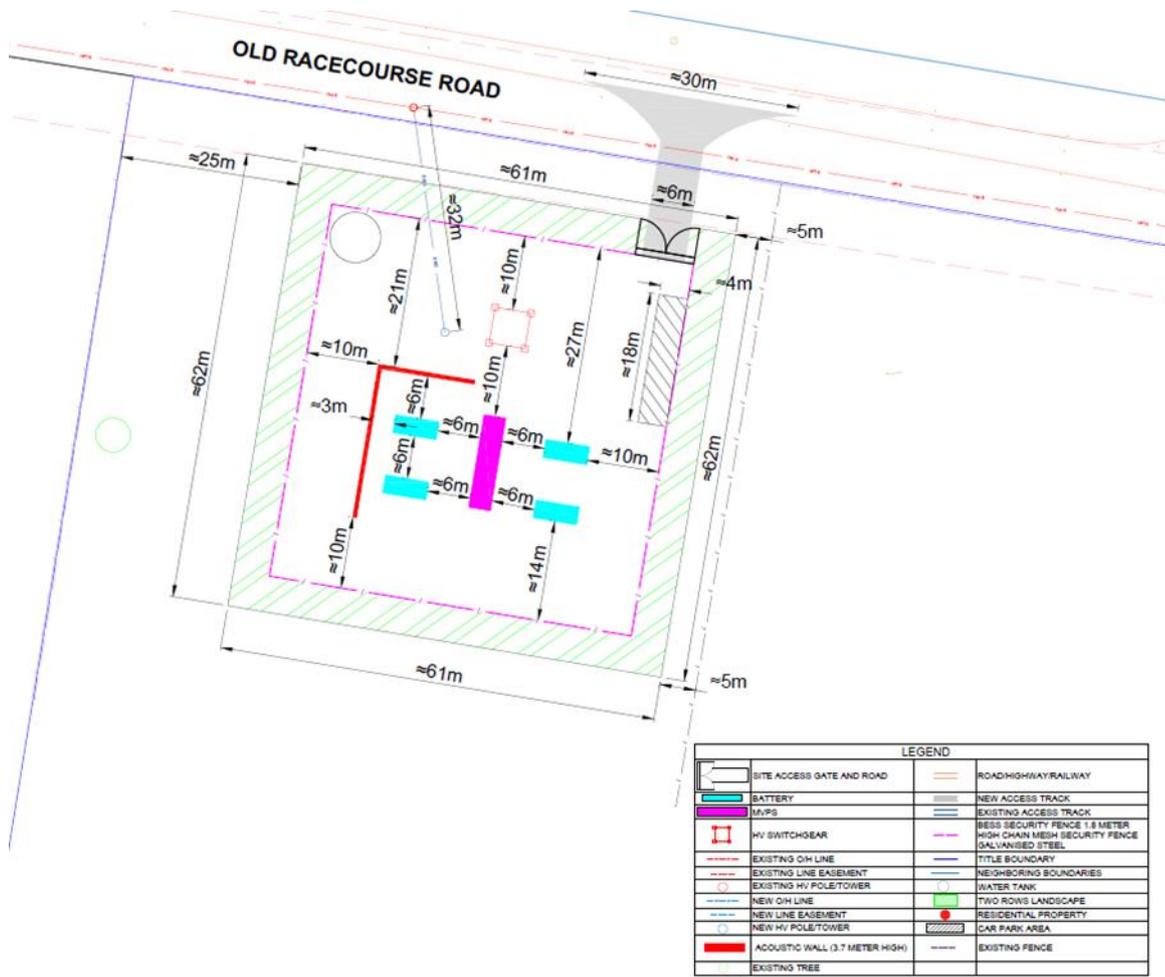


Diagram 3 – Internal layout

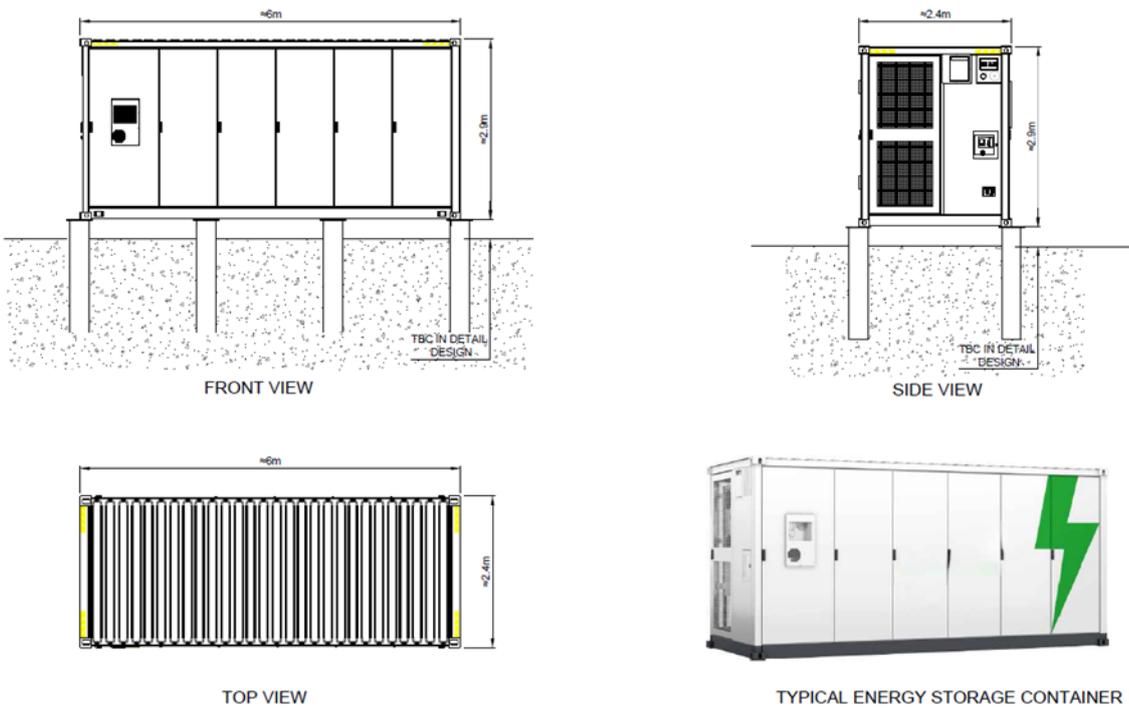


Diagram 4 – Energy Storage Container Elevations

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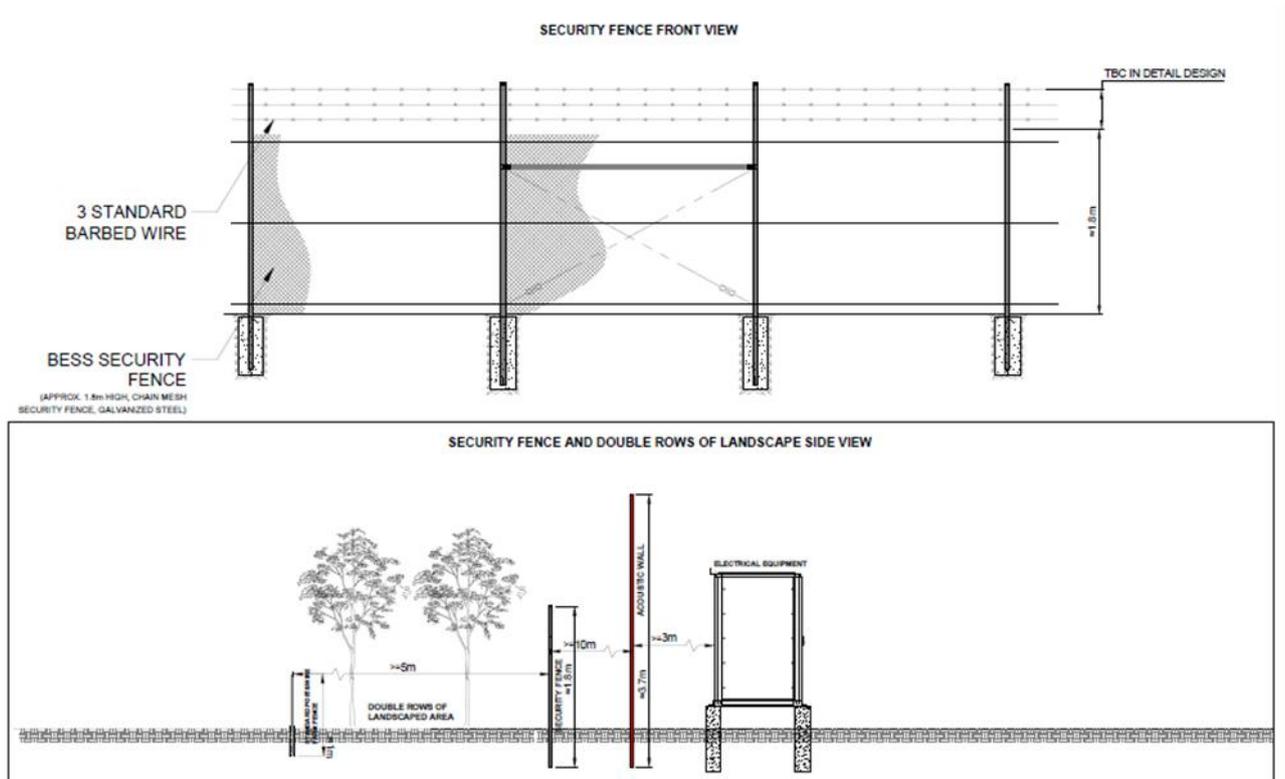


Diagram 5 – Security Fence and Landscape Elevations

**STATUTORY CONSIDERATIONS**

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of—*
  - (i) *any environmental planning instrument, and*
  - (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*
  - (iii) *any development control plan, and*
  - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,*

Our Environment No. 1 Cont...

- (b) *the significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

**Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments**

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport & Infrastructure) 2021*
- *State Environmental Planning Policy (Primary Production) 2021*
- *Tenterfield Local Environmental Plan 2013;*

A summary of the key matters for consideration arising from the above SEPPs is outlined in Table 1.

| <b>EPI</b>                                                                        | <b>Matters for Consideration</b>                                                                                                                                                                                                                                                                                                                                                                                          | <b>Comply (Y/N)</b> |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>State Environmental Planning Policy (Planning Systems) 2021</i>                | Development with a Capital Investment Value (CIV) of more than \$5 million is considered as Regionally Significant Development, the proposed BESS development has a CIV of \$4.496 million and is therefore classified as Local Development.                                                                                                                                                                              | Y                   |
| <i>State Environmental Planning Policy (Biodiversity &amp; Conservation) 2021</i> | Chapter 3 - requires consideration of the relationship of a development with koala habitat protection. The subject site does not contain any trees requiring removal. The proposed development would not disturb a potential koala habitat thereby requiring no further consideration against the SEPP.                                                                                                                   | Y                   |
| <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>          | <p>Chapter 3- Hazardous and Offensive Development</p> <ul style="list-style-type: none"> <li>• The proposal is not classified as a potentially hazardous development</li> </ul> <p>Chapter 4 – Remediation of Land<br/>The subject site is unlikely to be affected by any contamination requiring remediation for the development to progress in accordance with provisions related to contamination and remediation.</p> | Y                   |

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|                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |   |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <p><i>State Environmental Planning Policy (Transport &amp; Infrastructure) 2021</i></p> | <p><b>Part 2 – Division 4 – Electricity generating works or solar energy systems</b></p> <p><b><u>2.36 Development permitted with consent</u></b></p> <p><b>(1) Development for the purpose of electricity generating works may be carried out by any person with consent on the following land</b></p> <p style="padding-left: 40px;"><b>(b) any land in a prescribed non-residential zone.</b></p> <p>The RU1 zone is a prescribed nonresidential zone under the 2.35 definitions. The proposed use of the land for an energy storage facility is considered to be compatible with adjoining agricultural land uses.</p> <p><b>Division 5 – Subdivision 2 – Development likely to affect an electricity transmission or distribution network</b></p> <p><b><u>2.48 Determination of development applications—other development</u></b></p> <p>The proposed development site has been selected due to its proximity to existing electrical infrastructure – which includes a substation and distribution network in close proximity to the site. The applicant has commenced the electrical connection approval process with Essential Energy, which serves as the precursor for this development application.</p> | Y |
| <p><i>State Environmental Planning Policy (Primary Production) 2021</i></p>             | <p>The proposal is not classified as designated development and is not considered to negatively impact on the ongoing use of the surrounding land for primary production given the small footprint of the development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Y |
| <p><i>Tenterfield Local Environmental Plan 2013</i></p>                                 | <p><b>Clause 2.3</b></p> <p>Land is zoned RU1 Primary Production</p> <p><b>1 Objectives of zone</b></p> <ul style="list-style-type: none"> <li>• <i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Y |

## Our Environment No. 1 Cont...

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
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|  | <ul style="list-style-type: none"> <li>• <i>To encourage diversity in primary industry enterprises and systems appropriate for the area.</i></li> <li>• <i>To minimise the fragmentation and alienation of resource lands.</i></li> <li>• <i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i></li> </ul> <p>The proposal is considered to be generally consistent with the objectives and will not remove any significant land from potential agricultural production.</p> <p>The land is not proposed to be subdivided or further fragmented from the existing 11.8ha parcel of land.</p> <p>Measures have been proposed to minimize potential conflict between adjoining and adjacent land uses through landscaping and noise amelioration.</p> <p>The use is defined as;</p> <p style="text-align: center;"><b><i>electricity generating works</i></b> means a building or place used for the purpose of—</p> <p style="text-align: center;">(a) <i>making or generating electricity,</i><br/>or<br/>(b) <i>electricity storage.</i></p> <p>The land use is permissible with consent, where there are no forms of development listed as prohibited in the RU1 Primary Production Zone.</p> <p><b><i>Clause 5.21 Flood Planning</i></b></p> <p>This Clause requires the consent authority to have regard to the flood planning area when determining development applications.</p> <p>A flood impact assessment report accompanied the application which identifies the site within the lowest risk category (H1 classification) being 'generally safe for vehicles, people and outbuildings'. The development comprises pre-fabricated shipping containers elevated above flood level which has depths of less than 0.5m</p> |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

Our Environment No. 1 Cont...

|  |                                                                                                    |  |
|--|----------------------------------------------------------------------------------------------------|--|
|  | being limited to overland flow. Equipment within the facility is elevated 300mm above flood level. |  |
|--|----------------------------------------------------------------------------------------------------|--|

### ***Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments***

There are no draft proposed planning instruments with provisions related to the assessment of the proposed development.

### ***Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan***

Tenterfield Development Control Plan 2014 is relevant to this application, a summary of the relevant sections has been included below:

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

The development, once constructed, will be largely an unmanned site, with limited car parking requirements during operation. The peak car parking demand will be within the four-week construction period (six to seven car parks). There are proposed to be two permanent car parks within the proposed facility and adequate informal parking during the construction period on the site. The proposal is consistent with the provisions of the DCP.

### ***Section 4.15(1)(a)(iiia) – Planning agreements under Section 7.4 of the EP & A Act***

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

### ***Section 4.15(1)(a)(iv) - Provisions of Regulations***

Consistent with relevant provisions.

### ***Section 4.15(1)(b) The significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.***

Potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and below.

The consideration of impacts on the natural and built environments includes the following:

#### **Context and Setting**

The proposal is generally considered to be consistent with the context of the rural site. The site is located approximately 2.5km east of Tenterfield with the surrounding landscape comprising a mix of land uses transitioning from urban to rural, low intensity agricultural use, with lifestyle properties and some agricultural activity.

- The proposal equates to the installation of five (5) shipping containers and a 3.7m high acoustic wall, external fencing and landscaping over the 0.37ha site.

Our Environment No. 1 Cont...

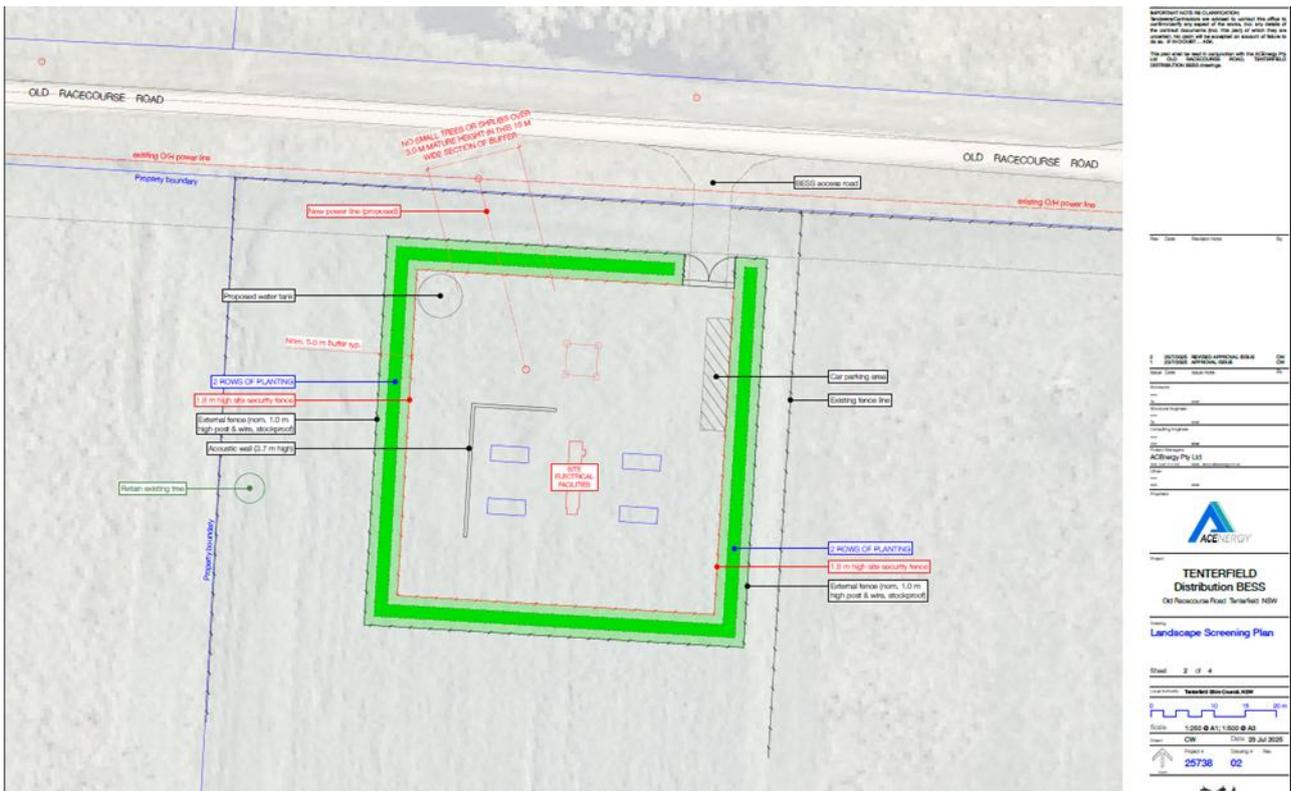


Diagram 6 – Landscape Extents

**REMOVED APPROVAL ISSUE**  
 REVISIONS: 01  
 DATE: 25 JUL 2025  
 PROJECT: TENTERFIELD Distribution BESS  
 SHEET: 2 OF 4  
 DRAWN: CW  
 CHECKED: AS  
 SCALE: 1:200 @ A1, 1:500 @ A2  
 PROJECT NO: 25738 02

**ACEENERGY**

**TENTERFIELD Distribution BESS**  
 Old Racecourse Road, Tenterfield NSW

**Landscape Screening Plan**

Sheet 2 of 4

Revised Site Detail, NSW

Scale: 1:200 @ A1, 1:500 @ A2

Project: CW Date: 25 Jul 2025

Project #: 25738 Drawing #: 02

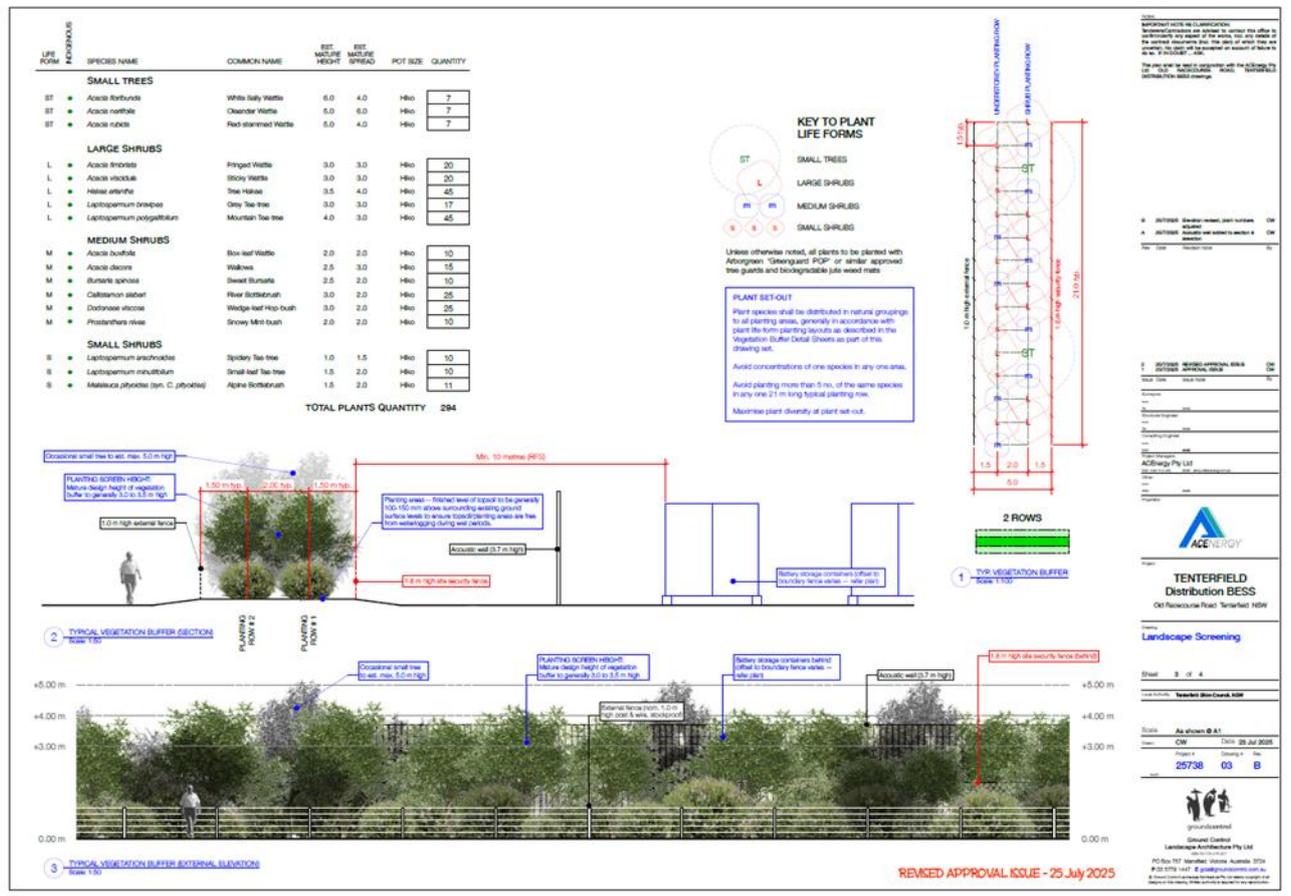


Diagram 7 – Landscape Screening

## Our Environment No. 1 Cont...

- The land is zoned RU1 Primary Production and the bulk and scale of the proposed development is not inconsistent with the scale of development that may be reasonably expected to be established within that land use zone. The zone contains rural and agricultural uses ranging from small scale outbuildings to larger scale machinery and bulky buildings associated with agriculture.
- A landscaping plan has been prepared in relation to the proposed development. Where implemented the proposed compound fencing surrounding the facility would be largely obscured from public view once the landscaping is established and matured. Where carried out in accordance with the landscape plan Council Officers are of the view that the development would not negatively impact on the landscape setting where viewed from a public space or adjoining residences.
- The nearest dwelling where the proposed development will be visible is located at an approximately 447m to the north in an elevated location. The built form and muted non-reflective colours selected are similar to that of farm shed when viewed from a distance.
- Equipment has a total height of 3 metres, fence height of 1.8 metres and acoustic wall height of 3.7 metres, all of which will be screened by two (2) layers of planting of height up to 3-5 metres from all sides of the facility. The final height of the development would be no higher than a typical rural shed which is generally around 5 metres.

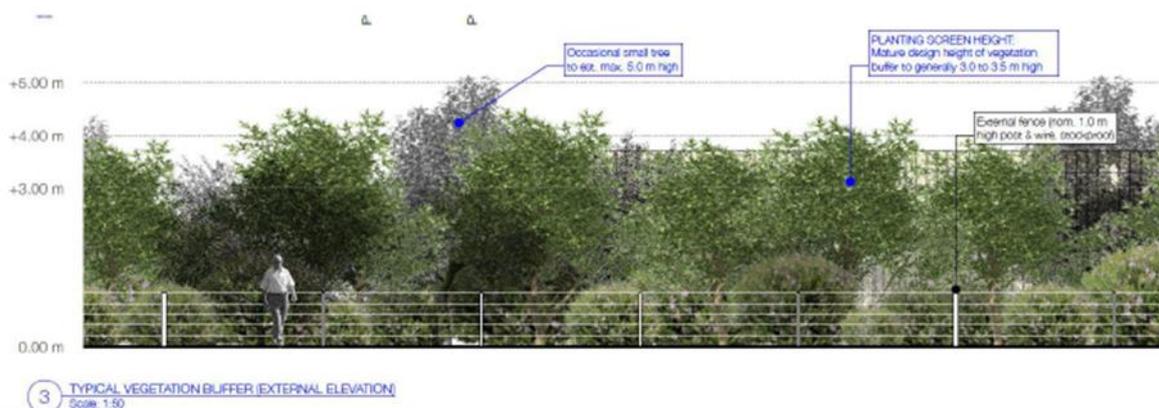


Diagram 8 – typical vegetation buffer (External elevation) Native species

- Conditions of consent are recommended to ensure the landscaping is appropriately maintained and that considered reviews are undertaken of the landscape establishment and any landscaping adjustment within the five-year landscape establishment horizon, and thereafter where required at the direction of Council.

In consideration of the above it is considered that the proposed development would not have a significant adverse impact on the pre-existing local context and setting.

### **Access and Traffic**

Our Environment No. 1 Cont...

The application is supported by a Traffic Impact Assessment which identifies:

*"The addition of 7 vehicle movements per hour will not cause the capacity thresholds for the adjoining road network determined in this assessment to be reached. Therefore, the proposed development will not adversely impact on the local and state road network mid-block efficiency..."*

*Deliveries of components will be scheduled as required. The BESS units and equipment are prefabricated units that are delivered in pre-packed containers that are lifted from the delivery truck onto the lay-down area...*

*Outside of the construction period, the facility will be un-manned, other than intermittent periodical maintenance. The site will be remotely monitored in real time and local contractors would be rapidly deployed to deal with any fault or other matter, which provides the added benefit of local jobs for the local community."*

The proposed development will create peak traffic movements during the mechanical and electrical installation phases of construction. During this time it is anticipated that workers will access the site in the morning and leave in the afternoon via private car or work vehicle (ute or small truck).

