



BUSINESS PAPER

**Civil and Environmental Services
Committee Meeting
Wednesday, 14 September 2022**

INVERELL SHIRE COUNCIL**NOTICE OF CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING**

9 September, 2022

A Civil and Environmental Services Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 14 September, 2022, commencing at **9:00AM**.

Your attendance at this Civil and Environmental Services Committee Meeting would be appreciated.

Please Note: Under the provisions of the Code of Meeting Practice the proceedings of this meeting (including presentations, deputations and debate) will be recorded. The audio recording of the meeting will be uploaded on the Council's website at a later time. Your attendance at this meeting is taken as consent to the possibility that your voice may be recorded and broadcast to the public.

I would like to remind those present that an audio recording of the meeting will be uploaded on the Council's website at a later time and participants should be mindful not to make any defamatory or offensive statements.

P J HENRY PSM

GENERAL MANAGER

Agenda

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9.05am - Presentation – Alex Wrobel - President, Inverell Polocrosse Club

Ethical Decision Making and Conflicts of Interest

A guiding checklist for Councillors, officers and community committees

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, Councillors can choose to either disclose and vote, disclose and not vote or leave the Chamber.

The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

- 1st** Do I have private interests affected by a matter I am officially involved in?
2nd Is my official role one of influence or perceived influence over the matter?
3rd Do my private interests conflict with my official role?

Local Government Act 1993 and Model Code of Conduct

For more detailed definitions refer to Sections 442, 448 and 459 or the *Local Government Act 1993* and Model Code of Conduct, Part 4 – conflicts of interest.

Disclosure of pecuniary interests / non-pecuniary interests

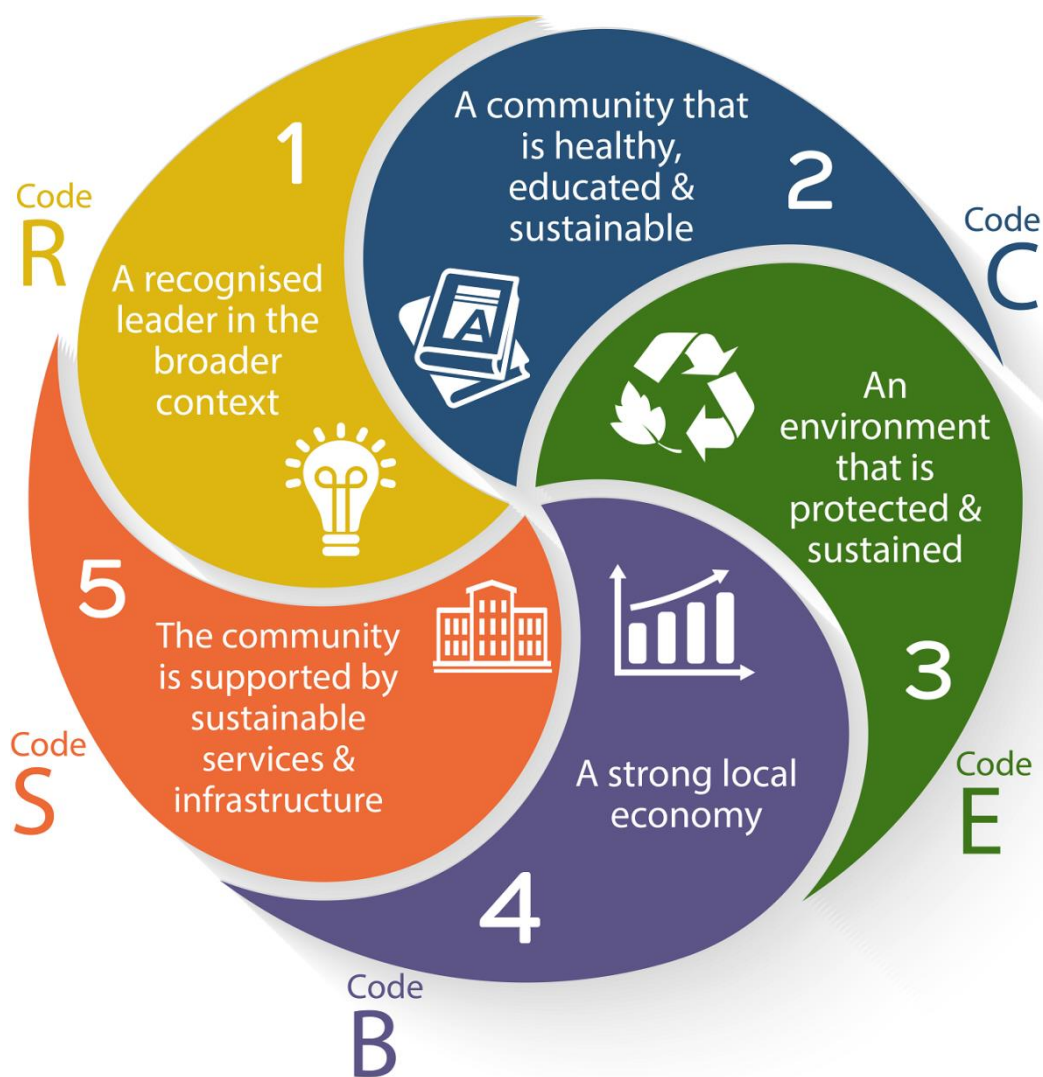
Under the provisions of Section 451(1) of the *Local Government Act 1993* (pecuniary interests) and Part 4 of the Model Code of Conduct prescribed by the Local Government (Discipline) Regulation (conflict of interests) it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

A Declaration form should be completed and handed to the General Manager as soon as practicable once the interest is identified. Declarations are made at Item 3 of the Agenda: Declarations - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed: The Declaration Forms can be downloaded at [Disclosure of pecuniary interests form](#) or [non-pecuniary interests form](#)

Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan;
- Inverell Shire Council Delivery Plan; and
- Inverell Shire Council Operational Plan.



1 APOLOGIES

2 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Civil and Environmental Services Committee Meeting held on 10 August, 2022, as circulated to members, be confirmed as a true and correct record of that meeting.

**MINUTES OF INVERELL SHIRE COUNCIL
CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD AT THE YETMAN HALL, YETMAN ON WEDNESDAY, 10 AUGUST, 2022 AT 1.50PM**

PRESENT: Cr Stewart Berryman (Chair), Cr Di Baker, Cr Wendy Wilks and Cr Jacko Ross.

IN ATTENDANCE: Cr Nicky Lavender, Cr Kate Dight, Cr Paul King OAM and Cr Jo Williams
Paul Henry (General Manager), Brett McInnes (Director Civil & Environmental Services), Paul Pay (Director Corporate and Economic Services) and Justin Pay (Manager Civil Engineering).

Note: Yetman Community Access Session held prior to the Committee meeting. Notes of the meeting attached.

1 APOLOGIES

COMMITTEE RESOLUTION

Moved: Cr Di Baker

Seconded: Cr Jacko Ross

That the apology received from Cr Paul Harmon for Council business reasons be accepted and leave of absence granted.