## Our Environment No. 1 Cont...

Construction Traffic

The following table outlines the breakup of the 4-week construction program for each activity and the estimated number and type of traffic movements for each activity:

| Week   | Construction Activities                                                                                                                                                                                                    | No. of Single-Trip Vehicle Movement                                                                                                                                                                   |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Week 1 | <ul style="list-style-type: none"> <li>• Drainage, road, and fencing works</li> <li>• Installation of concrete footings</li> </ul>                                                                                         | Light – 10 (2 per day)<br>Heavy – 17 - Breakdown: <ul style="list-style-type: none"> <li>• 13x Truck &amp; Dog</li> <li>• 3x Heavy rigid concrete trucks</li> <li>• 1x Concrete boom truck</li> </ul> |
| Week 2 | <ul style="list-style-type: none"> <li>• Cable installation</li> <li>• Delivery of battery shipping containers and inverter station</li> <li>• Installation of battery shipping containers and inverter station</li> </ul> | Light – 15 (3 per day)<br>Heavy – 10 - Breakdown: <ul style="list-style-type: none"> <li>• 6x 19m Semi</li> <li>• 4x Heavy rigid</li> </ul>                                                           |
| Week 3 | <ul style="list-style-type: none"> <li>• Electrical installation and cable termination</li> <li>• Electrical testing</li> </ul>                                                                                            | Light – 15 (3 per day)                                                                                                                                                                                |
| Week 4 | <ul style="list-style-type: none"> <li>• commissioning / demobilisation</li> </ul>                                                                                                                                         | Light – 10 (2 per day)<br>Heavy – 2 - Breakdown: <ul style="list-style-type: none"> <li>• 2x Heavy rigid</li> </ul>                                                                                   |

**Notes:**

- o Max No. of heavy vehicles per hour: 1
- o Max No. of staff members on site: 6
- o The heavy vehicles will be delivering materials to the site including the new battery storage containers and the MVPS containers (**The largest size of vehicles 19m semi-trailer**)

**Notes:**

- o Peak traffic generation: 6 light vehicles and 1 heavy vehicle accessing the subject site daily.
- o The heavy vehicles will be delivering materials to the site:
  - Battery storage containers and the MVPS containers via 19m semi-trailer.
  - Gravel material - Truck and dog combination.
  - Concrete footings -Ready Made Concrete Agitators and Concrete Boom truck (MRV).
  - Fencing – Heavy Rigid Vehicle.

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*Photograph 1: New access location to the proposed DBESS site.*

Council's Engineering team have reviewed the proposal and accompanying Traffic Impact Assessment and are supportive of the development subject to related conditions of consent as noted below.

Noting the limited duration and volume of construction traffic, the limited volume of operational traffic, proposed site access upgrade and completion of a road audit and dilapidation report prior to construction, it is considered that the application may be supported subject to related conditions requiring:

- The upgrade/construction of the access from Old Racecourse Road to the development site.
- The preparation of a Road Audit and Dilapidation Report.
- The preparation of a Construction Traffic Management plan.
- The management of heavy vehicles through the construction period.

### **Flora and Fauna**

The application was accompanied by a Flora and Fauna Report and highlights that "*...no threatened fauna species were identified during the survey, and none have been recorded within the study area within the last 20 years.*"

One submission received during the notification period references the Brush-tailed Phascogale being present, however the Flora and Fauna Report identifies that no suitable habitat is present for this particular species which are a tree dwelling species. There are no trees present on the site.

## Our Environment No. 1 Cont...

It is considered that there will be no significant impact on any flora or fauna as a result of the proposed development based on the following:

- The site proposed for development has been extensively disturbed through its historical use for extensive agricultural pursuits.
- The proposed development does not involve the removal of any trees.
- Ground cover on the site was observed to comprised non-distinct pastoral fodder.
- A review of the online biodiversity values map tool identified that the site subject to this development application is not identified as being within the biodiversity values map area which would cause the proposed development to require a Biodiversity Development Assessment Report under the related values map threshold of the *Biodiversity Conservation Act 2016*.

Having regard to the above considerations, it is considered that the proposed development is unlikely to have any significant impact on flora or fauna, is unlikely to exceed any threshold under the *Biodiversity Conservation Act 2016* under which further investigation of ecological standing would be required and thereby it is recommended that Council is supportive of the proposed development proceeding without requirement for further ecological investigations.

**Noise and vibration**

The application was accompanied by an Acoustic Report-Environmental Noise Emission Assessment which undertook an assessment of noise emissions from the proposed development considering the following:

- *Noise and vibration associated with electrical infrastructure and vehicle activity at the subject site during general operations associated with the proposed facility.*
- *Noise and vibration emissions associated with the construction phase of the proposal.*

The modelling undertaken with the Noise Impact Assessment identified that the project required acoustic treatments to mitigate noise and ensure the project did not exceed noise trigger levels identified for the project applying the NSW EPA's Noise Policy for Industry guideline. It should also be noted that the noise assessment gave the project a 5db(A) penalty in its modelling to factor in an additional degree safeguarding related to the tonality (rather than the actual noise volume) of the system and perception that the low tonal mechanical noise to have 'annoying' characteristics.

The report identified the most critical sensitive uses located within proximity of the site below. The findings of the assessment report have concluded that noise control, including the construction of a 3.7m acoustic barrier will be required to reduce operational noise emissions from the subject site to comply with the adopted project trigger levels at sensitive receptors.

When addressing general construction noise and vibration as well as road traffic noise, the findings of the assessment concluded the following:

## Our Environment No. 1 Cont...

- *Noise due to construction vehicle movements is predicted to be below noise level criteria nominated within the Road Noise Policy.*
- *Noise emissions due to some construction activities have been predicted to exceed NMLs at receptors. In these instances, WMG has provided suitable noise mitigation strategies to minimise the potential for adverse impacts on the relevant sensitive receptors.*
- *The project construction and operational phase will not include any vibration intense activities such as piling and ramming and hence, have not been considered further.*

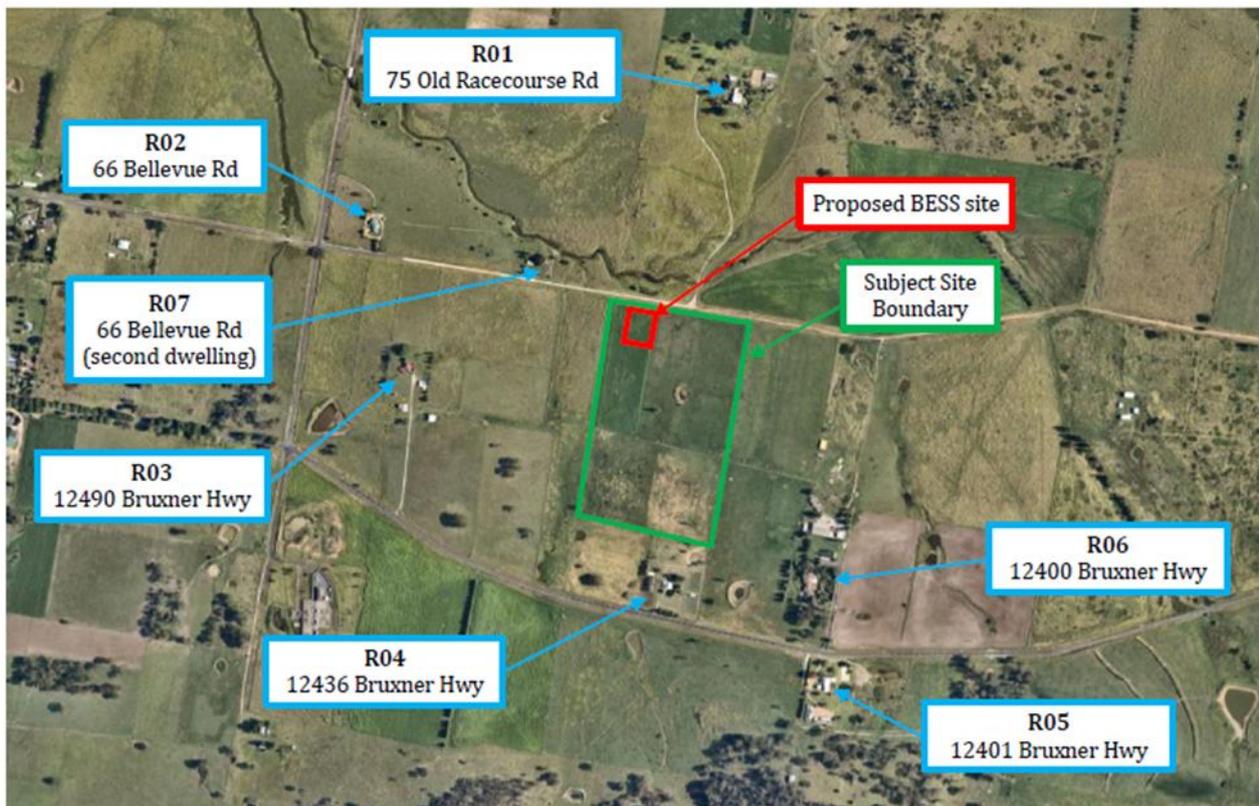


Diagram 9 – Residential Receptors

- **R01** – 75 Old Racecourse Road, Tenterfield.
- **R02** – 66 Bellevue Road, Tenterfield.
- **R03** – 12490 Bruxner Highway, Tenterfield.
- **R04** – 12436 Bruxner Highway, Tenterfield.
- **R05** – 12401 Bruxner Highway, Tenterfield.
- **R06** – 12400 Bruxner Highway, Tenterfield.
- **R07** – 66 Bellevue Road, Tenterfield (Secondary approved dwelling).

Concerns were raised in submissions received in relation to noise. The Acoustic report modelling determined noise levels at all of the above receptors, in accordance with the *NSW EPA Noise Policy for Industry*, which demonstrates in the table below compliance with the EPA's requirements.

## Our Environment No. 1 Cont...

Table 12: Noise modelling results including proposed acoustic barrier and +5dB(A) tonal adjustment

| Assessment Location | Predicted Noise Level (15 <sub>min</sub> ) | Project Trigger Noise Levels L <sub>eq</sub> |         |       |
|---------------------|--------------------------------------------|----------------------------------------------|---------|-------|
|                     |                                            | Day                                          | Evening | Night |
| R01                 | 33 dB(A) L <sub>eq</sub>                   | 40                                           | 35      | 35    |
| R02                 | 27 dB(A) L <sub>eq</sub>                   | 40                                           | 35      | 35    |
| R03                 | 32 dB(A) L <sub>eq</sub>                   | 40                                           | 35      | 35    |
| R04                 | 32 dB(A) L <sub>eq</sub>                   | 40                                           | 35      | 35    |
| R05                 | 23 dB(A) L <sub>eq</sub>                   | 40                                           | 35      | 35    |
| R06                 | 27 dB(A) L <sub>eq</sub>                   | 40                                           | 35      | 35    |
| R07                 | 35 dB(A) L <sub>eq</sub>                   | 40                                           | 35      | 35    |

As is shown above, with the construction of the acoustic barrier, and the inclusion of the tonal character adjustment, noise emissions from the proposed use are predicted to comply with the Project Trigger Noise Levels at each of the noise sensitive receptors.

Having regard to the above it is considered that there are no impediments to the development proceeding from a noise perspective, where all recommendations contained with the *Acoustic Report – Environmental Noise Emission Assessment* prepared by Watson Moss Growcott Acoustics, are implemented.

### **Lighting**

No lighting or illumination is proposed as part of the proposal.

### **Natural Hazards**

Natural hazards have been considered through the assessment of the proposed development. The subject site is identified as bushfire prone and consideration of these hazards has been detailed below. Council Officers are satisfied that these natural hazards can be suitably managed and that these site constraints would not inhibit the development as proposed.

### **Flooding**

The site is not mapped as floodprone under the Tenterfield Floodplain Risk Management Study and Plan 2014, however the application has been supported by a Flood Impact Assessment Report.

The entire site is identified as being within the lowest risk category which is generally considered safe for vehicles, people and outbuildings and is limited to overland flows and is considered safe for unmanned development. Equipment is to be elevated 300mm above the identified 1% AEP flood level determined by the Report.

It is considered that flooding of the site does not impose an impediment for the development to proceed.

### **Bushfire Hazard**

The site is mapped as Bushfire Prone and the application has been accompanied by a Bush Fire Management & Emergency Response Plan which was prepared as per the requirements of *Planning for Bush Fire Protection 2019 (PbP)*, the NSW Rural Fire Service (RFS) document: *A guide to developing a bush fire emergency management*

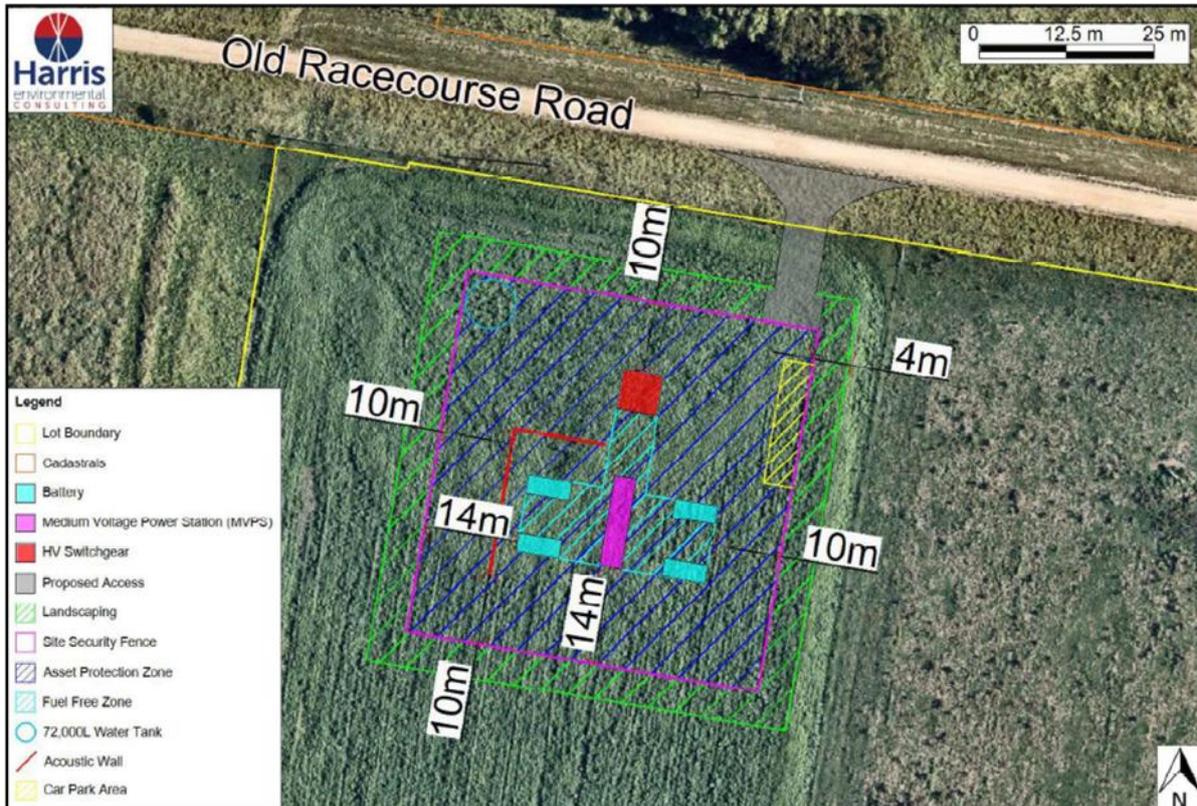
Our Environment No. 1 Cont...

and evacuation plan, and Australian Standard AS 3745:2010 *Planning for emergencies in facilities*. Objections received raise concerns in relation to bushfire and the potential for the facility to initiate fires, which are addressed below.

Vegetation on and generally surrounding the site comprises 'grassland' in accordance with PBP. Slope in the vicinity is considered to be 0-5 degrees downslope to the northwest, with the remainder being upslope/flat.

The intent of an Asset Protection Zones (APZ) is to minimise the risk of bushfire attack and maintain reduced fuel loads and provide a safe operational environment for emergency personnel undertaking operations.

The APZ for the proposed development is located wholly in grassland, with no trees within the development footprint, with grass to be kept mown (<100mm in height). A 10-metre wide APZ around the electrical facilities located within the security fence is proposed as detailed below (hatched blue), with proposed landscaping located outside the 1.8m external fencing.



Construction of the facility is from non-combustible materials designed to mitigate the risk of flame damage, ember attack and radiant heat. The structures are able to achieve a BAL 40 (Bushfire Attack Level) for the Switch gear and BAL 29 for the Batteries. Based on the relatively isolated location, external services should be shielded or designed to BAL 40 and where applicable, assets should include ember protection.

The report recommends a minimum of 20,000l water supply is to be provided on site, with above ground tanks being concrete or metal and fitted with connections for

Our Environment No. 1 Cont...

firefighting (65mm Storz outlet and a gate or ball valve provided). The application proposes a 72,000l water tank with appropriate fittings.

#### Fire Safety

There is potential for fires to initiate from the components within the site. In this regard, the development includes hardware for the purposes of fire safety, with each battery container containing built-in fire suppression systems and having multiple built-in fire protection devices that work together, including flammable gas, smoke and thermal sensors, pressure relief system and aerosol fire extinguishing system. This means a container will automatically suppress an internal fire in the first instance.

The battery type is a lithium-Ion phosphate (LFB) which are considered to be one of the safest by current industry standards and does not contain heavy metals.

NSW Fire and Rescue were consulted during the assessment phase of the development and have indicated that a Fire Safety Study (FSS) is not required for small-scale BESS developments. FSS are required for large-scale developments exceeding 30MW. However, the relevant provisions contained in the Fire and Rescue document *Technical Information – Large-scale external lithium-ion battery energy storage systems* have been incorporated into the conditions of consent including:

- Implementation and monitoring of fire safety systems on site
- Fire brigade access
- Signage warning of electrical hazards
- Emergency planning and response – including notification to Local Emergency Management Committee (LEMC).

#### **Social and Economic Impact**

Given the limited operation workforce, it is perceived that there would be limited local economic opportunity related to the siting of the development in Tenterfield Shire LGA. It is, however, recognised that the proposed facility would contribute in a modest way to modernising and decarbonising of the energy grid which is an undertaking of significant social and economic importance at a State and National level.

#### **Decommissioning**

The application identifies that most components of the proposal have a 20-year design life expectancy, and retrofit or upgrade is not proposed at the end of the facility's useful life, with the plant components decommissioned and removed from the site for recycling or safe disposal.

It is acknowledged that the strategies and technologies currently in place around site decommissioning and likely battery recycling may significantly change between now and the date of the project's conclusion. As such it is important to ensure the decommissioning strategy remains in line with industry best practice and promotes material recycling wherever possible. A condition of consent is recommended requiring a decommissioning strategy which is to be updated at year 10 and 15 and within two years of decommissioning.

#### ***Section 4.15(1)(c) - Suitability of the site***

## Our Environment No. 1 Cont...

The subject site is a largely cleared grazing land that contains limited topographical or environmental constraints. The proposed development site is located to minimise impacts on surrounding farming uses, the natural environment, and the built environment. The site is located on a portion of the property that would prevent the fragmentation of farming land.

Of relevance to the surrounding site context, a 60-hectare, 25MW solar farm was approved in 2019 on land to the north-east. However, this DA has not been acted upon and has expired. Nevertheless, this provides a useful context for the suitability of the locale for renewable energy.

There are limited land use conflicts that would arise as a result of the proposal, and due to the location of the proposed site, the BESS would be located a sufficient distance from all of the nearest surrounding dwellings.

The site has also been deemed a suitable candidate by the applicant as the existing electricity network and its close proximity to the Tenterfield zone substation.

The proposal is for a land use that will be fully contained within the subject land and has been designed in a site-responsive manner mindful of the context of the site (i.e. site constraints and existing servicing and public infrastructure assets in the vicinity).

#### **Section 4.15(1)(d) - Public Submissions**

Public notification occurred on Council's website, the NSW Planning Portal and written notification was provided to adjoining and adjacent land owners between 16 October 2025 to 31 October 2025.

Five (5) submissions from three (3) individuals were received (2 being duplicates) by email and uploaded to the NSW Planning Portal raising objection to the proposal. A copy of the submissions is contained in Attachment 3.

The matters raised along with commentary regarding how they have been addressed/considered in this assessment are provided in Table 1 below:

**Table 1 - Community Consultation – Public Submissions Summary**

| Issue                      | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Visual Impact and Setbacks | <p>Assessment on the potential visual impact of the proposed development has been included under the likely environmental impacts – context and setting subheading of this report.</p> <p>Fencing, parking, on-site water tank and structures are not out of character with rural development observed across the Shire. Landscape screening proposed will assist in filtering and buffering the development from surrounding land uses.</p> |

## Our Environment No. 1 Cont...

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|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             | <p>Overall, it is considered that the built form of visual intrusion of the proposed development would not be incompatible with the sites primary production land use zoning and would not substantiate a reason to refuse consent.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Noise Impacts                               | <p>Assessment on the potential noise impact of the proposed development has been included in the above report.</p> <p>Standard practice is for acoustic reports to model the worst-case scenarios that would be expected. This scenario is modelled based on a composition of equipment specifications and location, proximity to sensitive receptors, as well as other environmental factors such as topography.</p> <p>The acoustic wall at the facility has been designed with the aim of catering to the maximum number of dwellings affected by the proposal. Most of which are located to the west and north-west of the property.</p> <p>With regard to the dwelling (receptor RO1) located to the north-east of the site, the acoustic modelling determined that the noise levels would not necessitate physical mitigation, which is why the noise wall does not extend further.</p> <p>Based on the above and submitted acoustic assessment report, it is considered that noise impacts have been adequately addressed and would not substantiate a reason to refuse consent.</p> |
| Bushfire Risks – Development initiated fire | <p>An accredited bushfire planning and design consultant has prepared a site-specific assessment for the proposed development.</p> <p>Matters relating to bushfire and the potential for the proposed development to be a source of fire have been addressed in the report above.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## Our Environment No. 1 Cont...

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|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                         | <p>At present, the NSW Rural Fire Service's design requirements are limited to providing a 10m APZ around all key infrastructure, with no specific guidelines developed (to date) which provide more prescriptive design requirements for small scale BESS facilities. The consultant has utilized the Victorian Country Fire Authority (CFA) document "<i>Design Guidelines for Renewable Energy Facilities (August 2023)</i>"</p> <p>The development incorporates the following in compliance with the CFAs guidelines;</p> <ul style="list-style-type: none"> <li>• <i>A 10-metre-wide Asset Protection Zone (APZ) surrounding all electrical facilities, providing a defensible space and ensuring safe operational access to infrastructure. This APZ is fully contained within the perimeter security fence.</i></li> <li>• <i>All-weather access roads measuring 6–8 metres in width, equipped with secure access gates to facilitate emergency vehicle entry under all conditions.</i></li> <li>• <i>Provision of a minimum 72,000-litre static water tank dedicated for firefighting purposes, ensuring immediate availability of water in the event of a bushfire.</i></li> </ul> <p>Commentary around fires potentially initiated from within the development have been addressed above.</p> <p>It is considered that bushfire and fire sources have been adequately addressed and would not substantiate a reason to refuse consent.</p> |
| Traffic and Road Safety | <p>The issue of Old Racecourse Road being unfit for trailer movements has been raised in the objections, since the road is unsealed. The proposed development is an unmanned facility and will generate very limited traffic movements during the operational period.</p> <p>The application has indicated that prior to construction, a road audit and dilapidation report will be prepared for the road, and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

## Our Environment No. 1 Cont...

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | <p>any damage during construction will be repaired post-construction.</p> <p>With respect to traffic movements on the road, for a brief period of four weeks, the traffic on Old Racecourse Road will be controlled via a traffic control plan. This will include reduced vehicle speeds on the road up to 40 km/h. Considering the reduced speed, the amount of dust generated will also be reduced, thereby minimising any ill effects.</p> <p>Other matters in relation to traffic and road safety have been addressed in the report above.</p> <p>It is considered that traffic matters have been adequately addressed and would not substantiate a reason to refuse consent.</p> |
| Flooding                      | <p>It is considered that potential flooding impacts have been adequately addressed and would not substantiate a reason to refuse consent.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Land Use Agricultural Impacts | <p><i>Electricity Generating Facilities</i> are a land use which is permitted with consent in the RU1 Primary Production zone under Tenterfield LEP 2013.</p> <p>The footprint of the site is less than half a hectare, and the agricultural potential of unirrigated land is relatively low, and is considerably outweighed by the net community benefits offered by the proposed BESS.</p> <p>Following the decommissioning of the development, the site will be re-mediated to its original condition.</p> <p>It is considered that land use agricultural impacts have been adequately addressed and would not substantiate a reason to refuse consent.</p>                        |
| Ground Water                  | <p>Some objections include concerns about groundwater flow and quality. As mentioned in one of the submissions,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

## Our Environment No. 1 Cont...

|                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                 | <p><i>'Trenching and excavation for electrical conduits could disrupt groundwater flow or contaminate shared aquifers. No hydrological or groundwater assessment accompanies the DA. Council should require one prior to any approval.'</i></p> <p>The earthwork on the site will be limited to the footings for the equipment and trenching for cables. The works will be located so as to avoid any underground water streams. These earthworks will be shallow and comparable to what would be typically expected for any small rural development, including rural dwellings and outbuildings/sheds.</p> <p>No wastewater is generated by the development itself.</p> <p>It is considered that groundwater impacts have been adequately addressed and would not substantiate a reason to refuse consent.</p> |
| Threatened Fauna                                | <p>A Flora and Fauna Impact assessment by Waratah Ecology Pty Ltd is submitted with the application. The report highlights that <i>"No threatened fauna species were identified during the survey, and none have been recorded within the study area within the last 20 years"</i> and has been addressed in the report above.</p> <p>It is considered that fauna impacts have been adequately addressed and would not substantiate a reason to refuse consent.</p>                                                                                                                                                                                                                                                                                                                                             |
| Overhead Transmission Line and Easement Impacts | <p>The applicant has responded with the below in relation to the objection:</p> <p><i>The site has been located close to existing electrical infrastructure to limit the requirements for any additional connection works. The development will not result in any additional works across private property – beyond the subject site.</i></p> <p><i>Residents and businesses in Tenterfield will experience enhanced grid stability reduces the likelihood of outages, voltage</i></p>                                                                                                                                                                                                                                                                                                                          |

## Our Environment No. 1 Cont...

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p><i>fluctuations, and smoother integration of rooftop solar systems.</i></p> <p><i>The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) has set a public exposure limit of 2,000 milligauss (mG) for electromagnetic fields (EMF) at 50 Hz sources. For comparison, typical EMF levels measured directly under transmission lines range between 20–200 mG, which is well below the established limit. This demonstrates that the electromagnetic fields associated with the project remain comfortably within the safety standards set by ARPANSA.</i></p> <p><i>Installation of overhead (OH) lines will be carried out in accordance with industry standards and Essential Energy guidelines. ACE will implement comprehensive fire prevention measures, including vegetation clearance, deployment of covered conductors where appropriate, and installation of fault detection systems. Operational protocols will also be adjusted during periods of elevated bushfire risk to minimize ignition potential.</i></p> |
| Lighting | No lighting is proposed as part of the development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Having regard to the submissions and commentary provided in relation to their consideration in the table above, it is considered that the matters raised by the submissions do not present any reason which would substantiate a decision to refuse development consent to the proposed development.