CARRIED

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Jacko Ross

Seconded: Cr Di Baker

That the Minutes of the Civil and Environmental Services Committee Meeting held on 13 July, 2022, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

Nil

4 PUBLIC FORUM

Nil

5 DESTINATION REPORTS**5.1 GRAVEL RESHEET PROGRAM 2022-2023 S28.21.1/15****COMMITTEE RESOLUTION**

Moved: Cr Wendy Wilks

Seconded: Cr Di Baker

That the Committee recommend to Council that:

- i. the 2022-2023 Gravel Resheeting Program as presented be adopted; and*
- ii. the adopted program be placed on Council's website for the information of the community.*

CARRIED

5.2 SPECIAL PROJECTS ROADS INFRASTRUCTURE FUNDING ALLOCATION - 2022/2023 S28.16.7**COMMITTEE RESOLUTION**

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

That the Committee recommend to Council that Council allocate \$341,055 funding from the 2022/2023 Special Roads Projects budget to extend the bitumen seal on Jones Road.

CARRIED

5.3 REFERRAL OF CONFIDENTIAL REPORT**COMMITTEE RESOLUTION**

Moved: Cr Jacko Ross

Seconded: Cr Wendy Wilks

That the Committee refer the matter to Closed (Public excluded) meeting of the Committee and that the press and members of the public be asked to leave the chambers whilst the Committee considers the following item:

Item: #7.1 – S28.28.2/14 - Procurement of Bitumen and Aggregate Services 2022-2023

Authority: Section 10A (2)(d)(i) "Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it". Local Government Act 1993.

CARRIED

6 INFORMATION REPORTS

COMMITTEE RESOLUTION

Moved: Cr Jacko Ross

Seconded: Cr Di Baker

That the following information reports be received and noted.

CARRIED

6.1 WORKS UPDATE S28.21.1/15

6.2 DA-38/2022 - UPDATE DA-38/2022

6.3 ALLOCATION OF 2022/2023 SEALED ROAD REHABILITATION FUNDING S28.16.5

7 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)

At 1.55pm, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Committee Meeting should not be considered in Closed Committee. There was no response.

COMMITTEE RESOLUTION

Moved: Cr Di Baker

Seconded: Cr Wendy Wilks

That the Committee proceeds into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Di Baker

Seconded: Cr Jacko Ross

That the Committee proceeds out of Closed Committee into Open Committee.

CARRIED

Upon resuming Open Committee at 1.59pm, the Chairperson verbally reported that the Committee had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend to Council the following:

7.1 PROCUREMENT OF BITUMEN AND AGGREGATE SERVICES 2022-2023 S28.28.2/14

RECOMMENDATION:

That the Committee recommend to Council that Council accept the quotation from NSW Spray Seal Pty Ltd under a full service contract for the 2022-2023 Bitumen Resealing Program and the

2022-2023 Construction Spray Sealing Program in the amount of \$1,979,816 and that Roadwork Industries and Boral be notified as alternatives should NSW Spray Seal be unable to service Council's 2022-2023 Construction Spray Sealing Program.

ADOPTION OF RECOMMENDATIONS

COMMITTEE RESOLUTION

Moved: Cr Di Baker

Seconded: Cr Jacko Ross

That the recommendations of Closed Committee be adopted.

CARRIED

The Meeting closed at 2.00pm.

NOTES OF THE YETMAN PUBLIC FORUM HELD IN THE YETMAN HALL, YETMAN ON WEDNESDAY, 10 AUGUST, 2022, COMMENCING AT 12.30 PM

IN ATTENDANCE: Cr Kate Dight, Cr Stewart Berryman, Cr Di Baker, Cr Jacko Ross, Cr Wendy Wilks, Cr Paul King OAM, Cr Nicky Lavender and Cr Jo Williams.
Paul Henry (General Manager), Brett McInnes (Director Civil & Environmental Services), Paul Pay (Director Corporate and Economic Services) and Justin Pay (Manager Civil Engineering).

| <u>Topic</u> | <u>Questions/Response</u> |
|--------------------------------------|---|
| Water Main Breaks in McIntyre Street | <p><u>Mary Gaston</u></p> <p>Mrs Gaston lives in McIntyre Street and expressed concern about the number of water pipe breakages in front of her house and in McIntyre Street. Mrs Gaston enquired as to the reason for these breaks?</p> <p><u>Response</u></p> <p>Brett McInnes advised that it is an issue Council is aware of. The pipe work is very old it has reached the end of its asset life. Ground movement caused by wet weather is causing the pipes to break and repairs are being undertaken as required.</p> <p>Survey and design work will be undertaken with a view to work commencing in the 2nd quarter of next year. Crews are extremely busy due to extreme wet weather.</p> <p><u>Iris Barry</u></p> <p>Mrs Barry also commented on the broken water pipes in McIntyre Street and the damage it has caused to the nature strips and has asked for this to be addressed as soon as possible.</p> |

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| Disposal fees for green waste | <p><u>Helen Moore</u></p> <p>Helen asked why do we have to pay to dump green waste?</p> <p><i>Response</i></p> <p>Brett McInnes advised that the green waste has to be transported from the Transfer Station in Yetman to the Inverell Landfill for processing. There is a cost associated with this and this cost is passed on in part to the person generating the waste so the costs incurred by Council can be recovered.</p> <p>Cr Dight asked if there was a possibility of a bulk delivery day where there would be no cost to the community for disposing of their waste.</p> <p><i>Response</i></p> <p>Brett McInnes advised there is a possibility of this in the future but reiterated that while it may be 'free of charge' to the community there would still be a cost to Council.</p> |
| Bus Shelter | <p><u>Lynette Wilshire</u></p> <p>Mrs Wilshire spoke about the bus shelter near the phone box and the sight issues it is causing with motorists entering Bruxner Way. Mrs Wilshire would like to know why that location was chosen and can the bus shelter be moved to a more suitable location?</p> <p><u>Allen Percival</u></p> <p>Mr Percival also commented and asked why Apex Park was not used as a bus set down point as it seemed like a more obvious location.</p> <p><i>Response</i></p> <p>Cr Dight suggested this may be a Transport for NSW issue. Council to take this on notice and provide a response.</p> |
| Goat Rock Road access | <p><u>Mr and Mrs Kimmorley</u></p> <p>Mrs Kimmorley and her husband Roger do the mail run on the North Star-Yetman Road and commented on the inaccessibility to Goat Rock Road after rain fall.</p> <p><i>Response</i></p> <p>Brett McInnes advised a maintenance grade is expected at the end of this week. Justin Pay also confirmed future works are planned for Goat Rock Road when weather permits.</p> |
| Truck access to village streets | <p><u>Allen Percival</u></p> <p>Mr Percival spoke about the trucks in the village, specifically B doubles and road trains. Mr Percival commented that he didn't think these trucks were allowed in the village and asked 'what trucks are allowed in the village?'</p> <p><i>Response</i></p> <p>Justin Pay advised there is a website on which you can check the classification of roads. Also advised that any truck classed as 'General Access' can go anywhere on Council's road network unless otherwise</p> |