**Section 4.15(1)(e) - Public interest**

The proposed development is compatible with the public interest. The proposed development would:

- Support the energy grid and the renewable energy transition.
- Comply with the relevant local assessment provisions established by the *Tenterfield LEP 2013* and *Tenterfield DCP 2014*.
- Be carried out in a manner that is unlikely to result in any significant adverse environmental impacts.
- Create economic activity related to the battery storage offered to the energy grid, the construction of the development and its operational maintenance.

**COUNCIL IMPLICATIONS:**

Our Environment No. 1 Cont...

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

The application was publicly exhibited and adjoining and adjacent owners notified in writing from 16 October 2025 to 31 October 2025. A total of five (5) submissions were received (2 duplicated), hence three (3) submissions by way of objection were received which have been addressed above.

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

- *Environmental Planning & Assessment Act, 1979*
- *Environmental Planning & Assessment Regulation 2001*

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

No impact.

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

No impact.

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

No impact.

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

An applicant who is dissatisfied with a determination may request a review or appeal to the Land and Environment Court. An objector who is dissatisfied with a determination for a local development may only appeal under Class 4 provisions which relate to a matter of process.

### **7. Performance Measures**

No impact.

### **8. Project Management**

No impact.

**Liz Alley**  
**Director Corporate Services**

|                               |                                                                                                                                                                                                                                               |          |                                                             |          |          |                                                   |         |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------------------------------|----------|----------|---------------------------------------------------|---------|
| Prepared by staff member:     | Tamai Davidson, Manager Planning & Development                                                                                                                                                                                                |          |                                                             |          |          |                                                   |         |
| Approved/Reviewed by Manager: | Liz Alley, Director Corporate Services                                                                                                                                                                                                        |          |                                                             |          |          |                                                   |         |
| Department:                   | Office of the Director Corporate Services                                                                                                                                                                                                     |          |                                                             |          |          |                                                   |         |
| Attachments:                  | <table> <tr> <td><b>1</b></td> <td>Attachment 1 - Draft Conditions of Consent DA 2025.113 BESS</td> <td>11 Pages</td> </tr> <tr> <td><b>2</b></td> <td>Attachment 2 - Development Plans DA 2025.113 BESS</td> <td>7 Pages</td> </tr> </table> | <b>1</b> | Attachment 1 - Draft Conditions of Consent DA 2025.113 BESS | 11 Pages | <b>2</b> | Attachment 2 - Development Plans DA 2025.113 BESS | 7 Pages |
| <b>1</b>                      | Attachment 1 - Draft Conditions of Consent DA 2025.113 BESS                                                                                                                                                                                   | 11 Pages |                                                             |          |          |                                                   |         |
| <b>2</b>                      | Attachment 2 - Development Plans DA 2025.113 BESS                                                                                                                                                                                             | 7 Pages  |                                                             |          |          |                                                   |         |

Our Environment No. 1 Cont...

**3** Attachment 3 - Objections

18  
Pages

Attachment 1 – Draft conditions of consent DA 2025.113 Battery Energy Storage System, Lot 1 DP 777724, Old Racecourse Road, Tenterfield.

**(1) Approved Plans and Supporting Documents**

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

|                                                                                          |                                                                                                                             |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Aceenergy Development Plans<br>Project No. 023155 23/01/2025                             | G-1.1_023155<br>G-1.2_023155<br>G-2.1_023155<br>G-2.2_023155<br>G-3.0_23155<br>G-4.0_23155<br>G-5.0_23155                   |
| Tenterfield Distribution BESS- Acoustic Report – Environmental Noise Emission Assessment | Version 1 – dated 18 July 2025<br>Watson Moss Growcott Acoustics                                                            |
| Aceenergy Landscape Plan                                                                 | Project # 25738<br>Drawing 01-Rev A-23/7/2025<br>Drawing 02-23/7/2025<br>Drawing 03-Rev B-23/7/2025<br>Drawing 04-23/7/2025 |
| Bush Fire Management & Emergency Response Plan                                           | Harris environmental consulting<br>17/7/2025<br>REF: 7566BF                                                                 |
| Traffic Impact Assessment                                                                | Barker Ryan Stewart<br>Project No. 250378<br>18/7/2025                                                                      |

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: If an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

*Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.*

**(2) Battery Capacity**

The total battery storage associated with the development must not exceed a total delivery capacity of 4.95 Megawatts.

*Reason: to ensure the proposed development is carried out in accordance with the approved plans and documentation.*

**(3) Decommissioning**

Within 12 months of the development ceasing operation, the development must be decommissioned. Decommissioning is to be completed generally in accordance with this development consent, the decommissioning strategy approved as a requirement of this consent or a further updated version of that plan submitted to Council and endorsed in writing and current industry standards at the time of the decommissioning works.

*Reason: ensure the development is carried out in accordance with the approved plans and decommissioned at the end of its operating life.*

**(4) Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

*Reason: Prescribed legislation.*

**(5) Carrying out of demolition work**

Any demolition work is to be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: Demolition of Structures.

*Reason: Prescribed legislation.*

**(6) Bushfire Protection requirements**

The following bushfire protection measures are to be provided to the development.

- 1) The Bushfire Emergency and Evacuation Plan (BEEP) shall be updated prior to commissioning of the Battery Energy Storage System BESS development. The BEEP shall be prepared in consultation with NSW RFS Glen Innes Fire Control Centre. A copy of this final plan is to be provided to Tenterfield Shire Council Local Emergency Management Committee (LEMC). The BEEP shall include, but not be limited to:
  - 24 hour emergency contact details including alternative telephone contact;
  - Site infrastructure plan;
  - Fire fighting operations plan including
    - o methods and resources to manage and extinguish Battery Fires.
- 2) The BESS development footprint is to be managed as an Asset Protection Zone in accordance with Appendix 4 of 'Planning for Bush Fire Protection 2019'.
- 3) To allow for emergency service personnel to undertake property protection activities, a 10 metre defendable space (APZ) that permits unobstructed vehicle

access is to be provided around the perimeter of the BESS development including associated infrastructure.

4) Property access roads to the BESS must comply with the following requirements of Table 7.4 of 'Planning for Bushfire Protection 2019.'

- a. property access roads are two-wheel drive, all-weather roads;
- c. there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available;
- e. property access must provide a suitable turning area in accordance with Appendix 3;
- f. curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- g. the minimum distance between inner and outer curves is 6m; and
- h. the cross fall is not more than 10 degrees.

5) A 72,000 litre water supply (tank) fitted with a 65mm storz fitting shall be located adjoining the internal property access road (BESS) within the required APZ.

6) Structures within the facility are to achieve a Bushfire Attack Level (BAL) 40, with batteries at BAL 29, external services are to be shielded or designed to BAL 40 and assets are to include ember protection where applicable.

*Reason: Ensure compliance with Planning for Bushfire Protection 2019 and NSW Rural Fire Service requirements.*

**(7) Construction Certificate Requirement**

No works shall commence on site until a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works, it must cover the works being undertaken onsite.

*Reason: Prescribed legislation.*

**(8) Decommissioning Strategy**

Prior to the issue of a Construction Certificate a decommissioning strategy is to be provided to Council. The plan is to include, but not be limited to addressing the following matters;

- disconnection of electrical components
- removal of battery equipment within the compound, including the foundation posts, and sorting and packaging of all materials for removal from the site and subsequent recycling and/or reuse
- removal of all site amenities and equipment not able to be repurposed on site, and recycling and/or reuse of materials wherever practicable
- removal and recycling of electrical cabling
- rehabilitation of areas temporarily disturbed during the decommissioning phase.

The strategy must also include requirements for:

a) A site contamination investigation to be prepared by an appropriately qualified person, prior to the battery decommissioning. This investigation should identify any site contamination present at the site that would limit potential future uses, make recommendations to remediate any site contamination.

b) Where site contamination requiring remediation is identified by the site contamination investigation it is to be a requirement for the sites final decommissioning to either:

I. Undertake remediation work required by the site contamination investigation. Where such work is undertaken as part of the site decommissioning the person acting with this consent is to ensure that they have obtained any approval relevant for the carrying out of that work which may be required under the NSW planning system at the time of decommissioning.

The decommissioning strategy is to be submitted to Council for approval, once approved the remediation strategy will be endorsed with Council's approval stamp. Documentation demonstrating compliance with this requirement is to be provided to the Certifying Authority prior to the issue of a Construction Certificate.

*Reason: to ensure that appropriate investigations are completed at the end of the developments life to ensure the site is free of contamination and in a state to support future use.*

c) the decommissioning strategy is to be updated and submitted to Council at year 10 and 15 after commencement of operation of the facility and again within 2 years of expected decommissioning.

**(9) Acoustic Attenuation Requirements**

Prior to the issue of a Construction Certificate detailed design information is to be submitted to the Certifying Authority detailing the 'acoustic treatments' to be carried out to the BESS battery containers to achieve the noise modelling outcomes using the tonal adjustment of the *Acoustic Report – Environmental Noise Emission Assessment* prepared by Watson Moss Growcott, dated 18 July 2025. The detailed design documentation is to be accompanied by certification from an appropriately qualified Acoustic Engineer confirming that the 'acoustic treatments' will achieve acoustic attenuation outcomes in line with the recommendations of the Watson Moss Growcott report.

*Reason: to ensure compliance with the proposed plans and does not have an adverse acoustic impact.*

**(10) Section 7.12 Contributions**

Pursuant to section 4.17(1) of the Environmental Planning and Assessment Act 1979, and the *Tenterfield Shire Council Section 7.12 Development Contributions Plan (General*

*Development*), a contribution of \$44,960.00 shall be paid to Tenterfield Shire Council, being 1% of the cost of carrying out the development.

Documentary evidence demonstrating payment of the above contribution to Council is to be provided to the Principle Certifying Authority prior to the issue of a Construction Certificate.

*Reason: Prescribed under the Tenterfield Shire Council Section 7.12 Development Contributions Plan (General Development).*

**(11) Sediment Control Plan**

Prior to the issue of a Construction Certificate for any Stage of the development a sediment and erosion management plan is to be submitted to and approved by the Certifying Authority. The Control Plan shall incorporate and disclose:

1. all details to protect and drain the site during the construction processes;
2. all sediment control devices, barriers and the like;
3. covering materials and methods;
4. a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

*Reason: to ensure the development does not cause environmental harm.*

**(12) Construction Management Plan**

Before the issue of a Construction Certificate, a construction management plan must be prepared, and provided to the Certifying Authority. The plan must include the following matters:

- a) a Safe Work Method Statement;
- b) the proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- c) the location and operation of any on site crane;
- d) Provisions for public safety;
- e) Pedestrian and vehicular site access points and construction activity zones;
- f) Details of construction traffic management including:
  - i. Proposed truck movements to and from the site;
  - ii. Estimated frequency of truck movements; and
  - iii. Measures to ensure pedestrian safety near the site;
- g) Detail any hardstand or gravel setdown areas for trafficable areas or material storage during construction works.
- h) Details of bulk earthworks to be carried out;
- i) The location of site storage areas and sheds if applicable; and

k) Dust, noise and vibration control measures.

All work and excavation, demolition or construction activities shall be undertaken in accordance with the approved Construction Management Plan. A copy of the approved Construction Management Plan shall be kept on the site at all times and made available to any officer of Council upon request.

*Reason: to ensure construction is carried out in a manner that minimises potential environmental impacts and complies with local authority requirements.*

**(13) Construction Traffic Management Plan**

Prior to the issue of a Construction Certificate a Construction Traffic Management Plan is to be prepared in relation to the development and approved by Council's Infrastructure Department.

The Construction Traffic Management Plan shall:

- o Be prepared by an appropriately qualified traffic engineer.
- o Be prepared in accordance with the recommendations of the Traffic Impact Assessment.
- o Be prepared in accordance with relevant NSW Safe work guidelines.
- o Include a Traffic Control Plan related to the use of the site access. Any Traffic Control Plan should give consideration to and propose where relevant:
  - ♣ Safety signage for construction workers.
  - ♣ Temporary hazard/construction signage along relevant Council and State roads.
- o Include temporary all weather parking/set-down area for all weather parking during construction work.
- o Detail the timing of the site access upgrade work. It is Council's recommendation that the site access upgrade is carried out in the initial stage of the construction work. Where this would not be the case the Construction Traffic Management Plan shall incorporate temporary site access treatments to ensure sediment is not transported onto the public road from construction vehicles and manage any soil erosion at the access point during construction work.

The construction Traffic Management Plan is to be implemented at all times during the carrying out of construction work.

*Reason: ensure traffic is appropriately managed during the construction of the development.*

**(14) Section 138 Permit**

Prior to the issue of any Construction Certificate the person acting with this consent is to obtain all relevant approvals under the Roads Act 1993 for the upgrade of the site access from Old Racecourse Road. A Section 138 permit is to be obtained from Council prior to any works commencing.

*Reason: Statutory requirement.*

**(15) Long Service Levy**

Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the Construction Certificate if applicable.

*Reason: Statutory requirements.*

**(16) Sediment and Erosion Control**

Prior to the commencement of works Sediment and erosion controls are to be installed at the site in accordance with the approved Erosion and Sediment Control Plan. .

All required erosion and sedimentation techniques are to maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

*Reason: Ensure compliance with Development Control Plan.*

**(17) Site Sign**

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

1. stating that unauthorised entry to the work site is prohibited;
2. showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
3. showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

*Reason: Prescribed EP&A Regulation 2000.*

**(18) Damage to Public Infrastructure**

The applicant shall bear the cost of all restoration works to Council property damaged during the development. The applicant shall submit in writing and photographic record, any existing damage to Council property before commencement of work.

A road audit and dilapidation report is to be prepared for all roads proposed to be utilised during the construction phase of the development prior to commencement of construction. The person/s entitled to act on the consent shall be responsible for the costs associated with a post construction audit on the roads the subject of the dilapidation report.

Note: This documentation will be used to resolve any dispute over damage to infrastructure. If no documentation is received prior to commencement of work it will be assumed that the infrastructure was undamaged and the applicant will be required to restore all damaged infrastructure at their expense.

**(19) Site Facilities**

- (a) If the development involves building work or demolition work, the work site must be fully enclosed by a temporary security fence (or hoarding) before work commences.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians.
- (c) Any such hoarding or fence is to be removed when the work has been completed.
- (d) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (e) Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.
- (f) Each toilet provided must:
- an approved temporary chemical closet.
- (g) The provision of toilet facilities must be completed before any other work is commenced.
- (h) Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site.

*Reason: To ensure adequate construction facilities.*

**(20) Discovery of Aboriginal Heritage**

If Aboriginal objects are uncovered during work, excavation or disturbance of the area, work must stop immediately. The Environmental Protection and Regulation Group of the OEH is to be contacted. Aboriginal archaeological excavation must be co-ordinated with any proposed investigation of non-indigenous material.

*Reason: Ensure protection of items of cultural heritage in accordance with relevant legislation.*

**(21) Construction Hours**

Subject to this clause and unless otherwise directed by the NSW Environmental Protection Authority, site works are to be carried out during the following hours:

- i. between Monday to Friday (inclusive)—7.00am to 6.00pm
- ii. on a Saturday—8.00am to 1.00pm
- iii. Sundays and Public Holidays – no work permitted unless authorised in writing by Council or the NSW Environmental Protection Authority.

*Reason: To ensure that development works do not negatively impact neighbouring amenity after hours.*

**(22) Occupation**

Buildings are not to be used or occupied until a final inspection has been carried out and an occupation certificate has been obtained from the Principal Certifying Authority.

*Reason: Prescribed legislation*

**(23) Installation of stock proof fencing**

Prior to the issue of an Occupation Certificate a stock proof fence is to be installed around the outside perimeter of the landscaped area.

*Reason: to ensure the landscaping is adequately protected from stock and animal damage and to assist in the establishment and maintenance of the required landscaping.*

**(24) Bushfire Protection Measures**

Prior to the issue of any Occupation Certificate all bushfire protection measures required by the conditions of this consent and the approved Bushfire Assessment Report are to be complied with and documentation demonstrating compliance submitted to the satisfaction of the Certifying Authority. The bushfire protection measures are to be maintained at all times.

*Reason: ensure compliance with Planning for Bushfire Protection 2019.*

**(25) Installation of landscaping**

Prior to the issue of any Occupation Certificate landscaping is to be installed at the site in accordance with the approved Landscape Plan, the requirements of this consent or as otherwise directed by Council in writing.

*Reason: ensure compliance with the proposed plans and mitigate the visual impact of the development.*

**(26) Acoustic Mitigation Measures**

Prior to the issue of any Occupation Certificate all acoustic mitigation measures required by the pre-construction certificate conditions of this consent and the recommendations of the Watson Moss Growcott report dated 18 July 2025, are to be fully installed and Certification documentation confirming their satisfactory completion provided to the Certifying Authority by an appropriately Acoustic Engineer.

*Reason: Ensure appropriate noise attenuation in accordance with the proposed plans.*

**(27) Operational Contact Information**

Prior to the issue of an Occupation Certificate the person acting with this consent is to establish phone and email contact numbers/addresses for facility and provide details of that contact information through the following:

- a) A contact sign is to be installed at the front of the property and on the facility compound referencing the contact name/position, phone number and email address for the facility. Signs installed in accordance with this requirement shall be no bigger 2.5m<sup>2</sup>.
- b) The contact information has been circulated via a mailbox drop to neighbouring residents.
- c) The contact information is to be provided to Tenterfield Shire Council, local emergency services, NSW Rural Fire Service, Essential Energy and other agencies or

individuals which the site operator considers may have an interest in receiving this contact information.

Where the contact information is updated through the lifetime of the development relevant updated correspondence is to be issued advising of the new contact number and related signage updated.

*Reason: Ensure contact information available to the community and emergency services in relation to the facility.*

**(28) Operational Complaint Handling Procedure**

Prior to the issue of an Occupation Certificate the person acting with this consent is to establish a complaint handling procedure and provide a copy of that procedure to Council for approval. The procedure shall:

- a. Establish a procedure and organisational responsibilities for actioning the investigation and response to complaints received in relation to the operation of the premises.
- b. A record keeping system for keeping a record of complaints received, including key information on complaint source, type (i.e., noise, odour, traffic incident etc.), complaint particulars, investigation details, and response.
- c. Ensure an initial response is provided to complaints within a week, where contact information is provided.
- d. Access to records related to complaint management are to be provided to Council on request.

*Reason: Ensure appropriate complaint management procedure is established for the operation of the development.*

**(29) Landscaping Management**

An appropriately qualified landscape architect or environmental consultant is to be engaged to complete periodic (at timelines established in this condition) landscape establishment and management review.

The landscape establishment review shall:

- Review the landscaping against the approved landscape plan,
- Recommendations or outcomes of any previous landscape establishment review,
- Identify any aspects of the landscaping that has failed or is struggling to establish,
- Have regard to seasonal or environmental factors,
- Have regard to plan elevation detail provided in the landscape plan and the performance of the landscaping establishment toward achieving the level of screening required,
- Make recommendations around any updated landscaping maintenance, establishment or replanting requirements which in the opinion of the

professional is required to achieve the screening/aesthetic outcomes of the approved landscape plan, and

- Where alternate vegetation types are proposed to assist in achieving the outcomes of this plan, species of vegetation should be native species wherever possible.

At the completion of any landscape establishment and management review a report including any recommendations for the landscape maintenance for the next calendar period is to be prepared. A copy of that report is to be provided to the applicant and Council. The recommendations of any such report are to be implemented unless otherwise directed otherwise in writing by Council.

Landscape Establishment and management Reviews in accordance with this condition are to be completed at the following milestone dates from the issue of the Occupation Certificate:

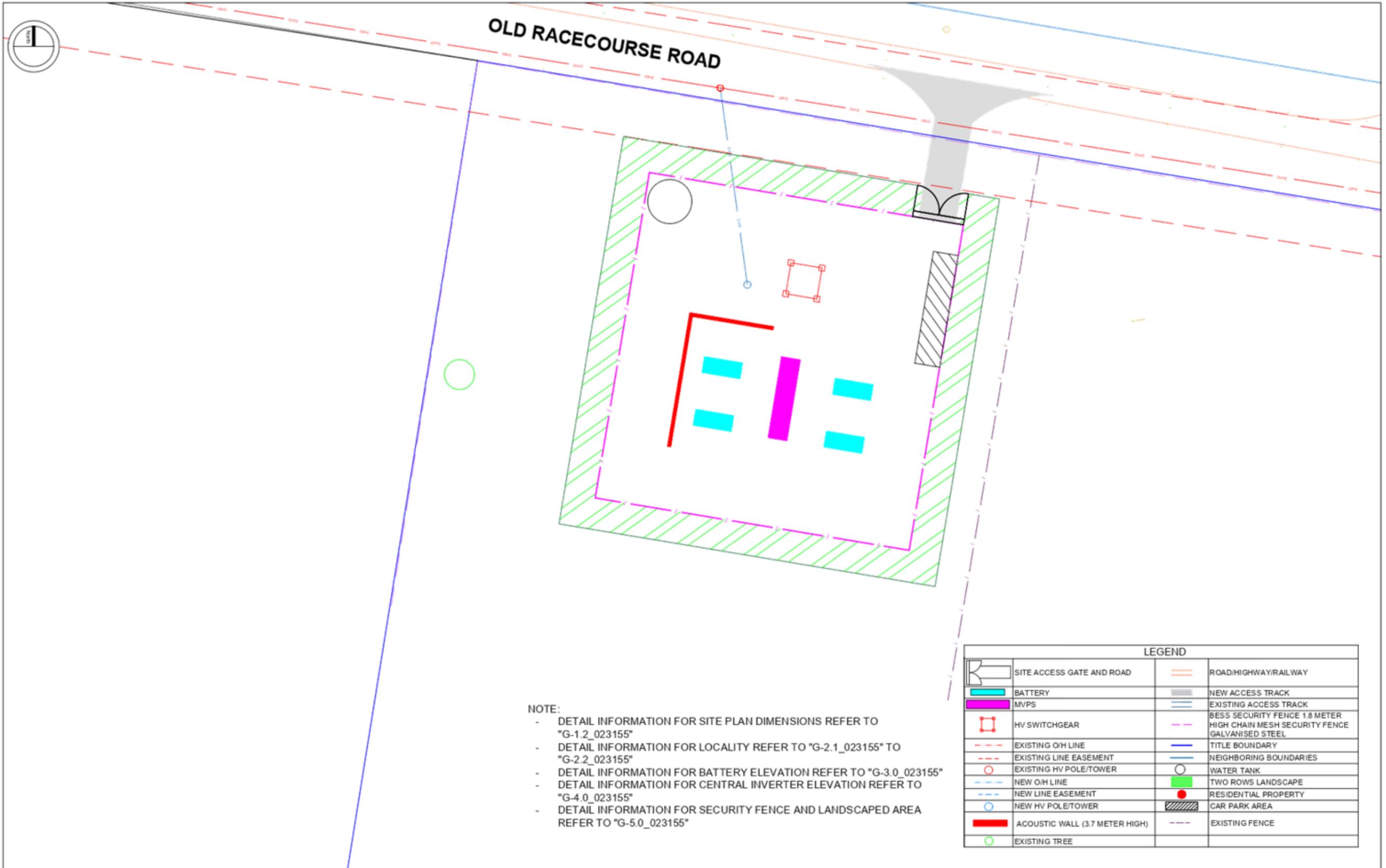
- a) 6 months,
- b) 1 year,
- c) 3 years,
- d) 5 years, and
- e) After the completion of the final 5 year period where Council has observed issues or failings related to the maintenance or management of the landscape plan and issues a written direction for the completion of a further review.

*Reason: Ensure landscaping installed and established in accordance with the proposed plans and to manage visual impact.*

**(30) Landscaping Management**

Landscaping must be maintained at all times in accordance with the approved landscape plan, the Maintenance Specifications included in that landscape plan, the requirements of this consent and any related written direction issued by Council. If any of the vegetation dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.