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| | sign posted. Council to take on notice regarding sign posting. |
| Bruxner Highway | <p><u>Colin Johnson</u></p> <p>Mr Johnson travels to Tenterfield 2 to 3 times per week and commented on the poor condition of the regional roads in the area. Mr Johnson also raised concern regarding B-doubles and road trains travelling on the Warialda Road south of the Bruxner Way leaving no room for cars to pass. Mr Johnson is concerned for people's safety.</p> <p><i>Response</i></p> <p>Cr Dight advised the Councillors and staff have driven on these roads today and noted the conditions.</p> <p>Brett McInnes advised that defects are recorded as part of risk management and asset management. Reduce speed signs are put in place as an immediate action to advise the public of the condition of the road. Mr McInnes also acknowledges there is significant defects and Council does have a process in place for dealing with maintenance of roads including prioritising work, Mr McInnes also cited the challenges faced at the moment due to weather limitations. Mr McInnes also confirmed Warialda Road is not an approved route for road trains.</p> |
| Recruitment Yetman Staff | <p>– <u>Colin Johnson</u></p> <p>Mr Johnson asked about recruitment especially as there is now only 2 Yetman based Council staff. Mr Johnson</p> <p>Mr Johnson believed that Yetman had four (4) Council staff positions. Given Yetman only has 2 current staff members, Mr Johnson enquired when will Council commence recruitment for these vacant positions.</p> <p><i>Response</i></p> <p>Mr McInnes advised there is usually three (3) Yetman based positions. Positions are normally advertised internally first which then creates a flow on effect before positions are advertised externally. Mr McInnes confirmed there is a Yetman position currently being advertised.</p> |
| Playground Equipment | <p><u>Charmaine Johnstone</u></p> <p>Ms Johnstone is the principal of the Yetman School. Ms Johnstone asked if there are any plans for infrastructure (playground equipment) for children in the village?</p> <p><i>Response</i></p> <p>Paul Henry advised there is no provision in this year's budget for playground equipment in Yetman. However, suggested the Yetman Hall Committee come up with a suggested priority location for more 'play equipment'. The Hall Committee will be provided with a catalogue to pick the type of equipment they believe is needed in Yetman.</p> |
| Defibrillator | <p><u>Mrs Kimmorley</u></p> <p>A member of the community asked if there could be a defibrillator located in the Town.</p> <p>Sheree Bailey advised that funds have been raised and one is being purchased on Thursday to be located at the Yetman Store.</p> |
| Council Website | <p><u>Colin Johnson</u></p> <p>Mr Johnson complimented Council's on its website and the up to date</p> |

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| | information provided on road closures. |
| Civil Works | <u>Cr Dight</u> Mrs Potter from the post office could not attend in person but wanted to pass on her compliments to Council on the work being completed around the village and on the road network. |

- 3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS**
- 4 PUBLIC FORUM**

5 DESTINATION REPORTS

5.1 ROAD CLOSURE - EAT DRINK LIVE NEW ENGLAND

File Number: S30.9.2 / 22/30676

Author: Michael Frost, Technical Support Officer

SUMMARY:

Council is in receipt of a request from the Event Coordinator of Eat Drink Live New England for the closure of the Evans Street precinct from 12pm Friday, 11 November 2022 to coincide with their annual event to be held Saturday, 12 November 2022. The Committee is being asked to make a determination in response to the road closure request.

RECOMMENDATION:

That the Committee recommend to Council that:

- 1) *Council approve the closure of Evans Street between Otho Street and Campbell Street from 12pm on Friday, 11 November 2022 until 6pm Saturday, 12 November 2022; and*
- 2) *Council by way of donation cover the costs of the road closure and other in-kind support to facilitate the Eat Drink Live New England Event.*

COMMENTARY:

Council is in receipt of a request from the Eat Drink Live New England committee for the closure of Evans Street between Otho Street and Campbell Street from 12pm on Friday 11 November 2022. Closure is requested to coincide with their annual event to be held Saturday 12 November 2022 to allow for sufficient time for the set-up of barriers, stall sites and amenities. It is proposed that normal traffic flow in Evans Street will be reinstated at 6.00pm on Saturday, 12 November at the event's conclusion. For the information of the Committee **Attachment 1** contains a copy of the correspondence requesting the road closure and the associated map.

The Eat Drink Live New England event is the major fundraiser for The Inverell Club. Profits for this event are applied to the upkeep, maintenance, and ongoing operations of the club's buildings and facilities. The event has grown exponentially since its inception and is heading into its sixth year after a forced two-year Covid-19 hiatus in 2020 and 2021. Initially the event was held in the Inverell Club incorporating the immediate footpath, expectations for this year are for in excess of 50 stall holders spread over the entire block promoting various forms of local produce from throughout the tablelands. Live bands, a beer garden, Art gallery exhibition, and celebrity cooking competitions are also a feature of this year's event which adds to its popularity, attracting public from throughout the Shire and beyond.

Since the 2018 event, Evans Street precinct has been closed at 12pm on the Friday prior adding to the success and smooth running of the event. With the ability to access the site early, the limited number of volunteers are able to:

- Coordinate delivery, unloading and installation of approximately 175 metres of mesh fencing.
- Peg out and mark stall holder sites.
- Set up marquees/shade shelters.
- Provide power to sites and conceal cables.
- Set up speakers for band and PA system for committee and conceal cables.
- Deliver and set up stages (band & cooking demonstrations).

- Position Pantech truck in easterly parking bays of Turnham Car Park.

Closure at the precinct in previous years has not created any traffic management issues.

In previous years this event has clashed with the visit by the BreastScreen mobile van to Turnham Car Park creating competition for access to 3 Phase power however, this year the BreastScreen mobile van is booked to commence later in the month on Monday, 21 November 2022.

Council has legislated authority under the *Roads Act 1993 – Section 122* to grant a permit for an event with associated road closure. Should Council agree to the requested road closure, the appropriate approvals will be obtained from the NSW Police.

Access to the Art Gallery and the owner of 83-85 Otho Street would be impacted by any road closure approval. As for past events, The Event Coordinator for Eat Drink Live New England will approach representatives of both sites for their consent. The Committee will also need to accommodate any vehicles that may be within the confines of this area when the proposed road closures commence. Those vehicles will need to be monitored and owners provided a prompt, clear and unobstructed exit from the area.

Several other requests have been made of Council in support of the event. The committee has requested extra bins and asked if Council is in a position to supply seating for visitors attending the event. Council will be supplying extra bins for rubbish collection, but does not have the assets to supply seating for the event.

Assistance in advertising the event has commenced through all of Council's social media channels plus websites and the event is included in rotation on the large LED "What's on in Inverell" sign out the front of the Inverell Visitor Information Centre. The event is being promoted during the Council's fortnightly community calendar on Sta FM.

Council has processed and approved the application for the street banner to be erected in support of Eat, Drink, Live New England event.

The Committee is requested to make a determination regarding Eat Drink Live New England's request for closure of Evans Street between Otho & Campbell Streets between the hours of 12pm on Friday, 11 November 2022 and 6pm Saturday, 12 November 2022.

The estimated cost to Council for staff to set up and remove road closures is \$450. The organising Committee have requested in-kind sponsorship from Council to cover the cost of the road closure.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Council has previously donated \$4,000 each year to Eat Drink Live for events held in 2018 & 2019. These two donations were funded from the Joint Industries Promotions fund.

Sufficient funding is available in the 2022-2023 Joint Industries Promotions budget to cover the cost of road closures.

LEGAL IMPLICATIONS:

NIL

ATTACHMENTS:

1. Correspondence and Associated Map Requesting Road Closure [↓](#)



Mr Paul Henry
Inverell Shire Council
Otho Street
INVERELL NSW 2360

Dear Paul

Re: Eat Drink Live New England

After a Covid respite, we are well underway in the organizing this years' event. We have valued Inverell Shire Council's support over the years and were hoping to have you onboard for this year's event. The 2022 programme is set out below.

| | |
|------------------------|---|
| Sunday 6th November | Beer & Brisket @ Inverell Club |
| Saturday 12th November | Market day 10am – 3pm |
| Saturday 12th November | Eat Drink Live After Dark from 6.30pm (a new more casual event with live music) |

This year's market day will include cooking demonstrations (TAFE NSW), Art Galley Exhibition, BBQ Cooking Challenge, Beer Garden and live music. We have 31 sites booked to date, and feel we are well on our way to over 50 sites.

We request Inverell Shire Council's assistance and direction to help us ensure a successful event. Following is a list of key components that we are hoping you can assist us with.

- **Street Closure** – as in prior years we are looking to close the Evans Street Cultural Precinct area to traffic to allow us to host in the street. We attach our Special Event Transport Management Plan and supporting risk assessment for your review.
- **Breast Cancer Screening Van** – we are enquiring if the van is scheduled to be in carpark adjacent to this area, the weekend of Eat Drink Live, as we will need to make alternative arrangements to access sufficient power for stall holders.
- **Access to power** – we request access to power that is available in this area during the event.
- **Additional bins** – we request that additional bins are provided for us to utilise during the Saturday event to ensure the area is kept clean.
- **Chairs** – we request if Council would be in the position to supply seating for us to use within the markets stall area for visitors to the event.
- **Assistance with advertising** – we enquiry how we book in our event with the Council digital signage at the Tourism Centre and the signs on entry to town.
- **Town banner** – we attach a completed booking sheet for displaying an Eat Drink Live banner in Otho Street in the lead up to the event for your consideration.

Previously Inverell Shire Council has supported this event with a monetary sponsorship. We have been able to structure our event to be financially sustainable and this year request if Council could consider an in-kind sponsorship. We are hoping that Council could;

- Waive the associated fees required for the street closure
- Provide the above requested items (bins & chairs) as in kind
- Provide assistance to the committee in the set up of the enclosed area on the Friday afternoon with the provision of temporary fencing, if this available through Council.

We have stall holders already confirmed from Uralla, Port Macquarie, Dorrigo, Armidale, Grafton and Inverell. We will be undertaking print advertising in Southern Queensland area and extensive social media advertising. We are expecting that this event will not only have local residents from Inverell in attendance, but we will have visitors from across the New England and North West area in Inverell for the weekend.

We would like the opportunity to discuss our event further with you and your team. Please let us know a suitable time and we can schedule.

If you have any questions, please get in touch.

Best regards

Sean Taylor
Event Coordinator

Eat Drink Live New England
The Inverell Club Ltd
1-2 Evans Street, Inverell NSW 2360



5.2 INVERELL POLOCROSSE CLUB - REVIEW OF 2022 SWAN CUP

File Number: S26.1.1/13 / 22/30957

Author: Paul Henry, General Manager

SUMMARY:

The Club has provided a 'summary of results' for the inaugural Swan Cup and the matters that will contribute to a successful event in 2023.

RECOMMENDATION:

A matter for the Committee.

COMMENTARY:

The Inverell Polocrosse Club hosted the inaugural Swan Cup from 14 to 17 July, 2022. The Cup was a standard carnival with the right for any competitor to place a horse in an auction sale conducted during the event.

The President of the Club, Mr Alex Wrobel, has provided a summary of the event and the economic impact of conducting this event. Mr Wrobel also highlights a number of matters that need to be addressed to run a successful event in 2023.

Mr Wrobel will be attending today's meeting during public forum, to speak further on the details provided below.

The Club has provided the following details:

a) Swan Cup

- 5 Open Men's Teams (7 players per team)
- 4 Open Women's Teams (7 players per team)
- 4 Incentive Teams (6 players per team)
- 30 Club Teams (6 players per team)
- That's a total of over 215 competitors across four days.
- A total of \$45,300 was awarded in prize money (plus other prizes that were donated by local businesses), making this the 'richest polocrosse event' in the world.
- We had 26 horses entered in the sale and sold 24 of them grossing over \$300,000, with the top priced horse selling for \$65,000.
- We anticipate that we had over 1,500 competitors, visitors and volunteers at the event over the 4 days.
- We had a huge number of prime movers, trucks, goosenecks, horse floats, caravans and cars turn up to the event.

b) Economic Impact

- The Delungra CWA provided meals via our canteen building across the four days and made a profit of \$4,500.
- Baked by Danelle had her coffee van at the event and took \$5,000 worth of sales over the four days.
- Baker's Barn sponsored our event and held a 20% off sale for people involved in our event and had a very successful few days.
- Sporties Inverell supplied our alcohol for our bar and we purchased over \$12,500 worth of beer and spirits from them.
- We hired generators from McNeils Hire and bought fuel to run them in town for a combined cost of \$3,200.
- Motels: we were unable to get an indication from the motels and caravan parks in town as to how many people used their services; however, I did speak to a number of people who stayed in motels for the duration of the competition.
- Our club made a profit of \$2557.78 for the weekend, which sounds small for a large event. This is for a couple of reasons; It was our first year and predicting costs was difficult to forecast; We were wanting to make a great first event to build for the future; the best source of income for us is getting horses to sell and this should improve next year with buyer and seller confidence greatly improved; and we have some huge costs due to hire equipment, paying for fuel for generators and purchasing water.
- We predict that the event potentially brought \$622,892.
 - Worked out at \$50 per head for groceries, \$30 per head for alcohol, \$50 per head for fuel, \$30 per head for general shopping times by 1500 people
 - \$50,000 in entry fees
 - \$300,000 for sale horses
 - \$5,000 turnover for Baked by Danelle
 - \$4,500 profit for Delungra CWA
 - \$12,500 at Sporties by the club to purchase bar stock
 - \$3,200 for McNeils and fuel
 - \$1,000 at IGA
 - \$500 for Sunderlands cleaning supplies
 - \$2,000 at TSG
 - \$792 for New England Loo Hire
 - \$2,200 for a band that played on Saturday night from Armidale.
 - \$1200 for Waterfall Way Designs to manage our website annually

c) Swan Cup and Beyond

The Swan Cup will run in the last full week in March every year.

In 2023 it will be from the 23rd - 26th of March.

As you can see from above, our first event was a major success with the club hosting its biggest ever event. The town was well supported due to us hosting such a prestigious event now in the horse calendar. We are well supported by the polocrosse association and Nutrien Equine with the future looking promising for our event.

The majority of competitors and vendors expressing their interest in returning next year and a number of others want to join in the festivities. We even have a team of players from New Zealand who are wanting to come and play here next year.

Things we need to make this an ongoing success:

- sand for fields and to be spread
- Large water tanks and to be filled and more taps/ bore
- Generators for power
- Council to maintain fields during the year
- Help with marketing of event - Radio, TV, Peter Caddey @ SC
- Assistance in engaging the Chamber of Commerce - Voucher/ discount giveaway to promote what's on offer.