*Reason: Ensure landscaping installed and established in accordance with the proposed plans and to manage visual impact.*



**NOTE:**

- DETAIL INFORMATION FOR SITE PLAN DIMENSIONS REFER TO "G-1.2\_023155"
- DETAIL INFORMATION FOR LOCALITY REFER TO "G-2.1\_023155" TO "G-2.2\_023155"
- DETAIL INFORMATION FOR BATTERY ELEVATION REFER TO "G-3.0\_023155"
- DETAIL INFORMATION FOR CENTRAL INVERTER ELEVATION REFER TO "G-4.0\_023155"
- DETAIL INFORMATION FOR SECURITY FENCE AND LANDSCAPED AREA REFER TO "G-5.0\_023155"

| LEGEND |                                |  |                                                                               |
|--------|--------------------------------|--|-------------------------------------------------------------------------------|
|        | SITE ACCESS GATE AND ROAD      |  | ROAD/HIGHWAY/RAILWAY                                                          |
|        | BATTERY                        |  | NEW ACCESS TRACK                                                              |
|        | MVPS                           |  | EXISTING ACCESS TRACK                                                         |
|        | HV SWITCHGEAR                  |  | BESS SECURITY FENCE 1.8 METER HIGH CHAIN MESH SECURITY FENCE GALVANISED STEEL |
|        | EXISTING O/H LINE              |  | TITLE BOUNDARY                                                                |
|        | EXISTING LINE EASEMENT         |  | NEIGHBORING BOUNDARIES                                                        |
|        | EXISTING HV POLE/TOWER         |  | WATER TANK                                                                    |
|        | NEW O/H LINE                   |  | TWO ROWS LANDSCAPE                                                            |
|        | NEW LINE EASEMENT              |  | RESIDENTIAL PROPERTY                                                          |
|        | NEW HV POLE/TOWER              |  | CAR PARK AREA                                                                 |
|        | ACOUSTIC WALL (3.7 METER HIGH) |  | EXISTING FENCE                                                                |
|        | EXISTING TREE                  |  |                                                                               |

| REVISIONS |        |                |            |      |      |
|-----------|--------|----------------|------------|------|------|
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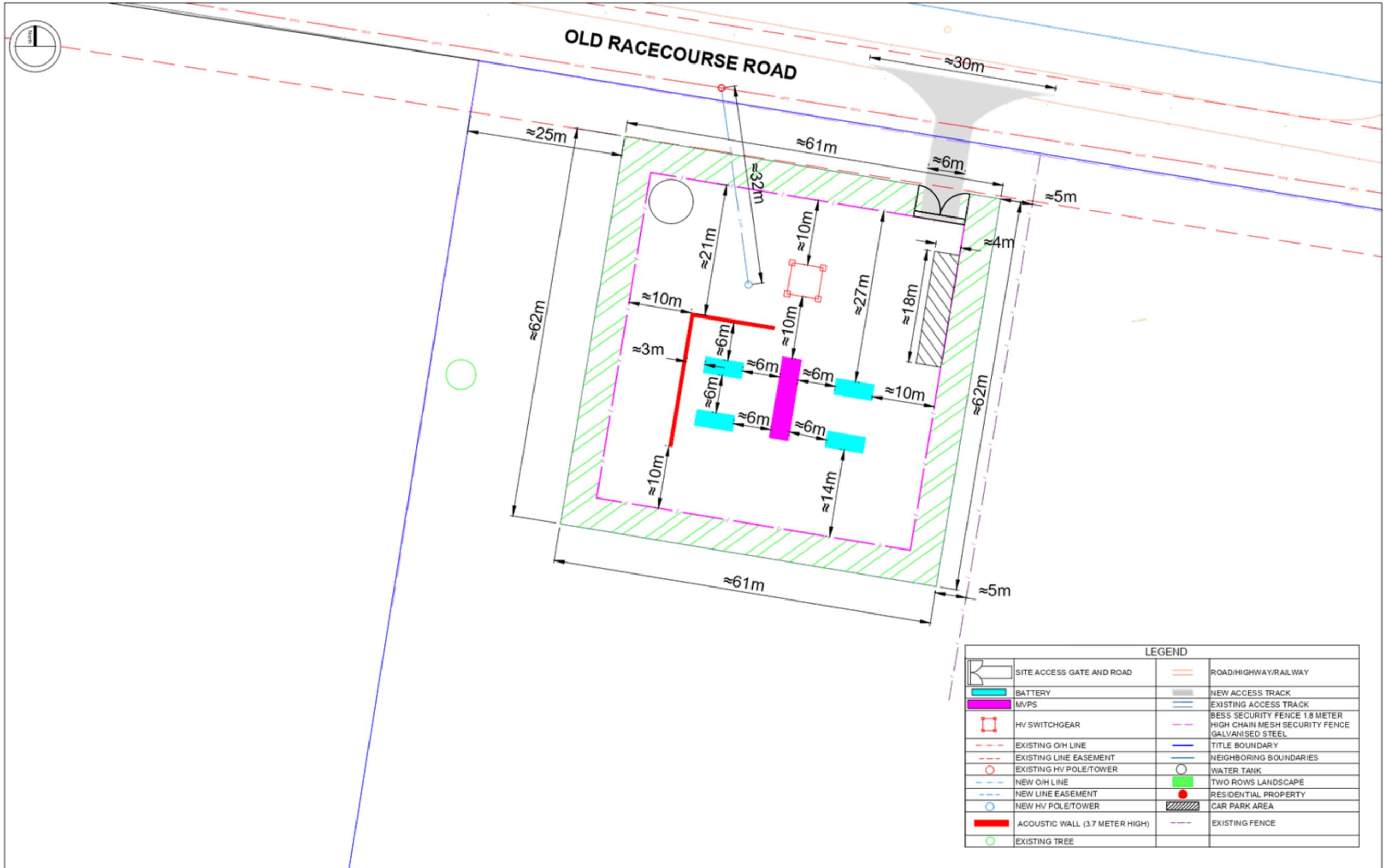
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| CLIENT DETAILS:  | ACENERGY PTY LTD              |
| DRAWING TITLE:   |                               |

3 OF 2

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| LEGEND |                                                                               |
|--------|-------------------------------------------------------------------------------|
|        | SITE ACCESS GATE AND ROAD                                                     |
|        | BATTERY                                                                       |
|        | MVPS                                                                          |
|        | HV SWITCHGEAR                                                                 |
|        | EXISTING O/H LINE                                                             |
|        | EXISTING LINE EASEMENT                                                        |
|        | EXISTING HV POLE/TOWER                                                        |
|        | NEW O/H LINE                                                                  |
|        | NEW LINE EASEMENT                                                             |
|        | NEW HV POLE/TOWER                                                             |
|        | ACOUSTIC WALL (3.7 METER HIGH)                                                |
|        | EXISTING TREE                                                                 |
|        | ROAD/HIGHWAY/RAILWAY                                                          |
|        | NEW ACCESS TRACK                                                              |
|        | EXISTING ACCESS TRACK                                                         |
|        | BESS SECURITY FENCE 1.8 METER HIGH CHAIN MESH SECURITY FENCE GALVANISED STEEL |
|        | TITLE BOUNDARY                                                                |
|        | NEIGHBORING BOUNDARIES                                                        |
|        | WATER TANK                                                                    |
|        | TWO ROWS LANDSCAPE                                                            |
|        | RESIDENTIAL PROPERTY                                                          |
|        | CAR PARK AREA                                                                 |
|        | EXISTING FENCE                                                                |

| REVISIONS |        |                |            |      |      |
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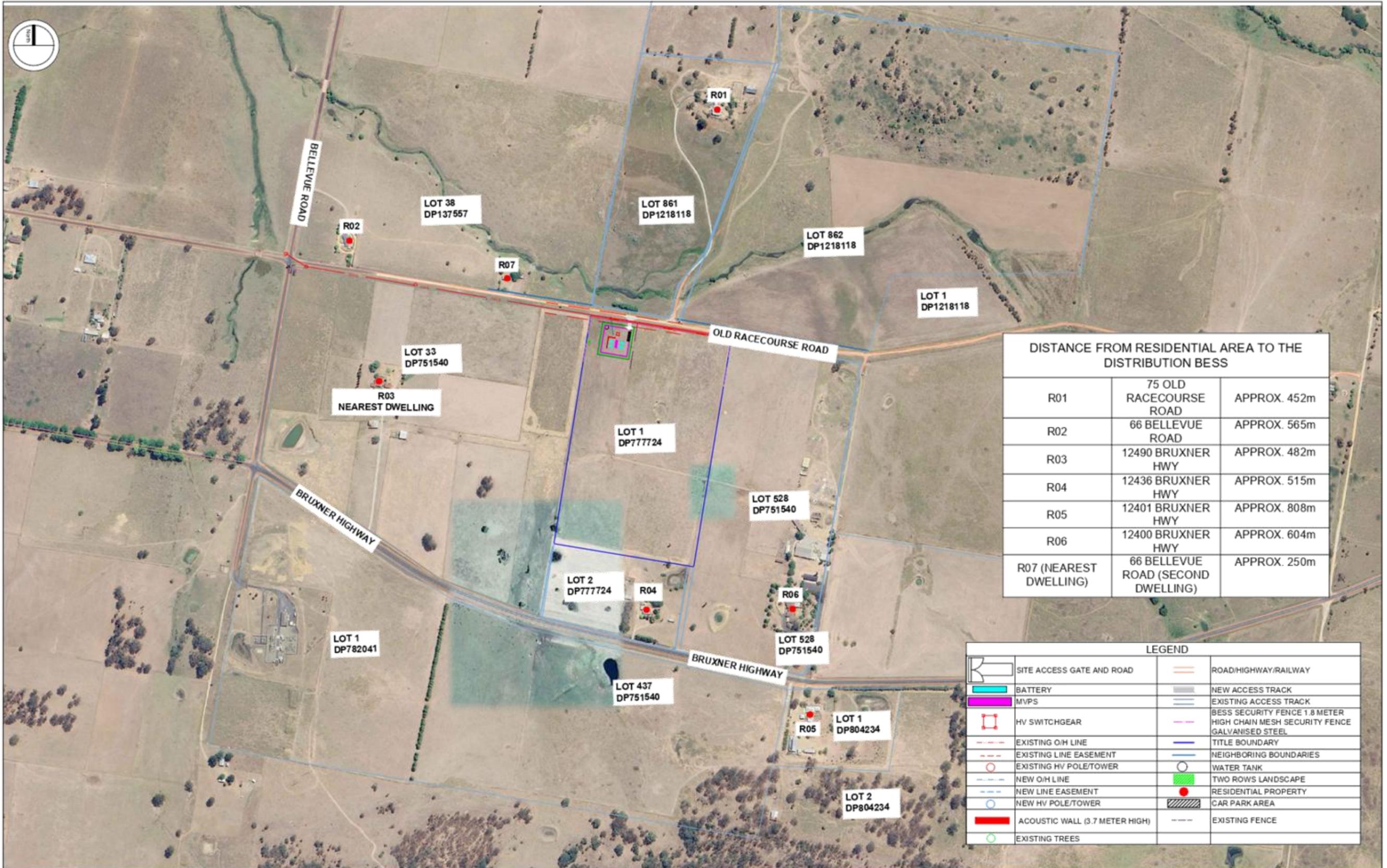
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| DISTANCE FROM RESIDENTIAL AREA TO THE DISTRIBUTION BESS |                                    |              |
|---------------------------------------------------------|------------------------------------|--------------|
| R01                                                     | 75 OLD RACECOURSE ROAD             | APPROX. 452m |
| R02                                                     | 66 BELLEVUE ROAD                   | APPROX. 565m |
| R03                                                     | 12490 BRUXNER HWY                  | APPROX. 482m |
| R04                                                     | 12436 BRUXNER HWY                  | APPROX. 515m |
| R05                                                     | 12401 BRUXNER HWY                  | APPROX. 808m |
| R06                                                     | 12400 BRUXNER HWY                  | APPROX. 604m |
| R07 (NEAREST DWELLING)                                  | 66 BELLEVUE ROAD (SECOND DWELLING) | APPROX. 250m |

| LEGEND |                                |  |                                                                               |
|--------|--------------------------------|--|-------------------------------------------------------------------------------|
|        | SITE ACCESS GATE AND ROAD      |  | ROAD/HIGHWAY/RAILWAY                                                          |
|        | BATTERY                        |  | NEW ACCESS TRACK                                                              |
|        | MVPS                           |  | EXISTING ACCESS TRACK                                                         |
|        | HV SWITCHGEAR                  |  | BESS SECURITY FENCE 1.8 METER HIGH CHAIN MESH SECURITY FENCE GALVANISED STEEL |
|        | EXISTING O/H LINE              |  | TITLE BOUNDARY                                                                |
|        | EXISTING LINE EASEMENT         |  | NEIGHBORING BOUNDARIES                                                        |
|        | EXISTING HV POLE/TOWER         |  | WATER TANK                                                                    |
|        | NEW O/H LINE                   |  | TWO ROWS LANDSCAPE                                                            |
|        | NEW LINE EASEMENT              |  | RESIDENTIAL PROPERTY                                                          |
|        | NEW HV POLE/TOWER              |  | CAR PARK AREA                                                                 |
|        | ACOUSTIC WALL (3.7 METER HIGH) |  | EXISTING FENCE                                                                |
|        | EXISTING TREES                 |  |                                                                               |

| REVISIONS |        |               |          |      |      |
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| PROJECT DETAILS: | TENTERFIELD DISTRIBUTION BESS<br>BRUXNER HIGHWAY TENTERFIELD 2172<br>-2562 66 52 06 48 |
| CLIENT DETAILS:  | ACENERGY PTY LTD                                                                       |
| DRAWING TITLE:   | LOT 1 DP 777724                                                                        |

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| ISSUE DATE:  | 23/07/2025   |
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| PROJECT NO:  | 023155       |
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| LEGEND |                                                                               |
|--------|-------------------------------------------------------------------------------|
|        | SITE ACCESS GATE AND ROAD                                                     |
|        | BATTERY                                                                       |
|        | MVPS                                                                          |
|        | HV SWITCHGEAR                                                                 |
|        | EXISTING O/H LINE                                                             |
|        | EXISTING LINE EASEMENT                                                        |
|        | EXISTING HV POLE/TOWER                                                        |
|        | NEW O/H LINE                                                                  |
|        | NEW LINE EASEMENT                                                             |
|        | NEW HV POLE/TOWER                                                             |
|        | ACOUSTIC WALL (3.7 METER HIGH)                                                |
|        | EXISTING TREES                                                                |
|        | ROAD/HIGHWAY/RAILWAY                                                          |
|        | NEW ACCESS TRACK                                                              |
|        | EXISTING ACCESS TRACK                                                         |
|        | BESS SECURITY FENCE 1.8 METER HIGH CHAIN MESH SECURITY FENCE GALVANISED STEEL |
|        | TITLE BOUNDARY                                                                |
|        | NEIGHBORING BOUNDARIES                                                        |
|        | WATER TANK                                                                    |
|        | TWO ROWS LANDSCAPE                                                            |
|        | RESIDENTIAL PROPERTY                                                          |
|        | CAR PARK AREA                                                                 |
|        | EXISTING FENCE                                                                |

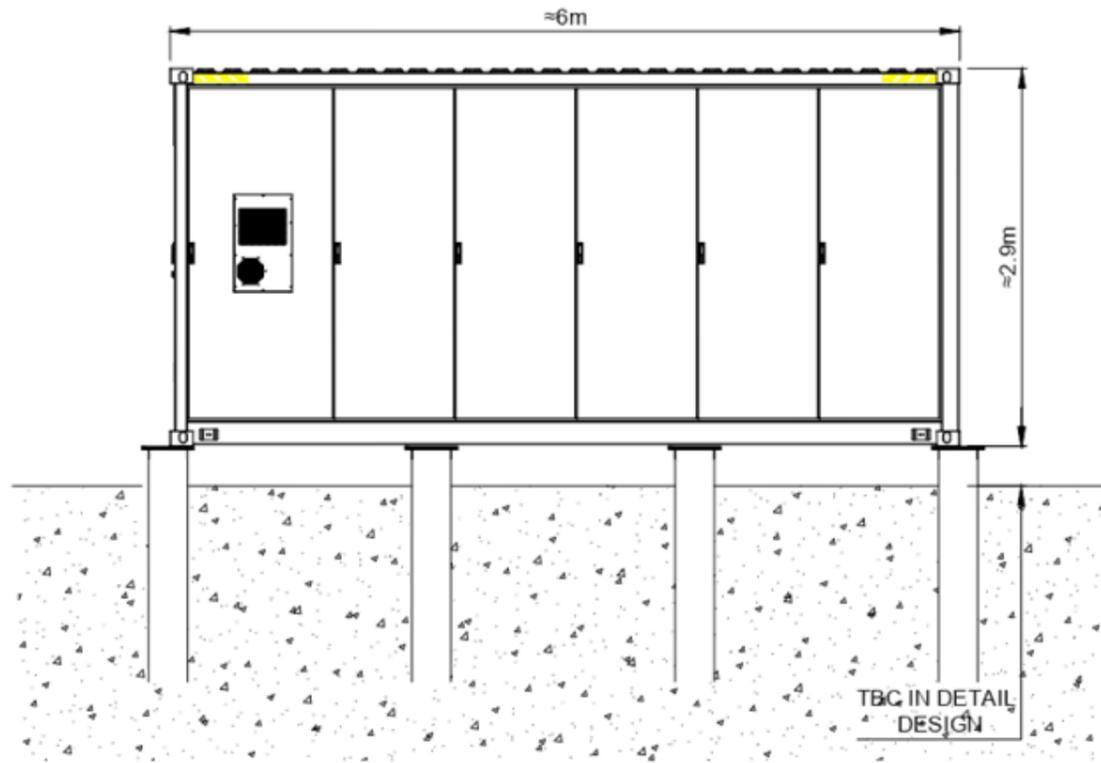
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| CLIENT DETAILS:  | ACENERGY PTY LTD                                                                      |
| DRAWING TITLE:   | LOT 1 DP 777724 OLD RACECOURSE ROAD 2 OF 2                                            |

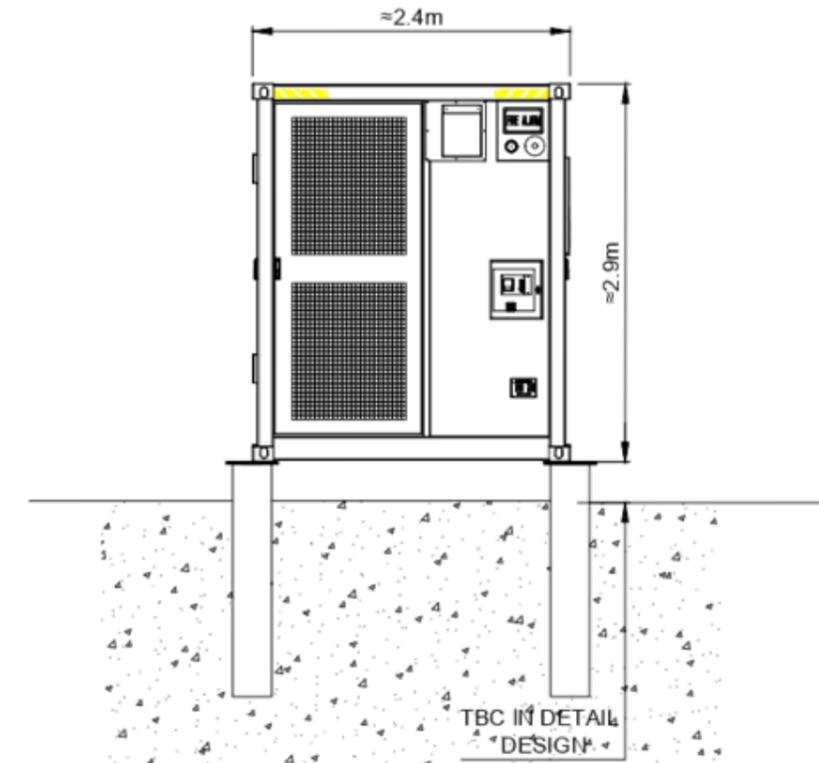
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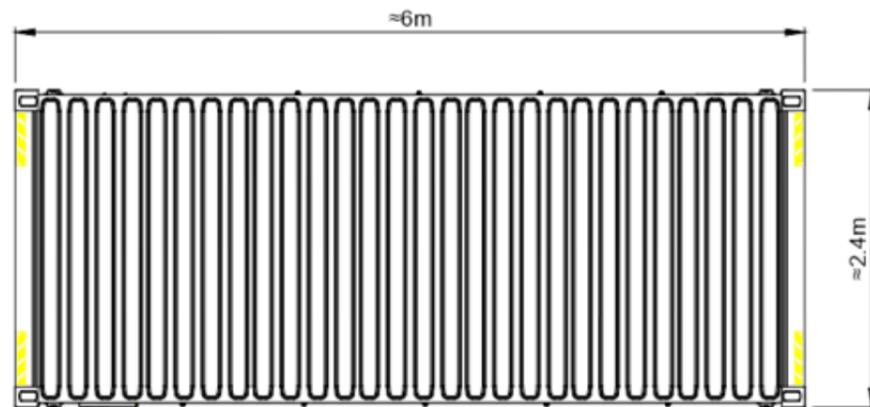




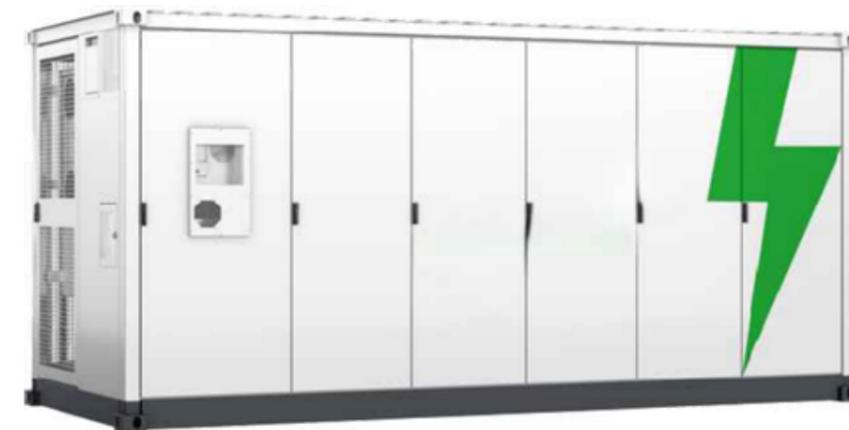
FRONT VIEW



SIDE VIEW



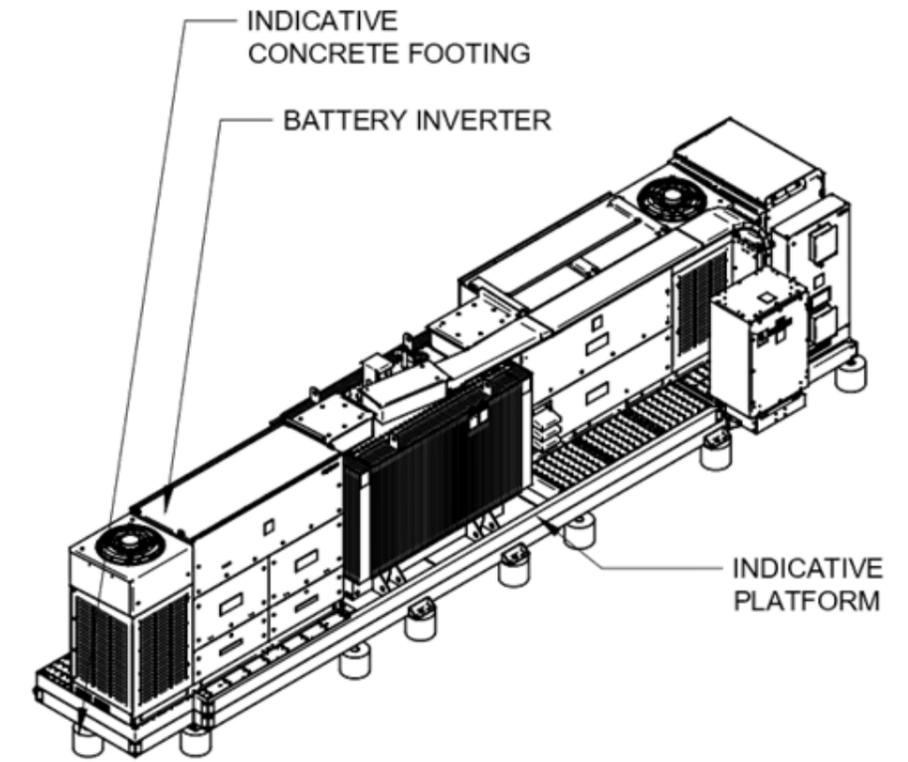
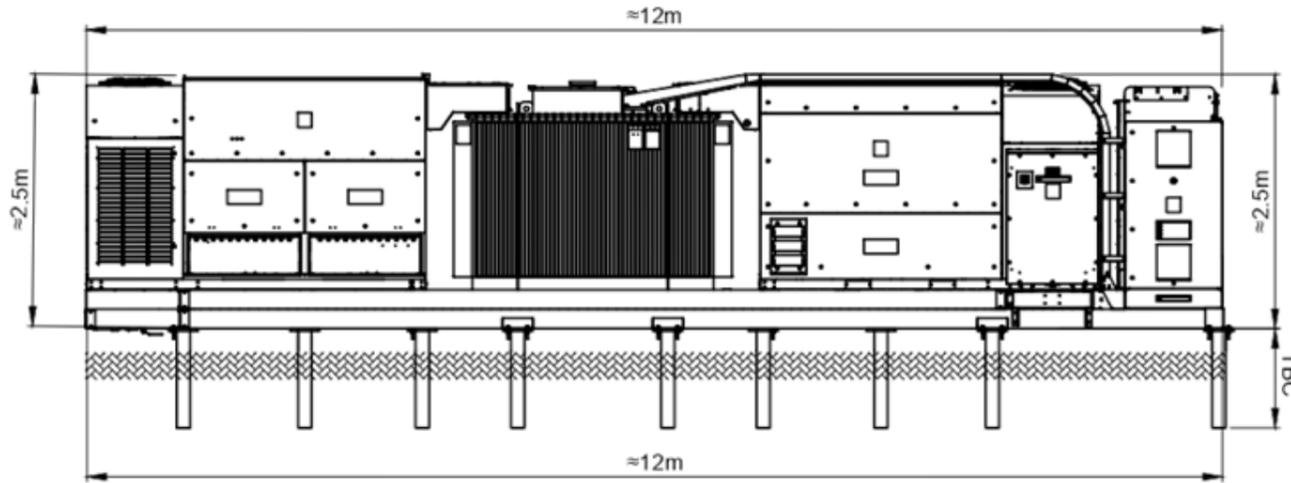
TOP VIEW



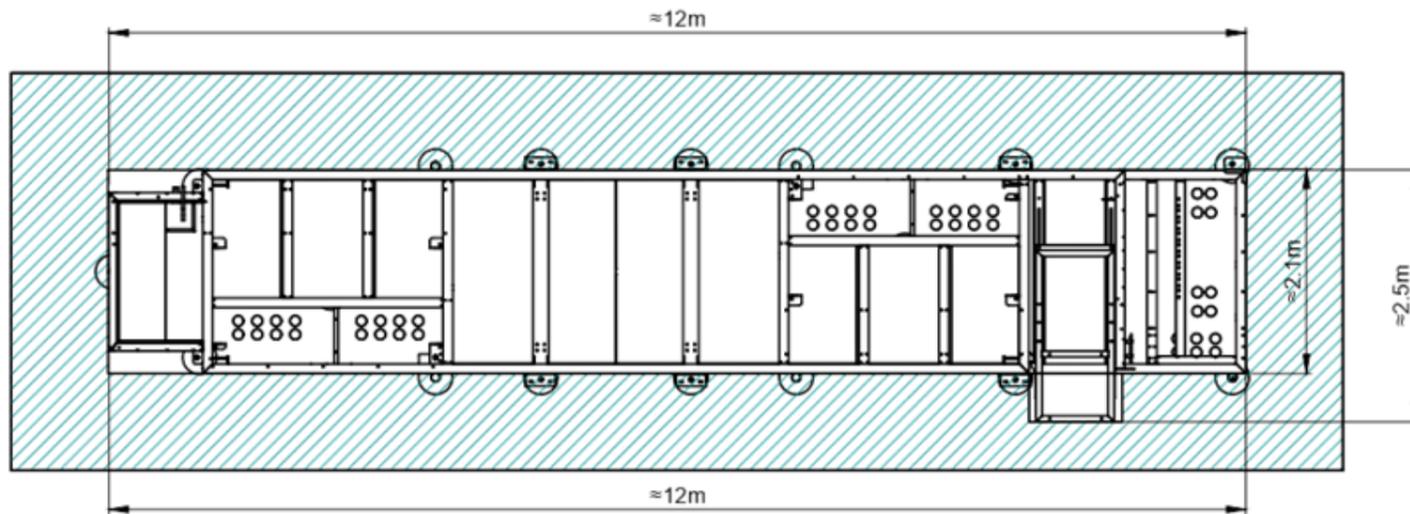
TYPICAL ENERGY STORAGE CONTAINER

| REVISIONS |        |               |            |      | PROJECT DETAILS:                     |                                                                          |  | DRAWING NO.: |                                                                                                                   |  |  |  |
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| A         | FA     | INITIAL ISSUE | 23/07/2025 | FA   | AJ                                   | <small>MCCUNNEIGHWAY TENTERFIELD 2172<br/>24/02/2024, 02/05/2025</small> |  |              | <small>DRAWN BY: FA</small><br><small>APPROVED BY: AJ</small><br><small>PROJECT MGR: LZ</small>                   |  |                                                                                       |  |
|           |        |               |            |      |                                      | CLIENT DETAILS:                                                          |  |              | <small>SCALE: AS INDICATED</small><br><small>ISSUE: FOR APPROVAL</small><br><small>ISSUE DATE: 23/07/2025</small> |  |                                                                                       |  |
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|           |        |               |            |      | BATTERY STORAGE CONTAINER ELEVATIONS |                                                                          |  |              |                                                                                                                   |  |                                                                                       |  |