Things we would like:

- portable lights for night games
- Grandstands for seating

d) Summary Benefits

- With top facilities Inverell to host state and international games
- Multiple horse disciplines to use facilities
- Camp draft arena could be established
- Buy more neighbouring land to be a major horse centre in the country

d) Letter of Support

A spectator at the event, Mr Paddy Miller, has provided a commentary on his impressions of the event. A copy of Mr Miller's letter is attached.

Note: The land upon which the event was held is Council owned land. Purchased in 2021 for \$85K. The Polocrosse Club contributed \$32K towards the cost.

The ground is managed by the Inverell Polocrosse Club.

ATTACHMENTS:

1. Letter of Support - Swan Cup 2022 [↓](#)

Paddy Miller

Inverell.

Dear Paul,

I have been asked by members of the Inverell Polo Cross Club to write a letter on my thoughts on their recent carnival held here in Inverell.

My only previous connection to anything Polo Cross was that my mother played in her youth and as kids we went with her as interested spectators to a couple of local carnivals as she still knew quite a few of the players.

Donna and I went out on the Saturday afternoon to watch the two semi-final matches which were both incredibly competitive. As an avid fan of most sports, I was surprised at the remarkable physicality and skill level of both the rider and their horse, but what surprised me even more was the amount of people that were out there.

I had been following the event on Facebook and on the Saturday morning an overhead photo of the site was posted along with the results. I was astounded at the photo as it showed what seemed like a village had appeared out of nowhere. This was even more evident on our way out as we drove towards the venue when all you could see were the trailers and campsites of the competitors who had made this their home for most of the previous week.

From an outsiders point of view everything appeared to be extremely well organised, considering given this was the first event of its type to be held, that is, a polo cross carnival with serious prize money held in conjunction with a sale of immaculately prepared horses.

The sale was conducted by Nutrien Equine and I was fortunate to run into former Inverell boy, Mark Witherdin who is now a senior manager for Nutrien in Tamworth and he could not speak more highly of how well the event had been managed.

I could only guess as to the amount of money that the event generated for Inverell over the four or five days of the carnival, but I would think it well in to the hundreds of thousands of dollars. We were out for drinks and dinner on the Friday night at The Welders Dog and gathering by the team names on the shirts that quite a number of the customers were wearing, I'd say the majority of the patrons were here for the polo cross.

I've often thought that we need a major annual event in town that will add a considerable boost to the local economy, and going on from what I witnessed on the Friday night and Saturday afternoon I honestly believe this event has the potential to be just that. The committee is obviously very passionate and enthusiastic about realising the potential in the event and I for one can't wait for next years carnival. It really is a must see, not only for those interested in horse sports but for anyone interested in serious competitive competition.

Paddy Miller

5.3 EMPLOYMENT ZONES REFORM**File Number:** S18.6.49 / 22/31192**Author:** Anthony Alliston, Manager Development Services**SUMMARY:**

The purpose of this report is to update the Civil and Environmental Services Committee in regard to the state-wide public exhibition of the employment zones reform which ran from 31 May, 2022 to 12 July, 2022. A single submission was received in relation to Inverell's E4 General Industrial Zone.

The Committee is being asked to endorse the inclusion of a *"recreation facility (outdoor)"* in the E4 General Industrial Zone and to advise the NSW Department Planning and Environment's employment zones reform team.

RECOMMENDATION:

That the Committee recommend to Council that:

- i. a "recreation facility (outdoor)" be included as a permitted land use in the E4 General Industrial Zone and to advise the Department Planning and Environment's employment zones reform team; and*
- ii. The Director Civil and Environmental Services be authorised to undertake the procedural steps associated with the progress of the employment zones reform, including any changes and minor amendments consistent with the intent of the reforms.*

COMMENTARY:**BACKGROUND**

On 23 March, 2022 Council was presented with a destination report asking Council to endorse the *"translation of the employment zones land use tables"* for the purpose of the public exhibition as part of the Department Planning and Environment's employment zones reform.

At the meeting, Council resolved (RES: 2022/50) to:

- I. Endorse the "translation of the employment zones land use tables" for the purpose of the public exhibition as part of the Department of Planning and Environment's employment zones reform; and*
- II. The Director Civil and Environmental Services be authorised to undertake the procedural steps associated with the progress of the employment zones reform, including any changes and minor amendments consistent with the intent of the reforms; and*
- III. A further report be submitted in relation to the employment zones reform following public exhibition.*

Public Exhibition

The employment zones reform public exhibition ran from 31 May, 2022 to 12 July, 2022. The exhibition process was run state-wide by the NSW Department Planning and Environment (DPE). DPE exhibited the Inverell Shire Council endorsed "land use tables" and associated mapping via the NSW Planning Portal.

As part of this process feedback was invited in regard to mapping changes, local objectives and local land uses. State-wide, DPE received around 400 submissions via the Planning Portal.

During the exhibition period only one (1) submission was received in relation to Inverell. The submission requested consideration be given to the inclusion of a *"recreation facility (outdoor)"* in the E4 General Industrial Zone.

“As most businesses within the General Industrial Zones are small business, would it be possible to consider moving Recreation Facility (Outdoor) from Prohibited to Permitted with consent? This would open up the unused land behind these small businesses to have some earning potential. By introducing facilities such as, Mini Golf, a Driving Range, Go-Karts or an Archery Range these small businesses would be able to diversify and it would assist in their re-growth.”

Following the exhibition period DPE provided Council with the details of the submission and have given Council the option to consider inclusion of a *“recreation facility (outdoor)”* in the E4 General Industrial Zone.

Discussion

The request to include a *“recreation facility (outdoor)”* as *“permitted with consent”* in the E4 General Industrial Zone is considered to be a reasonable request. A *“recreation facility (outdoor)”* is defined as:

“a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).”

After reviewing the submission, the objectives of the E4 General Industrial Zone and the distribution of industrial land in Inverell, it is considered that the inclusion of a *“recreation facility (outdoor)”* as *“permitted with consent”* would not cause any unintended consequences.

The inclusion within the land use tables as *“permitted with consent”* means that a Development Application for a *“recreation facility (outdoor)”* would still need to be lodged and assessed by Council in regard to its specific merits. Matters that would be assessed, monitored and managed through the Development Application process would include traffic and parking, noise, visual impact, flooding and land use conflict.

The inclusion of a *“recreation facility (outdoor)”* as *“permitted with consent”* within the E4 General Industrial Zone would also give more flexibility to allow for the assessment of a Development Application, by Council, of potential future outdoor recreation uses which may be beneficial to the community or (as the submission suggests) allow local businesses to diversify.

The future development of an appropriately designed golf driving range, skate board ramp, archery range, go-kart track or mini golf centre within the E4 General Industrial Zone is not an unreasonable proposition.

Conclusion

The employment zones reform public exhibition was undertaken by DPE and it ran from 31 May, 2022 to 12 July, 2022. During the exhibition period one (1) submission was received in relation to Inverell. The submission requested consideration be given to the inclusion of a *“recreation facility (outdoor)”* in the E4 General Industrial Zone.

This request is considered acceptable as it would not result in unreasonable land use impacts or trigger unintended consequences, a Development Application would still need to be lodged and assessed by Council, it would allow local businesses to diversify and it would also provide more flexibility within Council's planning frame-work to consider future development.