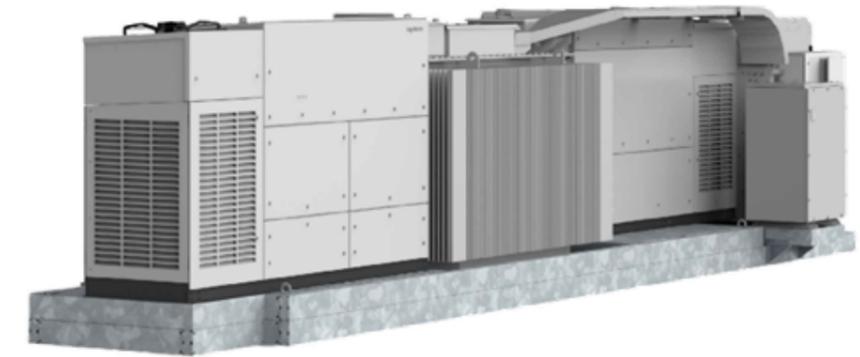
MVPS FRONT VIEW



MVPS TOP VIEW

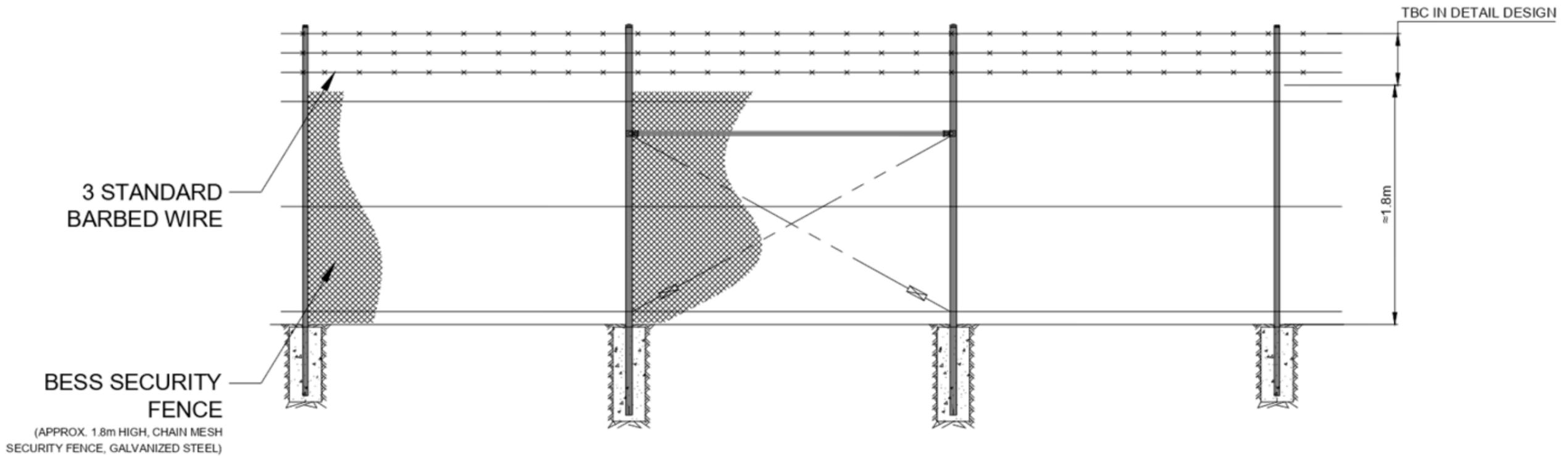


TYPICAL MVPS

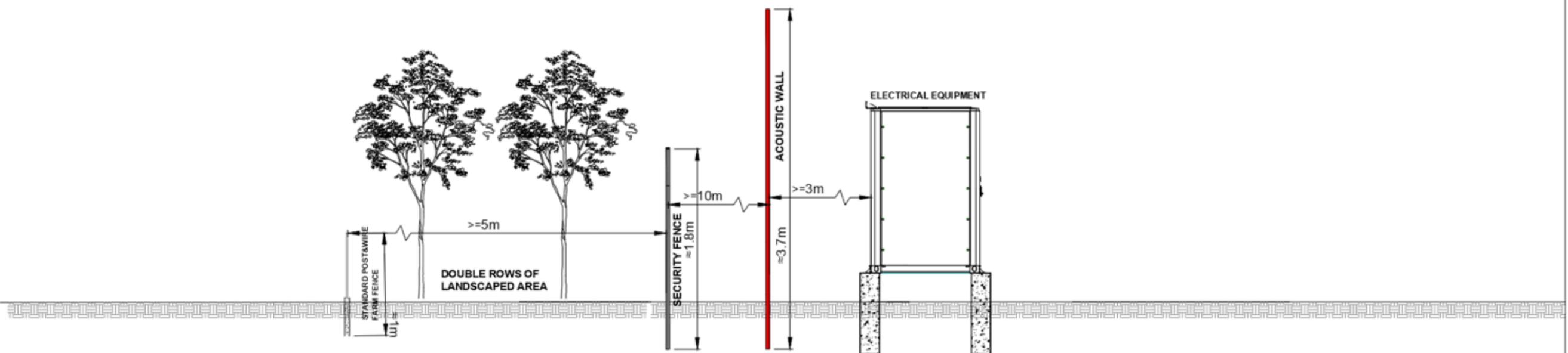


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|           |        |               |          |      |                  | DRAWING TITLE:                |                                                                                                                                                                       |              |             |             |
|           |        |               |          |      |                  | MVPS INSTALLATIONS            |                                                                                                                                                                       |              |             |             |
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SECURITY FENCE FRONT VIEW



SECURITY FENCE AND DOUBLE ROWS OF LANDSCAPE SIDE VIEW



| REVISIONS |        |               |          |      | PROJECT DETAILS |                               |                                         | DRAWING INFO |             |                        |
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| REV       | STATUS | DESCRIPTION   | DATE     | D.B. | C.B.            | PROJECT NAME                  | DRAWING NO.                             | DRAWN BY     | APPROVED BY | PROJECT MGR            |
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|           |        |               |          |      |                 | DRAWING TITLE:                | SECURITY FENCE AND LANDSCAPE ELEVATIONS |              |             | ISSUE DATE: 23/07/2025 |
|           |        |               |          |      |                 |                               | SHEET SIZE: A3                          |              |             | PROJECT NO: 23155      |
|           |        |               |          |      |                 |                               |                                         |              |             | REV. NO.: A            |





[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Planning Department  
Tenterfield Shire Council  
247 Rouse St  
Tenterfield NSW 2372

**Re: Formal Objection to proposed Community Battery Bank - Lot 1 DP 77724**

Dear Planning Officer,

**Executive Summary**

This document is a formal objection to the proposed Community Battery Bank on Lot 1 DP 77724 (Old Racecourse Road, Tenterfield). The objections are submitted by the owners of [REDACTED], which is an historic 1910 Federation Bungalow, and is the closest property to the proposed BESS. [REDACTED] is located on a rise 33 metres above Old Racecourse Road and has a direct viewing corridor to the entire site from most rooms of the dwelling. The property line is 35 metres from the proposed site. [REDACTED] is located on [REDACTED] of the proposed site and is uniquely and significantly affected by this proposal.

Seven principal objections are summarised below. The attached Appendices include photos, in depth and objective data, pertinent reference to Council Regulations and Guidelines, State Government Regulations germane Guidelines, Fire and Emergency Service NSW Regulations and Guidelines, Case Law, together with peer reviewed technical documents.

**Please note: it is important that the supporting documentation be read in its entirety as it contains information vital to the support of this objection.**

Objections include but are not limited to:

- Using Old Racecourse Road, a Class D rural road, as the main corridor to transport large equipment, construction equipment and emergency service vehicles is both unsafe and not feasible. Being one way in, one way out, the road is non-compliant with 93% of requirements as set by Fire And Rescue NSW (FRNSW) and non-compliant with 100% of recommendations as specified for BESS sites by FRNSW.
- With reference to the planned proposal, Old Racecourse Rd is non-compliant with the requirements of the Bush Fire Planning Document as published by the NSW Rural Fire Service. This lack of compliance will place emergency service personnel and residents living to the east of the proposed site at significant personal risk or even worse, during construction and during any emergency.

- The major and significant impact on the visual amenity and viewing corridors from [REDACTED] are not addressed or in fact even mentioned in the report.
- BESS suppliers themselves have reported Noise Complaints have “exploded” as systems have become more energy dense and are situated closer to populations.
- The Noise Report document uses incorrect input assumptions for the simulation. The recommended installation of acoustic barriers as part of a noise mitigation strategy have been orientated incorrectly in the submitted development application. The location of a proposed driveway has created a direct line of sight open gap in ALL noise mitigation strategies orientated between the noise sources and [REDACTED], cancelling their effectiveness. The documented expected noise increase to 33dB is a 100% increase in noise amplitude above the rural background noise of 30dB, and is above medically recommended levels for peaceful sleep, whilst being produced 24 hours a day, 7 days a week, 365 days a year.
- The submitted Environmental document contains errors and omissions that are significant and material in nature. These include inaccurate pictures of the site being used, conflicts in advice from various consultants such as the Landscaping Report and Bush Fire Management Report, and incorrect input assumptions in the Noise Report.
- Other objections include, but are not limited to, the proposal being non-compliant with the stated objectives of the Tenterfield Environmental Plan of 2013 and the State Environmental Planning Policy (Primary Production) 2021, as well as concerns around protected fauna and site illumination.

It is strongly recommended that the installation of this infrastructure should occur adjacent to the existing 132 KVA Substation, as this site is specifically designated for this type of technology, is close by, meets all technical prerequisites and addresses all stated objections.

**It is therefore submitted that, having regard to all the aforementioned concerns - documented, substantiated and anticipated, that are related to non-compliance with Council and RFNSW guidelines and ongoing effects to the health and safety of my family, my neighbours and emergency services workers that this application be refused by Council.**

Thank you for considering my submission and if possible, I request the opportunity to appear before the council to further explain my concerns, extrapolate on the supporting documents and answer any questions you may have.

Yours faithfully,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

## Appendices and Supporting Documents

### Background:

██████████ ██████████ have a contract to purchase ██████████ ██████████ ██████████, located on land title ██████████, which will be finalised shortly. The property known as ██████████, is an historic homestead built in 1910 of federation bungalow design and retains many original features. It is situated on a rise to the east of Tenterfield and has commanding views from most rooms to the east, south and west. It is planned to restore the property to a high standard, house three generations of family and welcome extended family and friends to visit the Tenterfield region. The location, proximity to town, peace and quiet and outstanding views across the valley towards Mt Mackenzie and beyond were central to the decision to purchase this property and to move family to the Tenterfield region to build a new life, financially invest in and contribute to the Tenterfield community. ██████████ is the closest house to the proposed site and will be impacted most by this proposal.

### **1. ZONING/ LAND USE.**

#### **References:**

1. *Tenterfield Local Environmental Plan 2013, Zone RU1 - Primary Production. NSW Planning Portal*
2. *Statement of Environmental Effects Battery Energy Storage System Chris Smith and Associates*
3. *Oxford Dictionary*
4. *State Environmental Planning Policy (Primary Production) 2021*

The Tenterfield Local Environmental Plan's<sup>1</sup> stated objectives include:

- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands;

The Statement of Environmental Effects Report<sup>1</sup> claims:

- 9.3 State Environmental Planning Policy (Primary Production) 2021<sup>4</sup> that this proposal: "*In response to these aims, the proposal is not designated development, nor is it development that is considered to unduly impact the ongoing use of the surrounding land*"

Any interpretation that the proposed project including site earth works, installation of a 20,00l water tank, firefighting outlets, batteries, inverters, power poles, acoustic fencing, wire fencing, landscaping, car parks and driveways will not be regarded as development of a RU1 environment, let alone that this work will have no undue impact on this environment is both false and misleading.

The proposed Community Battery Bank, Inverters and power transmission poles and lines with all associated infrastructure is being installed on a fragment of rural RU 1 zoned land and is non-compliant with the stated objectives of the Tenterfield Local Environmental Plan 2013<sup>1</sup> and/or the State Environmental Planning Policy (Primary Production) 2021<sup>4</sup>.

## 2. SAFETY IMPACT - OLD RACECOURSE ROAD

### References:

1. *Statement of Environmental Effects Battery Energy Storage System Chris Smith and Associates;*
2. *Traffic Impact Assessment Report: Baker Ryan Stuart*
3. *Road Network Plan, Tenterfield Shire Council*
4. *Fire Brigade Access Requirements (Australia); NSW RFS (PBP 2019, Appendix 3)*

The Statement of Environmental Report<sup>1</sup> admits that :

- *However, as Old Racecourse Road is an unsealed gravel road, it is assumed that suitable conditions of consent be imposed on the sought DA by Council to ensure construction traffic does not unduly damage this road. It is also assumed that a pre- construction road audit and dilapidation report be prepared by a suitably qualified engineer prior to construction.*
- *Old Racecourse Road is currently classified as Class D Rural road; designed and maintained for light local traffic access only. It has a current design criteria of 1 lane, 2 way with a maintained width of 5m. The width of culverts on the road is set at 4m. The road currently only has way one in and one way out, and the eastern section past the entrance of 75 Old Racecourse Road is presently not maintained and is largely impassable to light vehicles. Old Racecourse Road has limited turning opportunities, and has a number of paddock to paddock cross paths that become boggy especially in wet weather..*
- *A basic risk analysis as set out in the Road Network Plan<sup>5</sup> shows the likelihood of damage and restricted access both during and after this project to be both foreseeable and highly probable. A mitigation strategy based on a level of basic repair maintenance during construction and a once off rehabilitation once construction is finished would be unlikely to be effective in the long term. [REDACTED] and my family are located to the east of proposed works. Any damage to the road that makes it non passable to light vehicles and/or blocks access to the property may also place us in a situation where emergency services are unable to access [REDACTED] to attend a medical emergency, weather related catastrophe or structural fire. This denies access to basic services and amenity. This level*

of risk, although low, is not zero and has an extremely high level of consequence that is foreseeable and unreasonable for my family to accept.

- It is noted that in a DA for previous projects which required the movement of heavy vehicles along Old Racecourse road, it was a condition of the Development Application approval that Old Racecourse Rd was to be upgraded to a Class B road to allow heavy vehicles to pass safely in all weather conditions. This Class B upgrade requirement is absent from this project's proposal.

### **In Summary**

**Old Racecourse road is a class D rural road and not fit for purpose for either the construction, development, or ongoing support of this project. It was never intended to support multiple 65 foot long articulated trucks and multiple heavy emergency vehicles. The ongoing cost of extra maintenance will be a burden on Tenterfield Council and ratepayers. It is a one way in , one way out road. The location of [REDACTED] and my family means the proposed construction site may put us in danger if emergency vehicles are unable to access our property to attend to any emergency both during construction and on a ongoing basis which is a unacceptable risk. The supplied Traffic Management Report' is silent on the effect that heavy vehicles will have on properties near the proposed site and is also silent on the statutory requirements and recommendations for safe Emergency Vehicle access by RFNSW<sup>4</sup>.**

### **3. FIRE, HAZARD, and EMERGENCY ACCESS**

#### **References:**

1. *Statement of Environmental Effects Battery Energy Storage System, Chris Smith and Associates*
  2. *Australian Fire and Emergency Services Large Scale energy storage systems installations Report*
  3. *NSW Fire and Rescue Large Scale external lithium ion battery energy storage systems- Fire Safety study considerations*
  4. *Fire Brigade Access Requirements (Australia); NSW RFS (PBP 2019, Appendix 3)*
  5. *Planning for Bush Fire Protection: A Guide for councils, planners, fire authorities and developers, NSW Rural Fire Service 17 March 2025*
  6. *Bush Fire Management and Emergency Response Plan, Harris Environmental*
- NSW Fire and Rescue NSW (FRNSW) state:  
*"LiBESS pose unique challenges to firefighters....fire agencies internationally now recognise LiBESS as a hazardous electrical, chemical and fire risk with potential community consequences that necessitates special consideration throughout the design, installation, and lifetime management of the asset"*

*"5.8.2. When undertaking any consequence assessment relating to a thermal runaway incident consideration must be given to the potential for the generation of a toxic smoke plume and its subsequent impact on the surrounding environment and communities. This should include demonstrating that toxic gas emissions during a fire will not impact neighbours, first responders or passer bystanders "*

- Emergencies have and do occur at BESS sites. The risk is not zero, therefore there should be a relevant risk analysis undertaken and an Emergency Service Plan in place. Due to BESS hardware components being manufactured in a limited number of facilities in China, and exported globally, overseas data and experiences with the same and similar hardware are pertinent:
- Emergencies such as fires and Thermal Runaway events have occurred at BESS sites in both Australia and overseas. These include:
  - (i) The Victoria Big Battery in Geelong in 2021
  - (ii) Bouldercome Battery Project in Rockhampton in 2023.
  - (iii) Gateway Energy Storage Facility San Diego May 2024
  - (iv) Thurrock/ East Tilbury Statera Energy February 2025 during construction.
  - (v) Moss Landing Energy Storage Facility Ca January 2025Plus others.
- The FRNSW report<sup>2</sup> confirms that emergency events at BESS sites are unique and can be unlike traditional attendances. Specialist equipment and skills are required and on site monitoring over many days is often needed. It is not stated if the local fire brigade has the equipment, training and man power resources to handle incidents of these types that may unfold over a period of days. This level of on-going support may compromise the Services ability to provide for other local infrastructure including valuable heritage sites as well as the attendance to motor vehicle accidents throughout the Tenterfield region if appliances are not available to respond quickly.
- Old Racecourse Road is not fit for purpose for multiple heavy emergency vehicles to safely access and manoeuvre. Fire and Rescue NSW (FRNSW)<sup>2</sup> has documented access requirements as follows:
  - (i) minimum 4 metres clear width for 1 vehicle, (NSW RFS, CFA, FRNSW, QFES)
  - (ii) minimum 6 metres clear formation to allow 2 vehicles to pass, each appliance is approx. 2.5 m wide,
  - (iii) 7 metres width is required if turning or passing bays are not frequent,

- (iv) The Road should be ALL WEATHER construction capable of supporting a minimum of 20 tonnes,
- (v) Minimum radius of 10 metres for turning circles,
- (vi) If less than 6 metres wide, provide passing bays every 200m, minimum of 6m x 20m,
- (vii) Bays must be clearly visible and signposted,
- (viii) At dead ends provide a turnaround area greater than 20m,
- (ix) Must allow a 22 tonne fire appliance to turn without reversing more than once,

**Special requirements for a BESS site from FRNSW<sup>5</sup>**

- (x) TWO access points/egress points,
- (xi) 6 m ALL - WEATHER Road with 20m turning circle at compound entry,
- (xii) Maintain 30m cleared area for staging and equipment around enclosures,
- (xiii) Roads to battery container must support fire appliance and hazmat vehicles.

- According to FRNSW<sup>2</sup>. Old Racecourse Rd is non-compliant **93%** of overall requirements and **non-compliant with 100%** of requirements for a BESS site and as such fails to meet with almost all recommendations from these organisations..

- The *Planning for Bush Fire Protection: A Guide for councils, planners etc.*<sup>5</sup>, states

*"3.4 Access arrangements:*

*Design of access roads shall enable **safe access and egress for residents attempting to leave the area at the same time that emergency service personnel are arriving to undertake firefighting operations.***

*In a bush fire prone area, the purpose of the road system is to: provide firefighters with access to structures, allowing more efficient use of firefighting resources;*

***And provide evacuation routes for firefighters and the public;***

*and provide access to areas of bush fire hazard for firefighting and hazard mitigation purposes.*

*Roads shall provide **sufficient width and other dimensions to ensure safe unobstructed access and allow firefighting crews to operate equipment around the vehicle.** Road width is defined as the traffic width from kerb to kerb or the inside edge of the table drain. **Dead-end roads should be avoided.** However, where they are present, they must incorporate a **sufficient turn-around area to minimise the need or vehicles to make multipoint turns.**"*

### **Bush Fire Planning**

- The BESS proposal is located fully inside an area rated as BushFire Prone Area Vegetation Category 3. [REDACTED] is situated on a slope that is 33 metres above and often down wind of the proposed site thus greatly increasing the risk and impact. The provided Bush Fire Emergency Response Plan<sup>1</sup> is silent on the impact a Bush Fire, either caused by a fault in the BESS or engulfing the BESS has on surrounding properties and doesn't take into account any characteristics of the local terrain.
- Old Racecourse Road is currently one way in and one way out. During an emergency either real/false alarm or during training exercises, my family may be unable to leave our property to seek safety. As the area is in a Bush Fire Prone Area, our family, as recommended, has a **Bush Fire Survival** plan which for us, involves evacuating [REDACTED] in a westerly direction along Old racecourse Road if there is a threat. The development proposal may prevent this from occurring in a safe manner. It is also possible in an emergency we may find ourselves isolated, with emergency services on one side of the BESS site and my family on the other side, unable to evacuate. This risk is not acceptable.
- The Bush Fire Risk document<sup>1</sup> indicates that around the facility tree canopies should be less than 15% involved and the bottom 2 metres of any trees be pruned with trees to be spaced 5 metres apart. The report suggests any shrub planting should not be closer than 2 metres apart and not near trees. These recommendations are not in accordance with the proposed landscape and visual screening strategy.
- The evacuation route from [REDACTED] shown on page 24<sup>6</sup> confirms that any emergency at, or near the BESS, or the location of emergency vehicles on Old Racecourse Road blocks the documented escape path in the event of an emergency and places my family at risk.
- There are no bunding walls on site to protect adjacent local waterways that feed into Tenterfield Creek from toxic water and chemical run off.



Evacuation Route blocked in case of Emergency or Alarm at BESS

The risk of fire, an emergency situation or false call out while low, is not zero, however the potential outcome can be severe. The narrowness, surface conditions, especially when wet, lack of safe turning points, non-compliance with 93% of FRNSW<sup>4</sup> safe attendance requirements and non-compliance with 100% of requirements for a BESS site<sup>5</sup>, combined

with the one way in and one way out orientation of Old Racecourse Road makes access for emergency vehicles potentially hazardous at best, or in fact dangerous to equipment and to the lives of both first responders and my family at [REDACTED]. The supplied BUSH FIRE MANAGEMENT & EMERGENCY RESPONSE PLAN<sup>1</sup> is SILENT on the requirements for emergency vehicles to safely access the proposed site while local properties located to the east being able to evacuate at the same time and does not take into account any recommendations of RFNSW<sup>4</sup> for BESS installations.

#### 4. AMENITY IMPACT -VISUAL

##### Reference:

1. *Statement of Environmental Effects Battery Energy Storage System Chris Smith and Associates*
2. *Tenterfield Local Strategic Planning Statement LSPS*
3. *Hunter Industrial Rental Company Pty Ltd v Dung Shire Council (NO2)(2018) NSWLEC 153*

- The statement in 5.2 of the Environmental Efforts Report states: *Upon consideration of the nature of the proposed facility, the development would not lead to any undue cumulative visual impact on the surrounding area as a result of the proposed BESS.*

**This statement is fundamentally incorrect.**

- Please note that the main photograph in section 1.1 at the front of the Environmental Report<sup>1</sup> purports to show the proposed site and in fact shows an area that is not part of the application. In reality, this area is actually located in the south of the property, and is hundreds of metres away from the southern boundary of the development site. The actual submitted site is located in the North West side of the greater property and in fact is not visible in this photo.



(Incorrect) View of the subject site from the Southern Boundary of 12436 Bruxner Highway

- It is unclear why this particular photo was selected to be featured in the introduction of the submitted report<sup>1</sup>.
- The statement in section 6.2 Location and Setting, North and East<sup>1</sup>, ignores the existence and impact on the [REDACTED] property located 35 metres from the proposed site. This omission is at best careless, at worst deliberate.

Below are pictures showing the ACTUAL impact in the viewing corridor.



Actual Proposed location showing [REDACTED] behind.



Direct Visual Corridor from Property to Proposed Site



**Impact of direct visual corridor from sitting room.**



**Direct Impact Visual Sight line from Dining Room**

- The proposed location is in a direct visual corridor line of sight from many rooms of [REDACTED] due to the close site proximity and elevated position. Koorooba is located on a higher elevation, and sits 35 metres above the roadway; therefore any of the proposed visual softening and noise mitigation strategies are ineffective, with supporting documentation only showing ground level views and measurements. The installation of multiple shipping containers, a 6 foot chain wire fence, 12 foot acoustic barrier, a 20,000l water tank and car park placed 35 metres from the property boundary and in direct line of site of most rooms in [REDACTED] is totally out of character for a landscape that hasn't changed for over a hundred years, and is both visually very jarring and confronting.
- The Statement of Environmental Effects<sup>1</sup> report downplays any impact this proposal has on people and property outside of the farm where the lease is held. It implies surrounding lands have little commercial or ecological value, and the project is in a location that has no direct impact on any other landholders. **These statements are fundamentally incorrect and are vigorously challenged.**
- Planning Priority 8 of the Tenterfield LSPS<sup>2</sup> states to be approved submissions should: ... *avoids / manages impacts on the scenic rural landscape and visitor attractions.*



Showing Sites' close proximity to [REDACTED]

This proposal is non-compliant with this guideline. The location is 35 metres from the property line, and its in a direct visual corridor of many rooms in [REDACTED], including the dining room, sitting rooms and bedrooms. As shown, the installed equipment is totally out of place with the surrounding environment. The overwhelming visual impact and loss of amenity this proposal will inflict is causing a high level of anxiety and distress.

**The proposed battery bank location has significant impact on the view corridor from many rooms of [REDACTED] and from the whole property. The proposed location is in breach of the covenant of quiet enjoyment which has been upheld many times in common law and is potentially actionable.<sup>5</sup>**

## 5. AMENITY - NOISE IMPACT

### References:

1. *Statement of Environmental Effects Battery Energy Storage System Chris Smith and Associates*
  2. *EPA Environmental Protection Authority (NSW); Interim Construction Noise Guideline (ICNG) (DECC, 2009)*
  3. *NSW Noise Policy (NPf) (EPA 2017)*
  4. *The health effects of environmental noise Publications Number: 12214*
  5. *Analysis of the measurement uncertainty and its effects on noise mapping validations, Journal of Environmental Management.*
  6. *National Library of Medicine, The Effect of Room Acoustics on the Sleep Quality of Healthy Sleepers*
  7. *BESS Noise has "exploded as a concern" recently; Energy Storage News, April 8 2024.*
  8. *Australia: "Social Licencing is the next frontier for Battery energy storage systems: Energy Storage News September 9. 2025*
  9. *Acoustic Report- environmental Noise Emission Assessment WGMAcoustics*
- *Energy Storage News* <sup>7</sup> confirms "The noise of battery energy storage systems (BESS) technology has "exploded" as a concern in the last six months, an executive from system integrator Wartsila ES&O said. BESS units primarily emit noise from their cooling systems but balance of system (BOS) components like inverters and transformers also produce noise emissions. Growing deployments mean projects are being built nearer to populations .... Creating potential problems for local acceptance. BESS solutions are getting more energy dense which require additional cooling.
  - *Energy Storage News* <sup>8</sup> further States: " : The panel discussion highlighted that battery storage projects face unique social licence challenges compared with utility scaled solar PV power plants and wind farm, including concerns about noise, safety, and end-of-life management"

**The BESS industry itself acknowledges the impact these projects have on affected communities and the impact it has on all stakeholders, and not just those who financially benefit.**

- The data and finding of the Noise Report <sup>9</sup> rely on desk top based software without recourse to an onsite inspection or any onsite measurements being undertaken. The report acknowledges that [REDACTED] (shown as RO1), is the closest affected property and therefore will have the highest impact from noise generated 24 hours a day, 7 days a week from the site.

- The report<sup>9</sup> however makes ***incorrect assumptions*** as follows:

*The critical receptors located in proximity of the subject site are understood to be single level dwellings, therefore an **assessment height of 1.5m** has been **adopted** as the basis for the noise model.*  
(Page 12)

**Koorooba is located on a rise that is 35 metres above the site, not at 1.5 metre ground level. Simulation data produced for a 1.5 metres height is not valid and should not be accepted.**

- The software used had a choice of two simulation models to use;

Option 1: *“Adopt the noise-enhancing meteorological conditions for all assessment periods for noise impact assessment purposes without an assessment of how often these conditions occur – a conservative approach”*

Or;

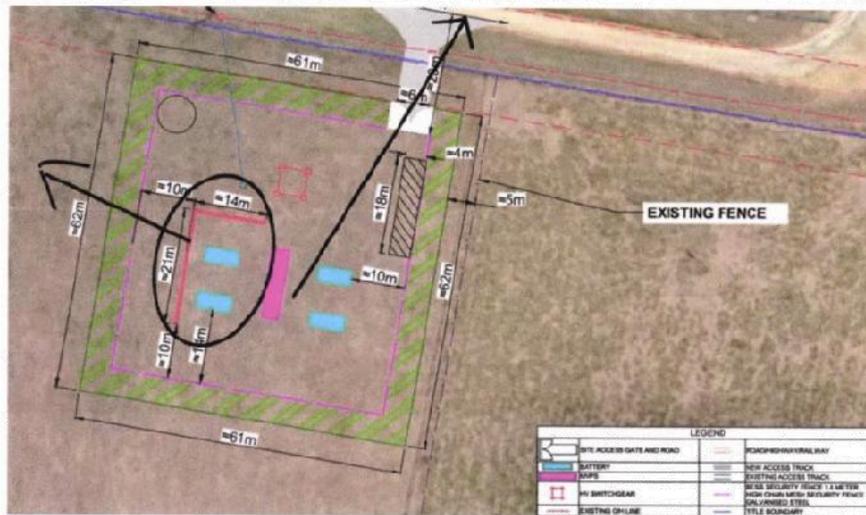
Option 2 *“significance of noise-enhancing conditions. This involves assessing the significance of temperature inversions (F and G class stability categories) for the night time period and the significance of light winds up to and including 3 m/s for all assessment periods”;*

- For this report<sup>9</sup> the more simplistic Option 1 was used rather than Option 2, which would have better taken into account factors that are unique to Tenterfield climate, especially with regard to temperature inversion, a high number of sub zero temperatures, daily temperature deltas, humidity, altitude, wind direction and wind velocity. All of these factors result in noise travelling further and more widely than otherwise predicted. It is unclear why data from Option 2 was not adopted in the preparation of this report.
- The report states, on page 14, to **help** meet the noise level predictions that:

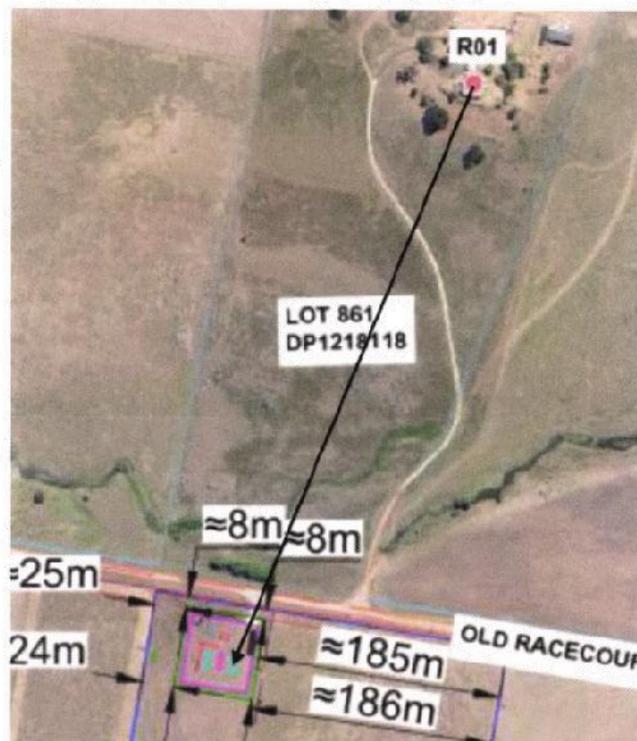
*In addition, the results of the noise model **include** the noise reduction provided by the 3.7m acoustic barrier proposed to the north and west of the electrical infrastructure*

- As [REDACTED] lies to the NORTH EAST, there are in fact **NO** effective visual barriers and **NO** correctly orientated 3.7M acoustic barriers in the submitted design, since the barriers that have been proposed face North West and NOT North East.

**Koorooba is in this direction**



- The submitted design<sup>9</sup> has somehow managed to locate a **>6 metre wide gap**, purposed for a driveway entrance, in a direct line from [REDACTED] and the noise generating hardware. There are **NO** acoustic barriers, **NO** barrier landscaping and **NO** fences orientated correctly to mitigate any noise transmission between the units and the house located at R01.
- All Noise produced will have a direct, unimpeded line of transmission without ANY form of noise mitigation**



- On Page 16 the report <sup>9</sup> quantifies the noise level at [REDACTED] as increasing to 33dBA. The accepted background noise of a peaceful rural environment is considered 30 dB <sup>5</sup>. The decibel range is logarithmic not linear, therefore the predicted 3dB noise increase in fact results in a 100% increase in the noises energy of intensity <sup>5</sup>. For purposes of reference, a kitchen refridgerator has a noise range of 33 to 35 dB. The proposed minimum noise increase from this project will be similar to having a refridgerator running 24 hours a day, 7 days a week, 365 days a year in every room of the house including bedrooms. The National Library of Medicines recommends that : *“These recommendations include the guideline that **the mean sound level prevailing in bedrooms should not exceed 30 dB(A).**”* <sup>6</sup>

**The proposed best case solution even with correctly installed acoustic fencing and ideal conditions used in the report does NOT meet the guideline for peaceful sleep, together with all of the associated negative health implications.**

- It should also be noted that the climate and elevation of the Tenterfield region create unique weather conditions. Noise travels further and has a higher intensity in colder air than warm air. Local temperature inversions can also provide conditions where noise is amplified above simulated levels. These factors have not been considered in the report.

**The submitted design <sup>19</sup> has left a >6 metre gap in all of the direct and indirect acoustic counter measures that is in a direct line from the noise generating equipment to the homestead. Where currently planned, the Acoustic fencing is located in the wrong orientation. The proposed landscaping planting designed to further reduce noise is in conflict with the Bush Fire Safety report which, will, and should, have priority and again is orientated incorrectly. The submitted design and proposed layout is flawed and should be rejected.**

**The supplied report <sup>19</sup> does not include data collected on site, and uses a simplistic simulation model with incorrect input assumptions being made. Even if the original data is accurate, there is still a predicted minimum 100% increase in noise amplitude above the current rural background level of 30 dB at the RO1 location <sup>9</sup>. This level is above optimal for sleeping.** <sup>6</sup>

**All of these factors impact on both short and long term health outcomes and can be significant, and potentially debilitating. Whilst “ideal” inputs and data are being relied on, in day to day operation the actual noise impact and anticipated outcomes may in fact be worse; this impact is foreseeable and is an unacceptable risk to the physical and mental well being of my family and visitors to [REDACTED] as well as the wellbeing of livestock.**

## 6. THREATENED FAUNA

### References:

1. *Tenterfield Solar Farm - Statement of Environmental Effects 2019*

- During a previous environmental survey examples of Brush Tail Phascogale were found on [REDACTED]. This animal is listed as vulnerable, which is defined at a high risk of extinction in the medium future. This was a few hundred metres from the proposed site.

- 5.1.1 Existing Environment

### *Threatened flora, fauna and ecological community records*

- *The Atlas of NSW Wildlife (NSW BioNet) search found that five threatened flora species and 18 threatened/migratory fauna species were previously recorded within a 5 km radius of the Site. One record of Brush-tail Phascogale (Phascogale tapoatafa) has been identified directly south of the Site*



**It is requested of council that a survey be undertaken with particular reference to vulnerable species in this area prior to any approvals being granted.**

## 7. AMENITY IMPACT - Lighting

### References:

1. *Statement of Environmental Effects Battery Energy Storage System Chris Smith and Associates;*

- The environmental report is silent on the impacts the project will cause with reference to lighting, either fixed security lighting, motion triggered or maintenance lighting.
- As the site is directly overlooked by [REDACTED], **ANY** lighting on the site will have a significant impact on the enjoyment of our property and disrupt sleep. I have a hobby of amateur astronomy photography, one of the reasons we are moving to Tenterfield, and **ANY** artificial light pollution will destroy this environment and enjoyment and effect the well being of any livestock located near by.

**The installation of any commercial lighting will have significant impact on the enjoyment of the environment and impact livestock close by.**

**Recommendations**

There are no technical reasons why this type of technology or project has to be located in any particularly unique location. As stated in the Statement of Environmental Effect, by design, these systems can go anywhere a power connection is available, heavy vehicular and emergency vehicle access is compliant with Council and Emergency Services Guidelines and surrounding neighbours are not being affected by noise or by the loss of visual amenity. These fundamental requirements should be taken into account before a site is approved as being suitable. In today's political and social environment, these types of project are deliberately designed to be low key, to gather unanimous stakeholder support, increasing social licence and to safely and sympathetically integrate into the surrounding environment.

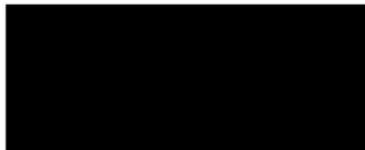
The stated benefits accompanying the proposal are largely negated by the significant compromises to both the safety of residents and first responders, the loss of visual amenity, and the increase in impact of noise above recommended safe guidelines.

It is requested that a more appropriate site - one that meets all compliance requirements, both statutory and common law be considered.

It is submitted, and research would suggest, that a more suitable alternative location lies close by in the land adjacent to the existing Tenterfield 132kV substation. This site would prove a sensible and more practical choice, and represent a safer and more tenable option for the ratepayers of Tenterfield and its surrounds.

**I therefore respectfully request that Council dismiss the Development Application due to the untenably high and adverse impact the current proposed location will have on the safety, health, amenity and ongoing well being of me, my family, first responders and the wider community. The proposed Development Application is directly non-compliant with existing and well documented RFNSW, Council and State Planning Laws and Guidelines.**

Yours faithfully



|                      |                                                                                    |
|----------------------|------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Corporate Services</b>                                   |
| <b>Submitted by:</b> | Lee Sisson, Governance Officer                                                     |
| <b>Reference:</b>    | <b>ITEM GOV1/26</b>                                                                |
| <b>Subject:</b>      | <b>AUDIT, RISK &amp; IMPROVEMENT COMMITTEE MEETING MINUTES - 10 SEPTEMBER 2025</b> |

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

|                      |                                                                                                                                                                                                                         |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>     | <b>Leadership</b> - Council is a transparent, financially sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b> | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |

#### **SUMMARY**

Council's Audit, Risk and Improvement Committee (ARIC) had their Ordinary Meeting on Wednesday, 10 September 2025.

The adopted and signed minutes of this meeting are attached to the report for the information of Council.

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

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

**Notes the adopted and signed minutes from the Audit, Risk and Improvement Committee meeting of Wednesday, 10 September 2025.**

#### **BACKGROUND**

The *Local Government Act 1993*, *Local Government (General) Regulation 2021* and the Office of Local Government Guidelines require each Council in NSW to have:

- An audit, risk and improvement committee that continuously reviews and provides independent advice to the Council on how it is functioning and managing risk,
- A robust risk management framework that accurately identifies and mitigates the risks facing the Council and its operations, and
- An effective internal audit function that provides independent advice as to whether the Council is functioning effectively and the Council's internal controls to manage risk are working.

These three mandatory governance mechanisms are key to ensuring that Councils are performing the best way they can for their communities and are on track to delivering their community's goals and objectives.

#### **REPORT:**

Council's Audit, Risk and Improvement Committee (ARIC) meets quarterly, with at least one special meeting taking place over the calendar year.

Our Governance No. 1 Cont...

The purpose of this report is to advise Council on its ARIC's adopted and signed minutes from the 10 September 2025 Meeting.

These minutes were adopted at the 10 December 2025 ARIC Ordinary Meeting and signed by the Chair on 15 December 2025.

### **COUNCIL IMPLICATIONS:**

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

Nil.

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

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*
- Office of Local Government Guidelines for Risk Management and Internal Audit for local government in NSW

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

Nil.

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

Nil.

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

Nil.

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

The Audit, Risk and Improvement Committee (ARIC) continuously reviews and provides independent advice to Council on how it is functioning and managing risk.

The ARIC supports Council's robust risk management framework which identifies and mitigates the risks facing the Council in its day-to-day operations, as well as acting as an effective internal audit function that provides independent advice as to whether the Council has sufficient internal controls to manage its risk efficiently and effectively.

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

Nil.

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

Nil.

**Liz Alley**  
**Director Corporate Services**

Our Governance No. 1 Cont...

Prepared by staff member: Lee Sisson, Governance Officer  
Approved/Reviewed by Manager: Liz Alley, Director Corporate Services  
Department: Office of the Director Corporate Services  
Attachments: **1** ARIC Minutes 10 September 2025 9 Pages



**MINUTES OF**  
**AUDIT, RISK AND IMPROVEMENT**  
**COMMITTEE**  
**WEDNESDAY 10 SEPTEMBER 2025**

MINUTES OF THE **Audit, Risk and Improvement Committee** OF TENTERFIELD SHIRE held at the Kooreelah Room on Wednesday 10 September 2025 commencing at 2:00 PM

**ATTENDANCE**

Mr Tony Harb – Independent External Member (Chair)

**ALSO IN ATTENDANCE**

Mr Hein Basson – General Manager

Cr Peter Murphy – Councillor ARIC Observer

Mr Matthew Francisco – Director Infrastructure Services

Ms Liz Alley – Director Corporate Services

Ms Jane Walton – Manager Finance & Technology

Mr Chris Thomas – IT/GIS Officer

Ms Janet Vassallo – Manger Workforce, Safety, Risk & Records

Mr John Ringland – (Consultant) Workplace Health, Safety & Risk

Mr Igor Ivannikov – Financial Advisor

Mr Jacob Sauer – Principle, Forsyths

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This is page 1 of the Minutes of the Audit, Risk and Improvement Committee held on Wednesday, 10 September 2025

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

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**APOLOGIES**

Mr Gurbindar Singh – Independent External Member  
Mr Ricky Goel – Audit Manager, Forsyths  
Mr Furqan Yousuf – Director Financial Audit, Audit Office of NSW

**DISCLOSURE OF INTERESTS**

Nil

**(ITEM GM20/25) CONFIRMATION OF MINUTES**

**SUMMARY**

Confirmation of Minutes Audit, Risk and Improvement Committee Meeting held on 17 June 2025.

**RECOMMENDATION**

That the Audit Risk and Improvement Committee confirm the Minutes of the Tenterfield Shire Council Audit, Risk and Improvement Committee Meeting held on 17 June 2025.

**Confirmed**

**(ITEM GM21/25) ARIC ACTION ITEM REGISTER (GENERAL) AS OF 1 SEPTEMBER 2025**

**SUMMARY**

This report is to update the ARIC Action Item Register (General) as of 1 September 2025.

Key Points:

Action item 1 – Quarterly Budget Review Statement – Explore KPI's

- No update on this action.
- **Date moved to March 2026.**

Action item 2 – ARIC 4 year strategic plan

- To be aligned back to the CSP, strategic risks, corporate risk register, and assurance audit reports – usually a 10-15 page document.
- Most Councils tie theirs back to the CSP but the chair is comfortable to tie it back to the 4 year Delivery Program.
- Tony & Liz to work on this.
- **Date moved to December 2025.**

Action item 3 – Capturing risks in reports

- No risk template within the risk framework, we will be including risk implication in Council reports.
- Put a statement into the risk framework to support reporting.
- Council officers do identify some risks.
- **Date moved to December 2025.**

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This is page 2 of the Minutes of the Audit, Risk and Improvement Committee held on Wednesday, 10 September 2025

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

**RECOMMENDATION**

That the Audit, Risk and Improvement Committee note the ARIC Action Register (General) as of 1 September 2025.

**Carried**

**(ITEM GM22/25) GENERAL MANAGERS REPORT INCLUDING DIRECTORATE CORPORATE SERVICES AND DIRECTORATE INFRASTRUCTURE REPORTS**

**SUMMARY**

Key Points:

Cr Murphy

- Succinct and to the point and allows Councillors to answer questions from the community.

Tony Harb

- WHS – would like to see moving averages. From ARIC perspective, doesn't add any more work and gives ARIC a good overview.

**RECOMMENDATION**

That the ARIC receives and notes the General Managers Report including Directorates Reports for September 2025.

**Carried**

**(ITEM CEO11/24) ARIC - AUDIT EXTERNAL AUDIT**

Key Points:

Jane Walton

- Highlights – Operating result for the year – deficit \$1.3 million after grant contributions.
- FAG's grants 50% rather than 85%.
- Useful to look at the ratios – own source operating ratio, only one not to reach benchmarks

Hein Basson

- 157% asset renewals and 100% maintenance but on the ground, much different.

Tony Harb

- Whilst financial sustainability is almost impossible in the near future and Council doesn't have an appetite for a SRV, Council may look at making responsible financial decisions rather than financial sustainability.
- Capital purpose grants \$20 million this year/\$12 million last year – why have we budgeted \$80,000 this year? Need to consider this more adequately in the future.

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This is page 3 of the Minutes of the Audit, Risk and Improvement Committee held on Wednesday, 10 September 2025

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

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Jane Walton

- Only known at the time of the budget. QBR's showed movements later.

Tony Harb

- Swimming Pool rated 4 or 5 (high risk in safety) is there any program to build a new pool?
- Need significant grants to rebuild the pool.

John Ringland

- Swimming pools were a topic at the statewide conference, presentations around pools, built in the 50's and 60's do not look anything like pools built in the last 20 years. Other Council's have got significant funding however it is taking new pools opening 5-10years from inception.

Hein Basson

- Has had discussion with local MPs around the swimming pool, but need to do something about this in the future masterplan.

Igor Ivannikov

- Income statement: Capital grants (1302) completion of projects from the previous year net operational result. Council had significant grants from last year, operational maintenance.

Jacob Sauer

- Forsyth's have commenced their procedures – got all the information early.

**RECOMMENDATION**

- (1) That the Audit, Risk and Improvement Committee notes the report.
- (2) That any comments/suggestions from the Audit, Risk and Improvement Committee be incorporated into the final version of the Draft Financial Statements to be presented to Council at the 24 September 2025 Council Meeting.
- (3) That the Audit, Risk and Improvement Committee recommends to Council that at the 24 September 2025 Ordinary Council meeting, the draft set of Financial Statements (including any changes identified by the Audit, Risk and Improvement Committee and the remaining sections once completed) be referred to Council's auditors for audit.

**Carried**

**(ITEM ) CAPITAL EXPENDITURE REPORT AS AT 30 JUNE 2025**

**SUMMARY**

The purpose of this Report is to show the Full Year financial progress of Capital Works projects against the budget.

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

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**RECOMMENDATION**

That the Audit Risk and Improvement Committee receives and notes the Capital Expenditure Report for the period ended 30 June 2025.

**Carried**

**(ITEM GM23/25) REPORT ON LOAN BALANCES AS AT 30 JUNE 2025.**

**SUMMARY**

The purpose of this Report is to inform Council of its loan balances as at 30 June 2025.

Key Points:

Jane Walton

- Loan balance is \$19 million there has been some movement on the loan.

Liz Alley

- Two loans refinanced in June saving Council approximately \$1 million.

Tony Harb

- Are the interest expenses capitalised or all expenses? Some organisations capitalise interest. Borrowing costs, averages.

Jane Walton

- Expenses not capitalised.

**RECOMMENDATION**

That ARIC receives and notes the Loan Balances report as at 30 June 2025.

**Carried**

**(ITEM ) INVESTMENT REPORT FOR PERIOD ENDED 31 JULY 2025**

**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 2021*, 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.

**RECOMMENDATION:**

That ARIC receives and notes the Finance and Accounts Report for the period ended 31 July 2025.

**Carried**

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This is page 5 of the Minutes of the Audit, Risk and Improvement Committee held on Wednesday, 10 September 2025

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

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**(ITEM GM24/25) INTERNAL AUDIT UPDATE**

**SUMMARY**

Update of Tenterfield Shire Council Internal Audit Activities as per the 2024 Strategic Assurance and Internal Audit Plan.

As per Action items from the June ARIC meeting the Action Item Registers from both Internal and External Audit have been combined, and completed items removed.

Key Points:

Action item 1 – Confirm internal audits planned for 2025-2026

- Confirmed Governance will be the internal audit for this period, only have capacity for one this period. – **Action item complete**

Action item 2 – Consolidate all internal audit tracking.

- Tony Harb suggested that they are put into an excel format that can be filtered when completed. – **Due Date December 2025**

**CYBER SECURITY – INTERNAL AUDIT UPDATE**

**AMA 4** – To mitigate existing vulnerabilities within its IT network and applications, Council should accelerate the decision to proceed with the proposed move to SaaS or to implement on-premise renewal of software and hardware.

Chris Thomas

- Current problem with IT is end of life, at a significant ongoing cost. At the moment we need to replace the existing servers.
- Server hardware comes to end of useful life May 2026, provider will give us coverage for the following 2 years, May 2028.

Hein Basson

- Decision made by the leadership executive team that as there is considerable budget constraints that current systems will be maintained for 5 years.

Liz Alley

- Going forward money will be put aside to cover the changes that have to happen.

**Date moved to September 2028**

**AMA 5** – Council to improve and formally adopts its Cyber Security Framework as follows:

- Formalise periodic reviews, version control, and formal approvals for Cyber Security Framework elements
- Clearly define and document cyber security roles and responsibilities within the framework documents (e.g using a RACI matrix) to ensure proper task assignment based on authority and expertise.

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This is page 6 of the Minutes of the Audit, Risk and Improvement Committee held on Wednesday, 10 September 2025

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

---

Chris Thomas

- A draft Cyber Security Framework has been created and has now been handed off to the risk team, to be included into the Business Continuity Plan and Broader Risk Management Framework. The Framework also includes a suite of supporting documents.

Tony Harb

- **Please include a copy of the draft Cyber Security Framework for ARIC to give feedback.**

John Ringland

- Audits are one form of assurance, self-assessment with statewide (3 questionnaires). This was presented to ARIC last year and is currently underway.

Tony Harb

- Where we can't lean on assurance, we will need to lean on those **self-assessments with statewide and should be presented to ARIC and to Council.**
- Management to answer as truthfully as possible. Supplement internal audit with vulnerability scans and tests.

**AMA 6** – Council should ensure the risk register is updated regularly with cyber security related risks, with clear stakeholder engagement.

Once updated Council should provide the parties responsible for managing cybersecurity risks access to the risk management system to enhance usability.

Tony Harb

- The Business Continuity Plan needs to demonstrate that you've done everything possible, for management to respond to.

John Ringland

- Risk registers, Cyber, BCP. Would you consider activities that rely on the systems and activities that don't rely on the systems?
- BCP deals with continuity and BCP that is focused on how activities are critical. Public safety, water and sewage. Critical infrastructure.

Tony Harb

- All those systems that are old and outdated are the ones that are targeted by actors. Biggest risk is the exposure of breaches.

**AMA 9** – To prepare council for improving its data governance over time, Council should establish a Data Classification Policy to define and categorise data based on sensitivity and importance, ensuring appropriate handling, storage, and security measures are in place.

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

---

Lee Sisson

- Our current systems don't support data classification, nor could we currently roll out the training that would support a policy. It is currently on hold.

Tony Harb

- To be reviewed every 6 months, data classification to be included in new systems.

**OTHER – ICT Maturity Level**

Chris Thomas

- Our current ICT maturity level would be 0, 1 may not be achievable with current systems.
- RMT to provide mitigation template on how to progress to level 1.

**PROCUREMENT & CONTRACT MANAGEMENT INTERNAL AUDIT UPDATE**

Jane Walton

- Currently working on a new suite of procurement documents including policy and supporting documents.
- Recently the OLG released new procurement guidelines which will feed into these documents. Have contacted Inverell regarding their procurement.

**RECOMMENDATION**

That the Audit Risk and Improvement Committee:  
Receives and notes the Internal/External Action Item Register.

**Carried**

**(ITEM GM25/25) SUSTAINABILITY, PEOPLE AND RISK REPORT**

**SUMMARY**

This report gives a Risk Management Update and Sustainability and People Update.

Key Points:

John Ringland

- Biggest risk – WHS and public as well.
- Now developing an appropriate system and rolling it out.
- Includes 41 WHS procedures, procurement, training and development.
- Things are better but we have a long way to go.
- Unfortunately we have had some safe work interactions that have required investigations.

Tony Harb

- Recommends moving averages and year on year tracking
- A draft Risk management Policy will help with the 4 year annual plan.

---

This is page 8 of the Minutes of the Audit, Risk and Improvement Committee held on Wednesday, 10 September 2025

**MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 SEPTEMBER 2025**

---

John Ringland

- Insurance not too bad. Significant Motor vehicle claims (2).
- Also improving our incident reports, get data on number of days from incident to reporting.
- Getting past a blame culture, and getting the problem fixed.

**RECOMMENDATION**

That the Audit, Risk and Improvement Committee note the Sustainability, People and Risk Report for September 2025.

**Carried**

**(ITEM GM26/25) GOVERNANCE REPORT**

**SUMMARY**

Governance Report including Integrated Planning & Reporting, Policy Updates and Update on recruitment of ARIC Committee member.