The Committee is being asked to endorse the inclusion of a *“recreation facility (outdoor)”* in the E4 General Industrial Zone and to advise the Department Planning and Environment's employment zones reform team.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

The changes proposed by the Department of Planning and Environment to the *Inverell Local Environmental Plan 2012* will change existing business and employment zones descriptions. The changes will not alter the intent of the zones.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

5.4 EXTENSION OF TEMPORARY TRAFFIC MANAGEMENT ARRANGEMENTS FOR DROUGHT RELIEF TRANSPORT**File Number:** S28.15.3/12 / 22/31199**Author:** Matthew Mephram, Works Engineer**SUMMARY:**

At the Ordinary Council Meeting in October 2021, Council resolved to approve the extension of the temporary Drought Recovery Access for Restricted Access Vehicles on the Shire road network until 19 September, 2022 under the General Manager's Delegation to facilitate movement of stock feed for drought relief purposes. Transport for NSW (TfNSW) is extending this access for agricultural commodities on the state road network until 19 September, 2023. They are requesting Inverell Shire Council consent to extend the temporary access on the Shire road network in order to facilitate the continuing movement of Restricted Access Vehicles.

RECOMMENDATION:

The Committee recommend to Council that the extension of the temporary Drought Recovery Access for Restricted Access Vehicles hauling agricultural commodities on the Shire road network until 19 September, 2023 be approved under the General Manager's Delegation.

COMMENTARY:

At the Ordinary Meeting in October 2021, in response to the significant drought conditions and severe impacts on the agricultural sector, Council resolved:

RES 2021/147 "That Council approve the extension of the temporary Drought Recovery Access for Restricted Access Vehicles on the Shire road network until 19 September, 2022 under the General Manager's Delegation".

Since that time, the vast majority of permits applied for and approved under the drought relief measures were for movements along the Gwydir Highway and had minimal impacts on the Shire local road network. Over 300 permits for Restricted Access Vehicles have been granted over the past 3 years in line with the Temporary Drought Recovery Access through Inverell. Permits were granted for 12 months at a time during this period, therefore some operators would have multiple permits due to re-application after the 12-month permit period expired. These are included in the 300 permits granted.

Transport for NSW have recently contacted Council to inform they are extending the Temporary Drought Recovery Access for Restricted Access Vehicles hauling agricultural commodities on all State roads in preparation for the busy 2022-23 harvest season. The scheme has shown significant benefits in productivity, safety and sustainability for industry and the broader community primarily through a reduction in truck trips required to move the same freight task. TfNSW is seeking approval from all participating local Councils, including Inverell Shire Council, to extend the Temporary Drought Recovery Access for Restricted Access Vehicles hauling agricultural commodities for their Shire road network. A copy of the correspondence from TfNSW is provided in **Attachment 1**.

Over the 3 years that Inverell Shire Council has facilitated temporary access of Restricted Access Vehicles, Council has monitored the impacts these vehicles have on our road network. There have been no safety issues with the routes approved but there has been an increase in the maintenance burden. This increased maintenance includes the repairing of damaged pavement caused by the increased screwing and greater freight loads, replacing and repairing guardrails and signage due to the larger turning path required and driver error when manoeuvring the routes that are approved for access.

Council staff are in ongoing discussions with TfNSW staff regarding possible grant funding to upgrade the local roads in the Inverell LGA in order to facilitate larger restricted access vehicles moving east-west. The upgrades required are to the intersections of:

- Ring Street – Ashford Road;
- Ashford Road – Swanbrook Road;
- Swanbrook Road – Runnymede Drive, and
- Runnymede Drive – Gwydir Highway.

Although there is the increased maintenance burden, the extension of the Temporary Drought Recovery Access through Inverell will help to facilitate the continuing movement of Restricted Access Vehicles and the safe and productive movement of stockfeed. Therefore, it is recommended that the Committee recommend to Council to grant the extension of the Temporary Drought Recovery Access for Restricted Access Vehicles hauling agricultural commodities on the Shire road network until 19 September, 2023 under the General Manager's Delegation.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

1. Correspondence from TfNSW [↓](#)



2 September 2022

Mr Paul Henry
General Manager
Inverell Shire Council
144 Otho Street
Inverell NSW 2360

RE: Agricultural commodity access extension

Dear Paul

Over the last two harvest seasons, Transport for NSW and a number of local councils in NSW, including Inverell Shire Council, worked closely with industry to implement temporary drought recovery access for the safe and productive movement of grain and livestock, particularly using high productivity road trains.

Our analysis of this temporary access has shown significant benefits in productivity, safety and sustainability for industry and most importantly for the broader community. These benefits have primarily come through a reduction in truck trips required to move the same freight task.

Given the 2022-23 harvest is predicted to be another large season and with some regions recovering from flooding and impacts from the pandemic, Transport for NSW has been working with road managers from each of the participating councils to continue this expanded access for agricultural commodities, grain, livestock, and baled fodder only, from 20 September 2022 to 19 September 2023.

In alignment with this, Transport for NSW is extending the current additional access for agricultural commodities on State Roads while all other participating councils are considering extending the agricultural commodity access on their networks.

The freight industry has highlighted the strategic importance Inverell Shire Council holds in the efficient movement of agricultural goods in the New England region. My team has continued to work well with Matthew Mephram from your team and appreciate his efforts to enable the extension of this important access. With your consent, we will immediately update the relevant maps to extend the Inverell Shire Council agricultural commodities access to 19 September 2023.

If you would like to discuss this access arrangement further please don't hesitate to contact either myself or Pat Munro, Manager Road Access, on 0457 525 211.

OFFICIAL

Transport for NSW
M 0476 835 592 | W transport.nsw.gov.au | ABN 18 804 239 602

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Scott Greenow', with a long horizontal stroke extending to the right.

Scott Greenow
Director Operations
Freight Branch, Transport for NSW
M: 0476 835 592
E: scott.greenow2@transport.nsw.gov.au

OFFICIAL

5.5 PLANNING PROPOSAL - REQUEST TO AMEND INVERELL LOCAL ENVIRONMENTAL PLAN 2012 - 1 BURGESS STREET, INVERELL**File Number:** S18.6.34/11 / 22/31230**Author:** Chris Faley, Development Services Coordinator**SUMMARY:**

This report has been triggered by a request to Council to undertake a Planning Proposal to amend the *Inverell Local Environmental Plan 2012* in relation to 1 Burgess Street, Inverell. The Planning Proposal is seeking to permit a 'Centre-Based Child Care Facility' on 1 Burgess Street, Inverell as an 'Additional Permitted Use' under Schedule 1 of the *Inverell Local Environmental Plan 2012*.

It is recommended that the proposal be supported and that Council forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway determination in accordance with sections 3.33 and 3.34 of the *Environmental Planning and Assessment Act 1979*.

The Gateway determination is the first step in the process of amending the *Inverell Local Environmental Plan 2012*.

RECOMMENDATION:

That the Committee recommend to Council that:

- i. The Planning Proposal to amend the Inverell Local Environmental Plan 2012 to permit a 'centre-based child care facility' as an Additional Permitted Use on 1 Burgess Street, Inverell be forwarded to the NSW Department of Planning and Environment requesting a Gateway determination in accordance with sections 3.33 and 3.34 of the Environmental Planning and Assessment Act 1979;*
- ii. The Director Civil and Environmental Services be authorised to undertake the procedural steps associated with the progress of the Planning Proposal and obtaining the Gateway determination, including any minor amendments, information requests and public exhibition; and*
- iii. a further report be submitted in relation to this matter following public exhibition.*

COMMENTARY:**Introduction**

On 2 September, 2022, Council received a Planning Proposal from Inverell District Family Services Incorporated. The Planning Proposal seeks to amend the *Inverell Local Environmental Plan 2012* in relation to Lot 2 DP 818029, 1 Burgess Street, Inverell.

The proposal aims to facilitate a new child care centre on 1 Burgess Street, Inverell.

The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and the *Local Environmental Plan Making Guideline* published by the Department of Planning and Environment. The Planning Proposal explains the intended effect of, and justification for the proposed amendment to the ILEP 2012. A copy of the Planning Proposal (**Attachment 1**) has been provided as a separate document. Owner's consent for the Planning Proposal is included as **Attachment 2**.

The aim of this report is to:

- Describe the site, the subject of this Planning Proposal;
- Provide a summary of the Planning Proposal;
- Outline the steps to amend a Local Environmental Plan;
- Explain the role of a Planning Proposal; and

- Provide discussion on the strategic merit of the amendment by Council's Development Services.

The Site

The land is known as Lot 2 DP 818029, 1 Burgess Street, Inverell. It has a total area of approximately 2.536 hectares and contains 'Best Tree Tenders' plant nursery, which comprises office/retail buildings, sheds, car park, greenhouses and plant growing/sales areas. Lot 2 DP 818029 also contains a telecommunications tower that was constructed in 2013 under DA-2/2013. An aerial image of the land is shown in **Figure 1**.

The existing car park is accessed via Burgess Street, which is the primary frontage for the subject land. Lot 2 DP 818029 has secondary frontage to, but no formal access from, Warialda Road. The road network can be seen in **Figure 1**.

The surrounding area is comprised of a mixture of commercial, light industrial, residential and infrastructure uses. Notable non-residential uses include:

- Service Station – 143-149 Warialda Road, Inverell;
- Commercial / light industrial complex – 108-110 Warialda Road, Inverell;
- Council water reservoirs – 3 Burgess Street; and
- Vacant land located on the corner of Jardine Road and Warialda Road – 60 Jardine Road, Inverell – This land was subject to a recent Planning Proposal to facilitate a Bunnings development.

Lot 2 DP 818029 is serviced by water, electricity, telecommunications and electricity. Council's water mains are located in Warialda Road and electricity powerlines are located through the site.

Request to Amend Inverell Local Environmental Plan 2012 – 1 Burgess Street, Inverell

Inverell District Family Services Incorporated propose to develop a new child care centre within part of 1 Burgess Street, Inverell. Concept plans of the proposed child care centre are included within the Planning Proposal.

The proposed child care centre is characterised as a "Centre-Based Child Care Facility" under the ILEP 2012.

Lot 2 DP 818029, 1 Burgess Street, Inverell is zoned RU1 Primary Production under the ILEP 2012. A "Centre-Based Child Care Facility" is prohibited within the RU1 Primary Production zone.

To facilitate a "Centre-Based Child Care Facility" on Lot 2 DP 818029, 1 Burgess Street, Inverell, Inverell District Family Services Incorporated are seeking the following site-specific amendment to the ILEP 2012:

*Insert within **Schedule 1 Additional Permitted Uses** the following:*

2 Use of certain land at Burgess Street, Inverell

- (1) *This clause applies to Lot 2, DP 818029, 1 Burgess Street, Inverell.*
- (2) *Development for the purposes of a centre-based child care facility is permitted with development consent.*

It is considered that a site specific Additional Permitted Use is an appropriate mechanism to permit a "Centre-Based Child Care Facility" on Lot 2 DP 818029 on the basis that:

- It is not considered appropriate to permit "Centre-Based Child Care Facility" within the entirety of the RU1 Primary Production zone;
- Given the existing 'Best Tree Tenders' nursery (commercial use) on the site, it is not appropriate to re-zone Lot 2 DP 818029 to a residential zone in which a "Centre-Based Child Care Facility" would be permissible; and
- It is not appropriate to re-zone Lot 2 DP 818029 to a business zone as:

- A business zone could not limit the permitted uses on Lot 2 DP 818029 to ‘Best Tree Tenders’ nursery and/or Centre-Based Child Care Facility’. Rather a business zone would result in a range of commercial uses being permitted on Lot 2 DP 818029, which may inadvertently cause fragmentation of the Inverell CBD; and
- Lot 2 DP 818029 does not form part of the strategic ‘Enterprise Corridor’ identified within the *Employment Lands Strategy 2011*.