Key Points:

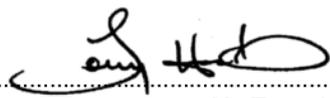
- Where possible ARIC would like to see new or updated policies before they go to Council.
- Fraud & Corruption Policy needs to be reinforced by management.
- LET and Janet – Plan inductions and Fraud Awareness Training sessions, for example in Procurement.
- LET should have awareness of two ICAC reports from February and March. Executive summary – awareness.
- Suggest the Delivery Program should be advancing financial responsibility rather than financial sustainability, as this is not feasible.

**RECOMMENDATION**

That the Audit, Risk and Improvement Committee note the Governance Report for September 2025.

**Carried**

There being no further business the Chair declared the meeting closed at 4p.m.

  
.....  
Mr Tony Harb  
Chairperson

|                      |                                                                                                                                                                                  |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Department:</b>   | <b>Office of the General Manager</b>                                                                                                                                             |
| <b>Submitted by:</b> | Executive Assistant & Media                                                                                                                                                      |
| <b>Reference:</b>    | <b>ITEM GOV2/26</b>                                                                                                                                                              |
| <b>Subject:</b>      | <b>CHANGE TO SCHEDULE OF COUNCIL MEETINGS FOR 2026 AND NOMINATING DELEGATES TO ATTEND THE 2026 NATIONAL GENERAL ASSEMBLY AND THE 2026 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE</b> |

|                                                               |                                                                                                                                                                                                                         |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |                                                                                                                                                                                                                         |
| <b>CSP Goal:</b>                                              | <b>Leadership</b> - Council is a transparent, financially-sustainable and high-performing organisation, delivering valued services to the Community.                                                                    |
| <b>CSP Strategy:</b>                                          | Ensure the performance of Council as an organisation complies with all statutory Guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making. |
| <b>Delivery Plan Action:</b>                                  | Provide sound and inclusive decisions using the Community Engagement Strategy to guide our interactions.                                                                                                                |
| <b>Operational Plan Action:</b>                               | Comply with the regulatory and legislative requirements of Councils as outlined by the Office of Local Government and other bodies.                                                                                     |

## SUMMARY

The purpose of this report is for Council to approve delegates attending the 2026 National Australian Assembly held by the Australian Local Government Association from 23 to 25 June 2026, approved delegates to attend the Local Government NSW Annual Conference from 22 to 24 November 2026, and adopt changes to the scheduled Ordinary Council Meeting dates for June and November 2026.

## OFFICER'S RECOMMENDATION:

### That Council:

- (1) Approves the Mayor and Deputy Mayor to attend the 2026 National Australian Assembly – Australian Local Government Association (ALGA) to be held at Canberra from 23 to 25 June 2026.**
- (2) Approves the General Manager, Mayor and Deputy Mayor to attend the 2026 Local Government NSW Annual Conference to be held at Wollongong from 22 to 24 November 2025.**
- (3) Moves the Ordinary Council Meeting for June scheduled for the fourth Wednesday of the month (24 June 2026) to Monday, 22 June 2026 and also moves the Ordinary Council Meeting for November from the scheduled fourth Wednesday of the month (25 November 2026) to the next day being Thursday, 26 November 2026, to facilitate the above-mentioned delegates to attend the mentioned two conferences and allow for adequate return travel time by the delegates from the Local Government NSW Annual Conference at Wollongong.**

## BACKGROUND

Our Governance No. 2 Cont...

The National General Assembly of Local Government (NGA) will take place in Canberra from 23 to 25 June 2026.

The NGA is the largest annual gathering of local government leaders in Australia, where they converge to advocate for better federal funding, policy reforms and effective partnerships. It also provides an opportunity for Mayors and Councillors to come together, network and consider the big issues for communities.

The 2026 Local Government NSW (LGNSW) Annual Conference will take place in Wollongong, from 22 to 24 November 2026.

As the key policy-making event for Local Government NSW (LGNSW), the Conference brings members together to submit and debate motions, and shape advocacy priorities. It also offers a valuable opportunity for delegates from across NSW to connect, share ideas, and explore new ways to serve their communities.

Council's Ordinary Meetings are scheduled for the fourth Wednesday of each month, which means that the Council Meeting for the months of June and November 2026 will potentially have to be shifted to accommodate the above-mentioned considerations – should Council be agreeable to such changes to its schedule.

## REPORT:

### Timing of Ordinary Council Meetings

Clause 3.1 of Council's *Code of Meeting Practice* states that "Ordinary meetings of Council will be held on the following occasions: The fourth Wednesday of each month, with at least ten (10) Ordinary Meetings being held each year".

The Current Timetable for the 2026 Meetings, as per resolution 210/25, reads as follows (with the proposed changes highlighted in **bold**):

| Date              | Venue                                                                 | Time              |
|-------------------|-----------------------------------------------------------------------|-------------------|
| 25 February 2026  | Council Chambers                                                      | 9.00am for 9.30am |
| 25 March 2026     | Council Chambers                                                      | 9.00am for 9.30am |
| 22 April 2026     | Council Chambers                                                      | 9.00am for 9.30am |
| 27 May 2026       | Council Chambers                                                      | 9.00am for 9.30am |
| 24 June 2026      | Council Chambers<br><b>Proposed to change to<br/>22 June 2026</b>     | 9.00am for 9.30am |
| 22 July 2026      | Council Chambers                                                      | 9.00am for 9.30am |
| 26 August 2026    | Council Chambers                                                      | 9.00am for 9.30am |
| 23 September 2026 | Council Chambers                                                      | 9.00am for 9.30am |
| 28 October 2026   | Council Chambers                                                      | 9.00am for 9.30am |
| 25 November 2026  | Council Chambers<br><b>Proposed to change to<br/>26 November 2026</b> | 9.00am for 9.30am |
| 16 December 2026  | Council Chambers                                                      | 9.00am for 9.30am |

## COUNCIL IMPLICATIONS:

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

Not applicable.

Our Governance No. 2 Cont...

**2. Policy and Regulation**

- *NSW Local Government Act 1993*;
- *NSW Local Government (General) Regulations 2005*; and
- Tenterfield Shire Council Code of Meeting Practice.

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

Nil.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.

**Hein Basson  
General Manager**

Prepared by staff member: Allison Graham, Executive Assistant & Media  
Approved/Reviewed by Manager: Hein Basson, General Manager  
Department: Office of the General Manager  
Attachments: **1** 2026 NGA Program 9 Pages  
**2** LGNSW Annual Conference 2026 1 Page



[Register Now](#)



National Convention Centre,

**STRONGER TOGETHER: RESILIENT. PRODUCTIVE. UNITED.**

**Date: 23-25 June 2026**

## **Proposed Program**

2026 program outline is now available

## **Regional Forum**

Tuesday: 9.00AM - 5.30PM



[Register Now](#)

Wednesday - Thursday

## Urban Forum

Tuesday: 9.00AM - 5.30PM

### PROPOSED PROGRAM

Tuesday, June 23

8AM

REGISTRATIONS OPEN

#### Regional Forum & Urban Forum

Concurrent sessions. Regional Forum sessions will be held in the Royal Theatre and the Urban Forum sessions will be held in the Bradman Theatre

9AM

9am → 10am

#### Regional Forum (RF) Opening Session

**Matt Burnett** ALGA President, Australian Local Government Association



Royal Theatre

Regional



[Register Now](#)

Bradman Theatre

Urban

10AM

10am → 10:30am

**Forums Morning Tea**

Regional

Urban

10:30am → 11:30am

**RF Session 1: Opportunities & Challenges - Renewable Transition**

Royal Theatre

Regional

10:30am → 11:30am

**UF Session 1: State of the Cities**

Simon Kuestenmacher The Demographics Group



Bradman Theatre

Urban

11AM

11:30am → 12:30pm

**RF Session 2: State of the Regions**

Simon Kuestenmacher The Demographics Group



Royal Theatre

Regional

11:30am → 12:30pm

**UF Session 2: Precinct Building**

Creating places people want to be

Urban



[Register Now](#)

**FORUMS LUNCH**

[Regional](#) [Urban](#)

**1PM**

1:30pm → 2:30pm

**RF Session 3: Disaster Management Fatigue**

Royal Theatre

[Regional](#)

1:30pm → 2:30pm

**UF Session 3: Emergency Management**

Communicating to large populations

**Matt Prosser** Chief Executive Officer, Wellington City Council



Bradman Theatre

[Urban](#)

**2PM**

2:30pm → 3:30pm

**RF Session 4: National productivity & local roads**

Royal Theatre

[Regional](#)

2:30pm → 3:30pm

**UF Session 4: Growing pains**

Rapid urban growth

Bradman Theatre

[Urban](#)

**3PM**



[Register Now](#)

**4PM**

4:30pm → 5:30pm

**RF Session 5: Regional Health**

**Carol Mudford** AgriFutures 2025 Rural Women's National Award Winner and Founder – CEO, Shedway, Shedway



📍 Royal Theatre

[Regional](#)

4:30pm → 5:30pm

**UF Session 5: Decarbonisation in the urban context**

📍 Bradman Theatre

[Urban](#)

**5PM**

5:30pm → 7:30pm

**Welcome Reception | Sponsored by Payble**

The Welcome Reception will be held within the Exhibition Halls at the National Convention Centre for the delegates to have a meet and greet with the 2026 Exhibitors.

Wednesday, June 24

**8AM**

**REGISTRATIONS OPEN.**

**9AM**



[Register Now](#)

Royal Theatre

10AM

10am → 11am

**NGA Session 1**

David Speers (MC) in conversation with Ministers

David Speers



Royal Theatre

11AM

11am → 12pm

**MEAL BREAK ONE - DAY 1**

12PM

12pm → 2pm

**NGA Session 2: Listen and Action**

With Jason Clarke, including the launch of the Jobs and Skills Survey

Jason Clarke



Royal Theatre

2PM

2pm → 3pm

**MEAL BREAK TWO - Day 1**

3PM



[Register Now](#)

Thursday, June 25

8AM

**REGISTRATIONS OPEN DAY THREE**

8:30am → 11am

**NGA Session 4 - Debate on Motions**

**Matt Burnett** ALGA President, Australian Local Government Association • **Amy Crawford**  
Chief Executive Officer, ALGA



📍 Royal Theatre

11AM

11am → 12pm

**MEAL BREAK ONE - Day Two**

📍 Exhibition Hall

12PM

12pm → 1pm

**NGA Session 5: Financial Sustainability**

Launch of State of the Assets & Around the Grounds (Association Presidents)

📍 Royal Theatre

1PM

1pm → 2pm

**NGA Session 6: Disability Inclusion in Action**

Launch of the updated Disability Inclusion Guide

📍 Royal Theatre



[Register Now](#)

**MEAL BREAK TWO - Day Two**

📍 Exhibition Hall

**3PM**

3pm → 4pm

**NGA Session 7: Securing Funds**

How to Get that Grant & Payable Research

**Dailius Wilson** Chief Revenue Officer and Chief Economist, Payble • **Colin Steel**  
Managing Director, Section51



📍 Royal Theatre

**4PM**

4pm → 5pm

**NGA Session 8: Respectful communication in the online world**

📍 Royal Theatre

**7PM**

7pm → 11pm

**General Assembly Dinner | Sponsored by Telstra**

Venue TBA

7pm → 10pm

**Networking Event: Verity Lane**

Market Hall, Verity Lane

ALGA reserves the right to change the program without notice.



[Register Now](#)

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P: 02 6292 9000

E: [nga@confco.com.au](mailto:nga@confco.com.au)

ALGA

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P: 02 6122 9400

E: [events@alga.asn.au](mailto:events@alga.asn.au)





25 November 2025

## **CITY OF WOLLONGONG TO HOST 2026 LGNSW ANNUAL CONFERENCE**

Wollongong has been announced as the host city for the 2026 Local Government NSW (LGNSW) Annual Conference, following a warm invitation from the Lord Mayor of Wollongong Councillor Tania Brown at the close of this year's successful event held in Penrith.

Outgoing LGNSW President Mayor Phyllis Miller OAM said the peak body for councils across the state was delighted to partner with Wollongong City Council to deliver next year's conference.

"LGNSW is thrilled that Wollongong will be hosting the 2026 LGNSW Annual Conference at WIN Entertainment Centre," Mayor Miller said.

"It's a dynamic, forward-thinking city with outstanding venues, a proud local community and a strong commitment to sustainability – all the hallmarks of a perfect conference host.

"WIN Entertainment Centre is a wonderful venue for networking, debate and shared learning on the big issues facing our sector.

"I know that Lord Mayor Cr Tania Brown, the council team and the wider Wollongong community will provide a warm and generous welcome to delegates from every corner of the state."

Cr Brown said she was excited about welcoming conference delegates to her city next year.

"Nestled between Merrigong, the Escarpment, and Gadhu, the ocean, our city on Dharawal Country is blessed with world-class beaches, a diverse hospitality sector, and a thriving economy driven by industry and innovation," Cr Brown said.

"There's plenty happening on the development front, with our West Dapto Urban Release Area one of the fastest growing residential areas in the state, outside of Sydney.

"The other thing about Wollongong is we know how to put on a show. In October we hosted 6,000 athletes and many more spectators for the World Triathlon Championship Finals, and in 2022 we welcomed another global audience for the UCI Road World Championships.

"I can't wait to welcome conference delegates to Wollongong."

The 2026 LGNSW Annual Conference is scheduled to take place from 22 to 24 November.

|                      |                                                  |
|----------------------|--------------------------------------------------|
| <b>Department:</b>   | <b>Office of the Director Corporate Services</b> |
| <b>Submitted by:</b> | Governance Officer, Lee Sisson                   |
| <b>Reference:</b>    | <b>ITEM GOV3/26</b>                              |
| <b>Subject:</b>      | <b>AGENCY INFORMATION GUIDE</b>                  |

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

|                             |                                                                                                                                                                                                                        |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CSP Goal:</b>            | <b>LEADERSHIP</b> - Our local leaders are respected and trusted to make our shire a better place                                                                                                                       |
| <b>CSP Strategy:</b>        | Ensure the performance of Council as an organisation complies with all statutory guidelines, supported by effective corporate management, sound integrated planning and open, transparent and informed decision making |
| <b>CSP Delivery Program</b> | Develop, manage and deliver Governance Services, in accordance with the OLG Compliance Guide                                                                                                                           |

#### **SUMMARY**

The purpose of this report is to enable Council to consider and adopt the updated Tenterfield Shire Council Agency Information Guide 2026, as required in accordance with the *Government Information (Public Access) Act 2009* (GIPA Act).

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

**That Council adopts the Tenterfield Shire Council Agency Information Guide 2026 in accordance with Sections 20 and 21 of the *Government Information (Public Access) Act 2009*.**

#### **BACKGROUND**

Section 20 of the GIPA Act requires that agencies must have an Agency Information Guide as follows:

- (1) *An agency (other than a Minister) must have a guide (its "agency information guide") that:*
  - (a) *describes the structure and functions of the agency, and*
  - (b) *describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and*
  - (c) *specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and*
  - (d) *identifies the various kinds of government information held by the agency, and*
  - (e) *identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and*
  - (f) *specifies the manner in which the agency makes (or will make) government information publicly available, and*

Our Governance No. 3 Cont...

*(g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.*

- (2) An agency must make government information publicly available as provided by its agency information guide.*
- (3) The Director-General of the Department of Local Government may, in consultation with the Information Commissioner, adopt mandatory provisions for inclusion in the agency information guide of local authorities. The agency information guide of a local authority must include any such mandatory provision unless the Director-General otherwise approves in a particular case.*

#### **REPORT:**

In accordance with Section 21 of the GIPA Act, an agency must review its agency information guide and adopt a new agency information guide at intervals of not more than 12 months. An agency may update and amend its agency information guide at any time.

#### **COUNCIL IMPLICATIONS:**

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

Council meets its commitment to inform, consult and involve by reviewing and adopting its Agency Information Guide via its Open Ordinary Council Meeting.

**2. Policy and Regulation**

- *Government Information (Public Access) Act 2009*

**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.

**Liz Alley**

**Director Corporate Services**

Prepared by staff member: Lee Sisson, Governance Officer

Approved/Reviewed by Manager: Liz Alley, Director Corporate Services

Our Governance No. 3 Cont...

Department:

Office of the Director Corporate Services

Attachments:

|          |                          |       |
|----------|--------------------------|-------|
| <b>1</b> | AGENCY INFORMATION GUIDE | 26    |
|          | 2026                     | Pages |

# AGENCY INFORMATION GUIDE

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Government Information (Public Access) Act 2009  
2026

ADOPTED BY COUNCIL XX XXXX 2026  
RESOLUTION NUMBER xx/xx



1

Agency Information Guide  
2026

| <b>Responsible Area: Governance</b> |                          |
|-------------------------------------|--------------------------|
| <b>Previous Publications</b>        | <b>Resolution Number</b> |
| 25 August 2010                      | 588/10                   |
| 29 June 2011                        | 315/11                   |
| 23 October 2013                     | 382/12                   |
| 26 February 2014                    | 21/14                    |
| 25 March 2015                       | 67/15                    |
| 29 June 2016                        | 154/16                   |
| 20 December 2017                    | 272/17                   |
| 27 March 2019                       | 49/19                    |
| 23 February 2022                    | 34/22                    |
| 26 February 2025                    | 25/25                    |
|                                     |                          |

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## Agency Information Guide 2026

### What is the Agency Information Guide?

This Agency Information Guide has been produced by Tenterfield Shire Council in accordance with Section 20 of the *Government Information (Public Access) Act 2009* and is reviewed annually.

The purpose of the document is to provide members of the community, Council staff, and the public with information concerning:

- The structure and functions of Tenterfield Shire Council
- The impact council functions have on the public
- The avenues available to the public to participate in policy development and Tenterfield Shire Council functions
- The type of information available from Tenterfield Shire Council and how this information is made available.

The Information Guide is available:

- Via Council's website [www.tenterfield.nsw.gov.au](http://www.tenterfield.nsw.gov.au)
- Council's Administration Office

## Agency Information Guide 2026

### 1 Structure and Functions of Council

#### 1.1 Introduction

Tenterfield Shire Council is committed to the following principles regarding public access to documents and information:

- Open and transparent government
- Consideration of the overriding public interest in relation to access requests
- Proactive disclosure and dissemination of information
- Respect for the privacy of individuals.



#### 1.2 Role of Governing Body

The Council's legal status under the *Local Government Act 1993* is as a body politic of the State with perpetual succession and the legal capacity and powers of an individual both in and outside the State.

The role of the governing body is as follows:

Sections 220(1) & 223(1), *Local Government Act 1993*

- to direct and control the affairs of the Council in accordance with the Act
- to provide effective civic leadership to the local community
- to ensure as far as possible the financial sustainability of the Council
- to ensure as far as possible that the Council acts in accordance with the principles set out in Chapter 3 and the plans, programs, strategies and policies of the Council
- to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the Council
- to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the Council's resources to implement the strategic plans (including the community strategic plan) of the Council and for the benefit of the local area
- to keep under review the performance of the Council, including service delivery
- to make decisions necessary for the proper exercise of the Council's regulatory functions
- to determine the process for appointment of the general manager by the Council and to monitor the General Manager's performance
- to consult regularly with community organisations and other key stakeholders and keep them informed of the Council's decisions and activities
- to be responsible for ensuring that the Council acts honestly, efficiently and appropriately.

## Agency Information Guide 2026

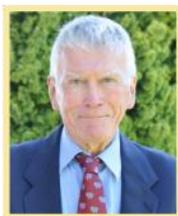
### 1.3 Role of Councillors

Section 232, *Local Government Act 1993*

The role of Councillors, as members of the governing body are as follows:

- to be an active and contributing member of the governing body
- to make considered and well informed decisions as a member of the governing body
- to participate in the development of the integrated planning and reporting framework
- to represent the collective interests of residents, ratepayers and the local community
- to facilitate communication between the local community and the governing body
- to uphold and represent accurately the policies and decisions of the governing body
- to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.

A Councillor is accountable to the local community for the performance of the Council.



From left: Cr Bronwyn Petrie (Mayor), Cr Greg Sauer (Deputy Mayor), Cr Tim Bonner, Cr Greg Purcell, Cr Roger Turner, Cr Peter Petty, Cr Peter Murphy, Cr Kim Rhodes, Cr Owen Bancroft, Cr Tom Peters

The Council area is divided into 5 Wards, with ten Councillors (two for each Ward). The Mayor and Deputy Mayor are elected biannually by the Councillors among their numbers.

## Agency Information Guide 2026



Mayor Bronwyn Petrie

### **1.4 Role of Mayor**

Section 226, *Local Government Act 1993*

The role of Mayor is as follows:

- to be the leader of the Council and a leader in the local community
- to advance community cohesion and promote civic awareness
- to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities
- to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council
- to preside at meetings of the Council
- to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with this Act
- to ensure the timely development and adoption of the strategic plans, programs and policies of the Council
- to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council
- to promote partnerships between the Council and key stakeholders
- to advise, consult with and provide strategic direction to the General Manager in relation to the strategic plans and policies of the Council
- in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community
- to carry out the civic and ceremonial functions of the Mayoral office
- to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level
- in consultation with the Councillors, to lead performance appraisals of the General Manager
- to exercise any other functions of the Council that the Council determines.

Council has an Internal Audit Committee whose objective is to provide independent oversight and assistance to the Tenterfield Shire Council on risk management, control, governance, and external accountability responsibilities.

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## Agency Information Guide 2026



Mr Hein Basson

### **1.5 Functions of General Manager**

Section 335, *Local Government Act 1993*

The Principle Officer of the Council is the General Manager. The General Manager is responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.

The General Manager has the following particular functions:

- to conduct the day to day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council
- to implement, without undue delay, lawful decisions of the Council
- to advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the Council
- to prepare, in consultation with the Mayor and the governing body, the Council's Community Strategic Plan, Community Engagement Strategy, Resourcing Strategy, Delivery Program, Operational Plan and Annual Report
- to ensure that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions
- to exercise any of the functions of the Council that are delegated by the Council to the General Manager
- to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the Council
- to direct and dismiss staff
- to implement the Council's Workforce Management Strategy
- any other functions that are conferred or imposed on the General Manager by or under this or any other Act.

To assist the General Manager in the exercise of these functions, there are two divisions of Council. These divisions are Corporate Services and Infrastructure Services. Directors head each of these divisions.

## Agency Information Guide 2026

### 1.6 Organisation Structure

The organisation is comprised of two distinct departments.

1. Corporate Services, and
2. Infrastructure Services .

The two departments are headed by the Director Corporate Services and Director Infrastructure Services respectively. Both report directly to the General Manager.

Several other areas report directly to the General Manager.

#### The Structure:

| GENERAL MANAGER                                           |                               |                                  |
|-----------------------------------------------------------|-------------------------------|----------------------------------|
| DIRECTOR CORPORATE SERVICES                               | OFFICE OF THE GENERAL MANAGER | DIRECTOR INFRASTRUCTURE SERVICES |
| Finance & Technology                                      | Civic Office                  | Asset Management & Resourcing    |
| Corporate & Governance                                    | Organisational Leadership     | Water & Waste Management         |
| Planning & Regulation                                     | Communications                | Commercial Works                 |
| Library Services                                          | Workforce Development         | Environmental Management         |
| Land Management                                           |                               | Parks, Gardens & Open Space      |
| Incorporated Not for Profit Association<br>School of Arts |                               | Livestock Saleyards              |
| Emergency Services                                        |                               | Buildings & Amenities            |
|                                                           |                               | Swimming Complex                 |
|                                                           |                               | Stormwater Drainage              |
|                                                           |                               | Transport Network                |
|                                                           |                               | Plant, Fleet & Equipment         |

## Agency Information Guide 2026

### 1.7 Council's Mission, Vision and Corporate Values



#### Our Mission

“Quality Nature, Quality Heritage and Quality Lifestyle” provides focus and direction in the manner in which Council provides leadership and services.

#### Our Vision

To be a financially sustainable Council fostering community connection through transparent decision-making and open communication; nurturing our natural environment, heritage and community lifestyle through balanced, sustainable strategic planning and management practices.



#### Our Corporate Values

Our Corporate values express how Council seeks to conduct itself and reflects how Council engages with the community.

Our five corporate values are:

**INTEGRITY** - ensuring openness and honesty in all our activities

**COMMUNITY FOCUS** - delivering prompt, courteous and helpful advice

**ACCOUNTABILITY** - accepting responsibility for providing quality services and information

**RESPECT** - treating people with courtesy, dignity and fairness regardless of our personal feelings about the person or issue

**EXCELLENCE** - being recognised for providing high-quality services and programs that aim for best practice

## Agency Information Guide 2026

### 2 Effect Council Functions have on the Public

#### 2.1 Functions under legislation

In addition to the *Local Government Act 1993* (LGA), Council has powers under other Acts and Regulations including:

| A - G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | H - P                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | P - W                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• <i>Annual Holidays Act 1944</i></li> <li>• <i>Biodiversity Conservation Act 2016</i></li> <li>• <i>Biosecurity Act 2015</i></li> <li>• <i>NSW Boarding Houses Act 2012</i></li> <li>• <i>NSW Building and Development Certifiers Act 2018</i></li> <li>• <i>Building Products (Safety) Act 2017</i></li> <li>• <i>NSW Cemeteries and Crematoria Act 2013</i></li> <li>• <i>Child Protection (Working with Children) Act 2012</i></li> <li>• <i>Child Protection (Working with Children) Regulation 2013</i></li> <li>• <i>Community Land Development Act 2021</i></li> <li>• <i>Companion Animals Act 1998</i></li> <li>• <i>Companion Animals Regulation 2018</i></li> <li>• <i>Contaminated Land Management Act 1997</i></li> <li>• <i>Conveyancing Act 1919</i></li> <li>• <i>Crown Land Management Act 2016</i></li> <li>• <i>Crown Land Management Regulation 2018</i></li> <li>• <i>Electricity Supply Act 1995</i></li> <li>• <i>Environmental Planning and Assessment Act 1979</i></li> <li>• <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>• <i>Fisheries Management Act 1994</i></li> <li>• <i>Fluoridation of Public Water Supplies Act 1957</i></li> <li>• <i>Food Act 2003</i></li> <li>• <i>Government Information (Public Access) Act 2009</i></li> <li>• <i>Graffiti Control Act 2008</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Heavy Vehicle National Law (NSW) 2013</i></li> <li>• <i>Heritage Act 1977</i></li> <li>• <i>Housing Act 2001</i></li> <li>• <i>Independent Pricing and Regulatory Tribunal Act 1992</i></li> <li>• <i>Land Acquisition (Just Terms Compensation) Act 1991</i></li> <li>• <i>Land and Environment Court Act 1979</i></li> <li>• <i>Library Act 1939</i></li> <li>• <i>Library Regulation 2018</i></li> <li>• <i>Local Government (General) Regulation 2021</i></li> <li>• <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i></li> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Local Government and Other Authorities (Superannuation) Act 1927</i></li> <li>• <i>Road Transport Act 2013</i></li> <li>• <i>Ombudsman Act 1974</i></li> <li>• <i>Pesticides Act 1999</i></li> <li>• <i>Privacy and Personal Information Protection Act 1998</i></li> <li>• <i>Protection of the Environment Operations (Clean Air) Regulation 2022</i></li> <li>• <i>Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Protection of the Environment Operations Act 1997</i></li> <li>• <i>Public Health Act 2010</i></li> <li>• <i>Public Interest Disclosures Act 2022</i></li> <li>• <i>Public Works and Procurement Act 1912</i></li> <li>• <i>NSW Real Property Act</i></li> <li>• <i>Restricted Premises Act 1943</i></li> <li>• <i>Road Transport (General) Act 2005</i></li> <li>• <i>Road Transport (Safety and Traffic Management) Act 1999</i></li> <li>• <i>Roads Act 1993</i></li> <li>• <i>State Emergency and Rescue Management Act 1989</i></li> <li>• <i>State Records Act 1998</i></li> <li>• <i>Strata Schemes Development Act 2015</i></li> <li>• <i>Strata Schemes Management Act 2015</i></li> <li>• <i>Swimming Pools Act 1992</i></li> <li>• <i>Swimming Pools Regulation 2018</i></li> <li>• <i>Tattoo Industry Act 2012</i></li> <li>• <i>Trees (Disputes Between Neighbours) Act 2006</i></li> <li>• <i>Valuation of Land Act 1916</i></li> <li>• <i>Work Health and Safety Act 2011</i></li> <li>• <i>Workplace Surveillance Act 2005</i></li> </ul> |

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**2.2 Impact of Council Functions on the Public**

As a service organisation, the majority of the activities of Tenterfield Shire Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

| FUNCTION       | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Service        | <b>Service functions</b> directly impact the community through the provision and maintenance of public services and facilities. These include community halls, recreational facilities, waste collection, and the upkeep of roads and bridges. Additional services delivered for public use include water and sewerage, libraries, saleyards, swimming pools, and cemeteries. |
| Regulatory     | <b>Regulatory functions</b> place restrictions on developments and buildings to ensure that they meet certain requirements that will not endanger the lives and safety of any person. Members of the public must be aware of and must comply with such regulations.                                                                                                           |
| Ancillary      | <b>Ancillary functions</b> affect only some members of the public if, for example, the resumption of land is necessary or if Council officers need to enter onto private land.                                                                                                                                                                                                |
| Revenue        | <b>Revenue functions</b> affect the public directly in that rates and other charges are paid by the public in return for services and facilities that are provided to the community.                                                                                                                                                                                          |
| Administrative | <b>Administrative functions</b> do not necessarily affect the public directly but have an impact on the administration of the community. For example, Council has developed its Integrated Planning and Reporting Framework which outlines the strategies of the council over both the short term and long term.                                                              |
| Enforcement    | <b>Enforcement functions</b> only affect those members of the public that are in breach of certain legislation, such as the non-payment of rates and charges, unregistered dogs and parking fines.                                                                                                                                                                            |

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### 3 Public participation in Local Government

Tenterfield Shire Council supports the principles of open government and encourages community involvement in policy development and general activities of Council.

There are two broad ways in which the public may participate in the policy development and, indeed, the general activities for the Council. These are through representation and personal participation.

#### 3.1 Representation

Local Government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their local Council to make decisions on their behalf. In New South Wales, local government elections are held every four years. The next scheduled election will be in September 2028.

Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

#### 3.2 Personal Participation in Council Exercising its Functions

Ratepayers, residents and business are encouraged to have a say in what Council does.

Community participation in Council is a major focus of the *Local Government Act 1993*. The Act encourages Councils to be open and accountable to the community. This is achieved by people having appropriate access to information, voting in polls and referendums, making submissions to Council, and by Council meetings being open to the public.

##### 3.2.1 Public Submissions

All significant plans, strategies and policies of Tenterfield Shire Council are placed on exhibition in draft form so that interested members of the public may view them and make comments should they wish to. Documents inviting submissions are available at Council's customer service counter, Tenterfield Shire Library and on Council's website:

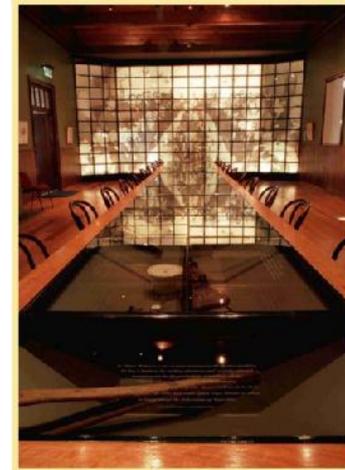
<https://www.tenterfield.nsw.gov.au/your-council/council-documents/public-exhibition-documents>

Submissions should be addressed to:

The General Manager  
Tenterfield Shire Council  
PO Box 214  
Tenterfield NSW 2372  
Email: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au)

Development applications inviting public submission as required under the Tenterfield Development Control Plan 2014 can be found on Council's website:

<https://www.tenterfield.nsw.gov.au/services/building-planning/approved-and-advertised-development-applications>



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Members of the public are able to attend Council meetings (fourth Wednesday of each month - except in December when it is held on the third Wednesday of the month and January when there is no meeting) in the Council Chamber, Administration Building, 247 Rouse Street, Tenterfield. However, it should be noted that two meetings each year are conducted in one of the villages.

Copies of Agendas and Minutes for Council Meetings are available on Council website:

<https://www.tenterfield.nsw.gov.au/your-council/council-committee-meetings/council-business-papers>

Council Meetings are webcast and streamed live for the duration of the meeting. Webcasts are then placed on Council's website on the following Monday at 10am, and remain for six months:

<https://www.tenterfield.nsw.gov.au/your-council/council-committee-meetings/webcast-of-council-meetings>

### 3.3 Council Committees

There are also avenues for members of the public to personally participate in the policy development and the functions of the Council.

The following Council Advisory Committees include members of the public among others. Terms of Reference for the Community Committees can be found on Council's website:

<https://www.tenterfield.nsw.gov.au/your-council/council-committee-meetings/council-committees>

- Sir Henry Parkes School of Arts Joint Management Committee
- Tenterfield Saleyards Advisory Committee
- Tenterfield Chamber of Commerce Tourism, Industry and Business

In addition, Council Committees without external members include;

- Audit, Risk & Improvement Committee (ARIC)
- Australia Day Awards Committee
- General Manager's Performance Evaluation Committee

## Agency Information Guide 2026

### 3.4 External Boards, Committees & Organisations

Council also provides delegates to the following Committees. Details of Councillors serving on these Committees can be found on Council's Committee Register on Council's website:

<https://www.tenterfield.nsw.gov.au/your-council/council-committee-meetings/council-committees>

- Country Mayors Association
- Arts North West - Strategic Advisory Council
- Border Region Organisation of Councils (BROC)
- Local Health Advisory Committee
- Tenterfield Shire Local Traffic Forum
- Local Emergency Management Committee
- Bushfire Management Committee
- NSW Public Libraries' Association
- Granite Borders Landcare Committee Inc
- Murray Darling Association
- Joint Regional Planning Panels
- National Timber Council's Association

### 3.5 Community Engagement Forums

Tenterfield Shire Council will provide a community engagement forum for discussions with the community (and feedback), every 4 years on the delivery of the Community Strategic Plan and Council's Delivery Program. Details of any current community engagement forums will be advertised on council's social media - <https://www.facebook.com/TenterfieldShireCouncil/>, local print and radio media outlets, and on our website - <https://www.tenterfield.nsw.gov.au/>

### 3.6 Feedback and Complaints

Council welcomes constructive feedback about the exercise of its functions and its delivery of services to the community.

Feedback and complaints can be provided verbally or in writing as outlined in Council's Customer Service Charter 2022, available at Council's customer service desk or on Council's website:

<https://www.tenterfield.nsw.gov.au/your-council/about-council/our-mission-vision-values/customer-charter-2>

## Agency Information Guide 2026



### **4 Access to Government Information**

#### **4.1 What is the Government Information (Public Access) Act (GIPA)?**

The *Government Information (Public Access) Act 2009 (GIPA)* came into effect on 1 July 2010, replacing the *Freedom of Information Act 1989*.

Under the provisions of the GIPA Act, there is a right of access to certain information held by Council, unless there is an overriding public interest against its disclosure.

#### **4.2 Information Held by Tenterfield Shire Council**

Council holds a wide range of information, in both hard copy and electronic form in respect of the wide range of functions undertaken by it. That information is contained in:

- Files - either physical or electronic
- Policy documents
- General documents

##### **Files**

Prior to 2002 council had a 'hard copy' filing system, with material being held in physical files. Since then, Council's files have been maintained in electronic format, physical files being dispensed with, except for development, property, and cemetery files.

Electronic information held relates to Council's service functions, regulatory functions, ancillary functions, revenue functions, administrative functions and enforcement functions.

Council's files that are not available on the website, may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with the provisions of GIPA.

##### **Policy Documents**

All of Council's policies are maintained in a policy register - access to which is available on the website:

<https://www.tenterfield.nsw.gov.au/your-council/council-documents/policies>

##### **General Documents**

The following list of general documents held by Council has been divided into four sections as outlined by Schedule 1 of the *Government Information (Public Access) Regulation 2018*:

- Information about Council
- Plans and Policies
- Information about Development Applications
- Approvals, Orders and other Documents

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### **4.3 Information about Council available on Council's website:**

Schedule 1 of the *Government Information (Public Access) Regulation 2018* requires that these documents held by Council, are to be made publicly available for inspection, free of charge.

The public is entitled to inspect these documents either on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) or at the offices of the Council during ordinary office hours or at any other place as determined by Council. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

These documents include:

<https://www.tenterfield.nsw.gov.au/your-council/council-documents>

#### **Integrated Planning & Reporting Framework Documents:**

- State of Our Shire Report 2021-2024
- Annual Reports
- Financial Reports
- Public Exhibition Documents
- Council's Fees & Charges
- Delivery Program 2025-2029, Operational Plan 2025-2026
- Community Strategic Plan 2025-2036
- Long Term Financial Plan 2025-2036
- Community Engagement Strategy
- Statement of Revenue Policy 2025-2026
- Workforce Management Strategy 2021-2025
- Asset Management Strategy 2022-2032

#### **Documents available for inspection at the Council Administration Office**

- Register of Current Declarations of Disclosures of Political Donations
- Register of Delegations
- Section 449 disclosures of Interest Returns

#### **Council Agendas and Business Papers available on Council's website:**

<https://www.tenterfield.nsw.gov.au/your-council/council-committee-meetings/council-business-papers>

- Agendas and Business Papers for any meeting of Council
- Minutes of any meeting of Council or any Committee of Council
- Departmental Representative Reports presented at a meeting of Council

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**4.4 Plans and Policies available on Council's website:**

**Plans**

<https://www.tenterfield.nsw.gov.au/your-council/council-documents/plans-reports>

**PLANS**

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Asset Management Strategy</li> <li>• Biosecurity Plan - Tenterfield Shire Saleyards</li> <li>• Community Plan - Integrated Planning &amp; Reporting Documents</li> <li>• Community Participation Plan</li> <li>• Development Control Plan 2014</li> <li>• Development Servicing Plan - Sewerage Services - July 2020</li> <li>• Development Servicing Plan - Water Supply Services - July 2020</li> <li>• Disability Inclusion Action Plan</li> <li>• Drought Management Plans</li> <li>• Equal Employment Opportunity - Management Plan</li> <li>• Floodplain Risk Management Study and Plan</li> <li>• Flood Study - Urbenville &amp; Woodenbong</li> <li>• Health &amp; Safety Management Plan</li> <li>• Local Emergency Management Plan (EMPLAN)</li> <li>• Local Strategic Planning Statement 2040</li> <li>• Northern New England High Country REDS-2023</li> <li>• Parks and Sportsgrounds Plan of Management</li> <li>• Pedestrian Access and Mobility Plan (PAMP)</li> <li>• Pesticide Use Notification Plan</li> <li>• Pollution Incident Response Plan</li> <li>• POM - Old Power House Reserve</li> </ul> | <ul style="list-style-type: none"> <li>• POM - Jubilee Park</li> <li>• Privacy Management Plan</li> <li>• Risk Management - Continuous Improvement Plan</li> <li>• Road Asset Management Plan</li> <li>• Saleyards Management Plan</li> <li>• Section 7.11 Development Contribution Plan</li> <li>• Section 7.12 Development Contribution Plan</li> <li>• Stormwater Quality Management Plan</li> <li>• Strategic Business Plan for Water Supply and Sewerage Services</li> <li>• Strategic Companion Animal Management Plan (SCAMP)</li> <li>• Tenterfield Bike Plan</li> <li>• Tenterfield Cemetery Master Plan</li> <li>• Tenterfield Communications Plan</li> <li>• Tenterfield Cultural Plan</li> <li>• Tenterfield Destination Management Plan 2025 - 2030</li> <li>• Tenterfield Economic Development Strategy 2026 - 2030</li> <li>• Tenterfield Industrial Estate Marketing Strategy</li> <li>• Tenterfield Main Street Masterplan</li> <li>• Tenterfield War Memorial Baths Management Plan</li> <li>• Village Concept Plans</li> <li>• Waste Management Strategy</li> <li>• Water Supply Asset Management Plan</li> <li>• Tenterfield Water Supply - DWMS Subplan</li> <li>• Urbenville Water Supply - DWMS Subplan</li> </ul> |
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## Agency Information Guide 2026

### Policies

<https://www.tenterfield.nsw.gov.au/your-council/council-documents/policies>

| POLICIES<br>A-I                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | POLICIES<br>L-W                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <ul style="list-style-type: none"> <li>• Aboriginal Recognition of Protocol Policy</li> <li>• Aerated Wastewater Treatment Systems</li> <li>• Affixing of Council Seal to Documents</li> <li>• Art Collection</li> <li>• Asbestos Policy</li> <li>• Asset Management Policy</li> <li>• Asset Capitalisation Policy</li> <li>• Australia Day Awards &amp; Citizenship Ceremonies</li> <li>• Backflow Prevention Policy</li> <li>• Borrowing Policy</li> <li>• Burial on Private Land</li> <li>• Busking</li> <li>• Buy Local Policy</li> <li>• Code of Conduct</li> <li>• Code of Meeting Practice</li> <li>• Customer Service Policy</li> <li>• Community Contributions/Donations Policy</li> <li>• Community Engagement Policy</li> <li>• Competitive Neutrality Complaints</li> <li>• Complaints and Unreasonable Conduct Policy</li> <li>• Concealed Water Leakage Concession</li> <li>• Conference/Seminar/Training/Expenses Policy</li> <li>• Construction Maintenance of Property Access from Council</li> <li>• Construction Over and Adjacent Stormwater Sewer and Water Mains</li> <li>• Contaminated Recycling Bin Policy</li> <li>• Councillor Expenses and Facilities</li> <li>• Councillors and Staff Interactions Policy</li> <li>• Credit Card Policy</li> <li>• Debt Recovery Policy</li> <li>• Disclosures By Councillors Designated Persons Policy</li> <li>• Disposal of Minor Assets including Plant Material and Equipment</li> <li>• Disposal of ICT Assets Policy</li> <li>• Drinking Water Quality and Safety Policy</li> <li>• Employee Relations Policy</li> <li>• Enforcement Policy for Unlawful Activities</li> <li>• Exclusion for Disruptive or Abusive Citizens/Customers Policy</li> <li>• Filming</li> <li>• Flying of Flags Policy</li> <li>• Footpath Activities Policy</li> <li>• Footpath Paving and Contributions</li> <li>• Fraud and Corruption Prevention Policy</li> <li>• Fund Raising Stalls</li> <li>• Funerary Monument Masonry Services</li> <li>• Investment Policy</li> </ul> | <ul style="list-style-type: none"> <li>• Leave Policy</li> <li>• Legislative Compliance Policy</li> <li>• Library Services Policy</li> <li>• Light Motor Vehicle Policy</li> <li>• Limit of Delegation Authority in Dealing with Development Applications and Complying Development Certificates</li> <li>• Liquid Trade Waste Regulation</li> <li>• Local Approvals Policy</li> <li>• Local Orders for The Keeping of Animals in Urban Areas of Tenterfield Shire</li> <li>• Local Order Policy</li> <li>• Maintenance of Nature Strips</li> <li>• Media and Communications Policy</li> <li>• On Site Sewage Management</li> <li>• Private Swimming Pool Safety</li> <li>• Procurement Policy</li> <li>• Public Art Policy</li> <li>• Public Gates and Vehicle Bypasses</li> <li>• Public Interest Disclosure Policy</li> <li>• Rainwater Tanks Installation Requirements where Reticulated Water is Connected</li> <li>• Rates Hardship Policy</li> <li>• Records Management Policy</li> <li>• Recruitment &amp; Selection Policy</li> <li>• Related Party Policy</li> <li>• Risk Management Policy</li> <li>• Roadside Memorials Commemorative Markers</li> <li>• Salary System Policy</li> <li>• School of Arts Collections Acquisition and Deaccession</li> <li>• Sewerage Septic Tank Connections</li> <li>• Social Media Policy</li> <li>• Statement of Business Ethics</li> <li>• Succession Planning Policy</li> <li>• Tenterfield CBD Works</li> <li>• Transfer of Land in Payment of Rates</li> <li>• Variation of Sewage Discharge Factor</li> <li>• Volunteers Policy</li> <li>• Water Concessions for Medical Conditions</li> <li>• Work Health and Safety Policy</li> <li>• Workforce Development Policy</li> <li>• Workplace Rehabilitation and Return to Work Policy</li> <li>• Workplace Surveillance Policy</li> <li>• Writing off of Debts Policy</li> </ul> |

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### 4.5 Information about Development Applications available on Council's website:

<https://www.tenterfield.nsw.gov.au/your-council/council-documents/plans-reports>

- Development Control Plan (DCP)
- Section 7.11 Development Contribution Plan (Subdivisions)
- Section 7.12 Development Contribution Plan (General)
- Local Strategic Planning Statement (LSPS)

### 4.6 Approvals, Orders and Other Documents

- Applications for approvals under Part 1 Chapter 7 of the *Local Government Act 1993*
- Applications for approvals under any other act and any associated documents received
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land.
- Performance improvement orders issued to Council under Part 6 of Chapter 13 of the *Local Government Act 1993*
- Orders given under the Authority of any other Act
- Plans of land proposed to be compulsorily acquired by Council
- Records of approvals granted or refused, any variation from Council Policies with reasons for the variation, and decision made on appeals concerning approvals.
- Records of Building Certificates under the *Environmental Planning and Assessment Act 1979*



## 5 Ways to Access Government Information

There are four main ways in which Council may provide access to information:

- 1 Mandatory Proactive Release
- 2 Proactive Release
- 3 Informal Release
- 4 Formal Access Application

### 5.1 Mandatory Proactive Release

The following documents are defined as “Open Access Information” under Section 18 of the GIPA Act (**most are available on Council's website**):

<https://www.tenterfield.nsw.gov.au>

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### OPEN ACCESS INFORMATION

- Council's Agency Information Guide
- Information about Council contained in any document tabled in Parliament by or on behalf of Council, other than any document tabled by order of either House of Parliament
- Council's policy documents
- Council's Disclosure Log of Formal Access Applications
- Council's Register of Government Contracts
- Council's record of the open access information (if any) that it does not make publicly available on the basis of an overriding public interest against disclosure; and
- Such other government information as may be prescribed by the GIPA Regulations as open access information.

### 5.2 Proactive Release

In addition to Open Access Information, Council will make as much other information as possible publicly available, unless there is an overriding public interest against disclosure.

Such information may include information frequently requested or information of public interest that has been released as a result of other requests, subject to Copyright and Privacy provisions as outlined in 5.6 and 5.7 and application of the Public Interest Test in 5.8 below.

### 5.3 Informal Release

Access to information which is not available as Mandatory Public Release (open access) or Proactive Release may be provided through Informal Release. Council generally releases other information in response to an informal request subject to any reasonable conditions as Council thinks fit to impose.

Council is authorised to release, Council has the right to decide by what means information is to be released.

### 5.4 Formal Access

Prior to lodging a Formal Access Application, a person seeking information from Council should check if the information being sought is already available on Council's website or could easily be made available through an informal request application.

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If information:

- Is not available via Proactive or Informal Release; or
- Involves a large volume of information, requires extensive research and accordingly will involve an unreasonable amount of time and resources to produce; or
- Contains personal or confidential information about a third party which may require consultation; or
- Is of a sensitive nature that requires careful weighing of the consideration in favour of and against disclosure; then Council requires a Formal Access.

Application should be made to Council in writing by submitting a **Formal Access Application** available on Council's website <https://www.tenterfield.nsw.gov.au/your-council/accessing-information/apply-for-access-to-information> or by contacting Council on 1300 762 400 and should be accompanied by the GIPA prescribed application fee of \$30.00 hourly processing charges may be applicable.

Please note, an application will be invalid if it seeks access to excluded information of Council or does not meet the requirements for a Formal Access application.

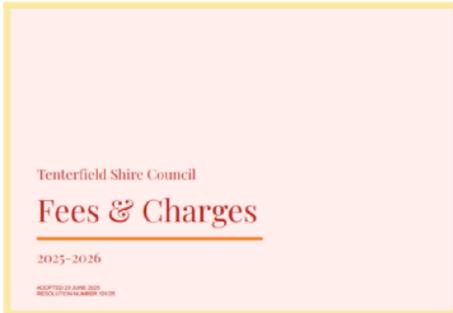
A Formal Access application must:

- be in writing
- specify it is made under the GIPA Act
- state an Australian Postal Address
- be accompanied by the \$30.00 fee
- provide sufficient detail to enable Council to identify the information requested.

### 5.5 Fees and Charges

The *Government Information (Public Access) Regulation 2018* requires that Open Access information held by Council, is to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) and at the offices of the council during ordinary office hours or at any other place as determined by the Council. Any current and previous documents of this type may be inspected by the public free of charge.

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Copies can be supplied for reasonable copying charges as set out in Council's Schedule of Fees and Charges.

Formal Access Applications require payment of \$30.00 application fee and \$30.00 hourly after the first hour.

| NATURE OF APPLICATION | APPLICATION FEE | PROCESSING CHARGES                    | PHOTOCOPYING                              |
|-----------------------|-----------------|---------------------------------------|-------------------------------------------|
| MANDATORY RELEASE     | No Charge       | No Charge                             | As per Council's adopted fees and charges |
| PROACTIVE RELEASE     | No Charge       | No Charge                             | As per Council's adopted fees and charges |
| INFORMAL RELEASE      | No Charge       | No Charge                             | As per Council's adopted fees and charges |
| FORMAL APPLICATION    | \$30.00         | \$30.00 per hour after the first hour | No Charge                                 |

### 5.6 Interaction with Copyright Legislation

Copyright issues may arise when requests are made for copies of documents held by Council.

The *Commonwealth Copyright Act 1968* takes precedence over State legislation. Therefore, the right to copy documents under the GIPA Act does not override the Copyright Act. Nothing in the GIPA Act or Regulations permits Council to make government information available in any way that would constitute an infringement of copyright.



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Access to copyrighted documents will be granted by way of inspection only, unless the copyright owner's written consent is provided. Where authority is unable to be obtained or the copyright owner is not able to be contacted, copies of copyright material will not be provided.

Copyright materials includes, but not limited to, plan/drawings, consultant reports and survey reports.

### **5.7 Interaction with Privacy Legislation**

Access to certain information may be limited in accordance with the *Privacy and Personal Information Protection Act 1998 (PPIP Act)*. The PPIP Act provides for the protection of personal information and for the protection of the privacy of individuals generally.

### **5.8 Public Interest Test**

Under the GIPA Act, when deciding whether or not to release information, government agencies must consider whether there is an overriding public interest against releasing the information.

Referred to as the "public interest test", this requires government agencies to consider balancing factors for and against disclosure of each piece of government information. That balancing must be undertaken within the context of the GIPA Act.

In deciding what information to release, Council will apply the public interest test which will involve:

- Identification of the relevant public interest considerations for disclosure
- Identification of any relevant public interests against disclosure

The GIPA Act (section 14) provides an exhaustive list of public interest considerations against disclosure that decision makers can consider in applying the public interest test:

- Responsible and effective government
- Law enforcement and security
- Individual rights, judicial processes and natural justice
- Business interests of agencies and other persons
- Environment, culture, economy and general matters
- Secrecy provisions specifically provided in legislation
- Exempt documents under interstate Freedom of Information legislation.

## **6 Access and Amendment to Council Documents**

As far as practicable, Government information held by Council will be accessible by members of the public from Council's administration office during office hours 9.30am to 4.00pm Monday to Friday.

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For further enquiries about any document, a Customer Service Officer should be contacted in the first instance.

Any amendment of records held by Council will be undertaken pursuant to the provisions of the *Privacy and Personal Information Protection Act 1998* (PPIP Act).

If you experience difficulty in obtaining Government information or wish to seek an amendment to Council's records concerning your personal affairs, you should contact Council's Public Officer or make written application to Council and addressed to:

Public Officer  
Tenterfield Shire Council  
PO Box 214  
Tenterfield NSW 2372  
Email: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au)



### HOW TO CONTACT COUNCIL

|                        |                                                                                    |
|------------------------|------------------------------------------------------------------------------------|
| Public Officer:        | Director Corporate Services                                                        |
| Telephone:             | (02) 6736 6000                                                                     |
| Free Call:             | 1300 762 400 (no mobile access/local only)                                         |
| Email:                 | <a href="mailto:council@tenterfield.nsw.gov.au">council@tenterfield.nsw.gov.au</a> |
| Website:               | <a href="http://www.tenterfield.nsw.gov.au">www.tenterfield.nsw.gov.au</a>         |
| Postal Address:        | PO Box 214, TENTERFIELD NSW 2372                                                   |
| Office:                | 247 Rouse Street, TENTERFIELD                                                      |
| Customer Service Desk: | 9.30am to 4.00pm (Monday to Friday)<br>Closed 1.00pm to 2.00pm                     |

If you require any other advice or assistance about access to information you may contact the Information Commissioner as follows:

### INFORMATION COMMISSIONER

|                 |                                                                                                             |
|-----------------|-------------------------------------------------------------------------------------------------------------|
| Telephone:      | 1800 472 679                                                                                                |
| Email:          | <a href="mailto:ipcinfo@ipc.nsw.gov.au">ipcinfo@ipc.nsw.gov.au</a>                                          |
| Website:        | <a href="https://www.ipc.nsw.gov.au/about-us/contact-us">https://www.ipc.nsw.gov.au/about-us/contact-us</a> |
| Postal Address: | GPO Box 7011, SYDNEY NSW 2001                                                                               |
| In-person:      | Level 15, McKell Building, 2-24 Rawson Place,<br>HAYMARKET NSW 2000                                         |
| Office Hours:   | 9.00am to 5.00pm Monday to Friday                                                                           |

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If you are deaf or have a hearing or speech impairment, call the National Relay Service (NRS) on 133 677 for assistance.

If you do not speak English, or English is your second language, and you need assistance to communicate with us, call the Translating and Interpreting Service on 131 450.

Information regarding privacy and government access to information, including how to make a complaint or request a review, is now available in a range of community languages.