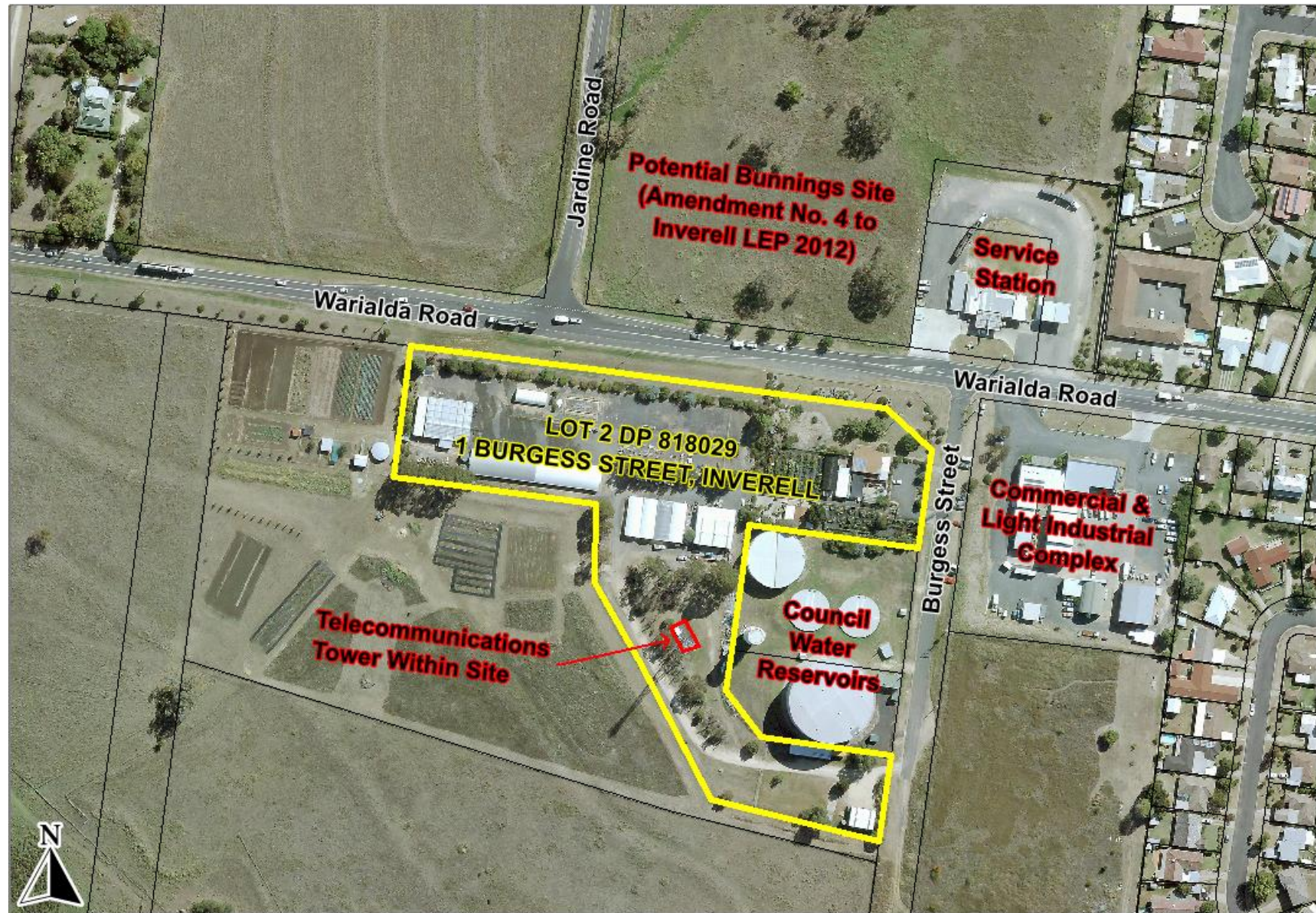


Figure 1 - Aerial Image of Lot 2 DP 818029 and surrounding area

What are the steps to Amend a Local Environmental Plan?

The following is an outline of the key steps to amend a Local Environmental Plan (LEP):

- The preparation of a Planning Proposal;
- The issuing of a Gateway determination;
- Community and other consultation on the Planning Proposal (as required);
- Finalising the Planning Proposal;
- Drafting of the LEP (legal instrument); and
- Notifying the LEP on the NSW government legislation website.

Based on the above, the Planning Proposal is the first step in the process and subject to the support and resolution of Council, the proposal can be forwarded to the NSW Department of Planning and Environment requesting a Gateway determination.

What is a Planning Proposal?

A Planning Proposal is a document that explains the intended effect and sets out the justification for amending a LEP. The preparation of a Planning Proposal is the first step in preparing and/or amending a LEP. The primary aim of a Planning Proposal is to demonstrate the strategic merit of a proposed LEP amendment.

The Planning Proposal document will be used and read by a wide audience including those who are responsible for deciding whether the proposal should progress, as well as government agencies and the general community.

A Planning Proposal which is submitted for a Gateway determination must provide enough information to determine whether there is sufficient strategic justification early in the process to proceed. It enables proposals that lack strategic planning merit to be stopped early in the process before time and resources are committed.

The level of detail required in a Planning Proposal should be proportionate to the complexity of the proposed amendment. A Planning Proposal relates only to an LEP amendment. It is not a Development Application nor does it consider specific detailed design, construction or environmental matters that should form part of a Development Application.

The EP&A Act 1979 does not dictate who must prepare a Planning Proposal. In practice, the Planning Proposal document can be prepared by a Council, a landowner or a developer seeking to change the planning controls relating to a particular site or locality. In this instance, the request to amend the ILEP 2012 has been generated by a developer (Inverell District Family Service Incorporated) and the Planning Proposal has been prepared by a third party (Keiley Hunter Town Planning) on behalf of the developer (Inverell District Family Service Incorporated).

Section 3.33(2) of the *EP&A Act 1979* outlines that a Planning Proposal must include the following components:

- **Part 1** – A statement of the objectives and intended outcomes of the proposed instrument;
- **Part 2** – An explanation of the provisions that are to be included in the proposed instrument;
- **Part 3** – The justification for those objectives, outcomes and the process for their implementation;
- **Part 4** – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies; and
- **Part 5** – Details of the community consultation that is to be undertaken on the planning proposal.

It is considered that the Planning Proposal (**attachment 1**) prepared by Keiley Hunter Town Planning on behalf of Inverell District Family Service Incorporated adequately addresses section 3.33(2) of the *Environmental Planning and Assessment Act 1979*.

Discussion on the Strategic Merit of the Amendment

Council's Development Services staff have undertaken a review of the request by Inverell District Family Services Incorporated to amend the ILEP 2012. This review has focused on the strategic merit of the Planning Proposal and its consistency with the strategic planning framework.

Subject to the proposed amendment to the ILEP 2012, the future development of the child care centre will be subject to the merit-based development application process, which would consider site specific issues, e.g. parking, building code compliance.

Inverell Local Strategic Planning Statement 2036

At the Ordinary Meeting of Council on 27 May 2020, the *Inverell Local Strategic Planning Statement 2036 (LSPS)* was adopted by Council (Resolution 2020/43).

It is the view of the Department of Planning and Environment, that the LSPS will inform future changes to development controls such as amendments to the ILEP 2012 and the *Inverell Development Control Plan 2013*.

Ten (10) planning priorities are identified within the LSPS, which take into consideration Council's vision, existing strategies, other policies and the direction of the community. Of relevance to the request from Inverell District Family Services Incorporated is Planning Priority 5 of the LSPS to "promote business and lifestyle opportunities". This Planning Priority acknowledges that:

"social infrastructure is the glue that holds the community together. It includes a broad range of facilities including schools and other education centres, child care centres, parks and recreation areas, community facilities, libraries, cultural centres and health facilities"

The request from Inverell District Family Services Incorporated to amend the ILEP 2012 is *considered to be consistent with the Inverell Local Strategic Planning Statement 2036*.

Inverell Living Lands Strategy 2009 and Living Lands Strategy Review 2011

The *Inverell Living Lands Strategy 2009* and *Living Lands Strategy Review 2011* informed the preparation and gazettal of the ILEP 2012. These strategies identified the western edge of Inverell as a future residential growth precinct. Specifically:

- A "New Residential Area", between Vernon Street and Jardine Road, was re-zoned from 1(d) Urban Investigation to R1 General Residential as part of the ILEP 2012; and
- The strategies identified approximately 190 hectares of land around Gwydir Highway, Jardine Road and Burgess Street as "Future Residential (Strategy only)". **Figure 2** shows the land identified as "Future Residential (Strategy only)".

At a strategic level, Lot 2 DP 818029 being located on the corner of Burgess Street and Jardine Road is considered a suitable location for a "Centre-Based Child Care Facility" to serve the identified residential growth precinct on the western edge of Inverell.

New England and North West Regional Plan 2036

The *New England North West Regional Plan 2036* is the State Government's 20-year blueprint for the future of the New England and North West region. The Regional Team of the Department of Planning and Environment are responsible for the actions associated with the regional plan; however, any rezoning and Planning Proposal must have consideration for this strategy.

Inverell is identified in the plan as a 'strategic centre' meaning that Inverell is seen as a major centre of regional strategic importance supporting the rural communities in that area. Direction 19 of regional plan is to "support healthy, safe, socially engaged and well-connected communities" and acknowledges that "all communities need access to social infrastructure, such as child care facilities and emergency accommodation".

It is considered that the proposed amendment to the ILEP 2012 is consistent with the actions contained within the *New England North West Regional Plan 2036*.

A draft updated *Regional Plan 2041* has also been prepared by the Department of Planning and Environment, but this has not been finalised at the date of this Planning Proposal.

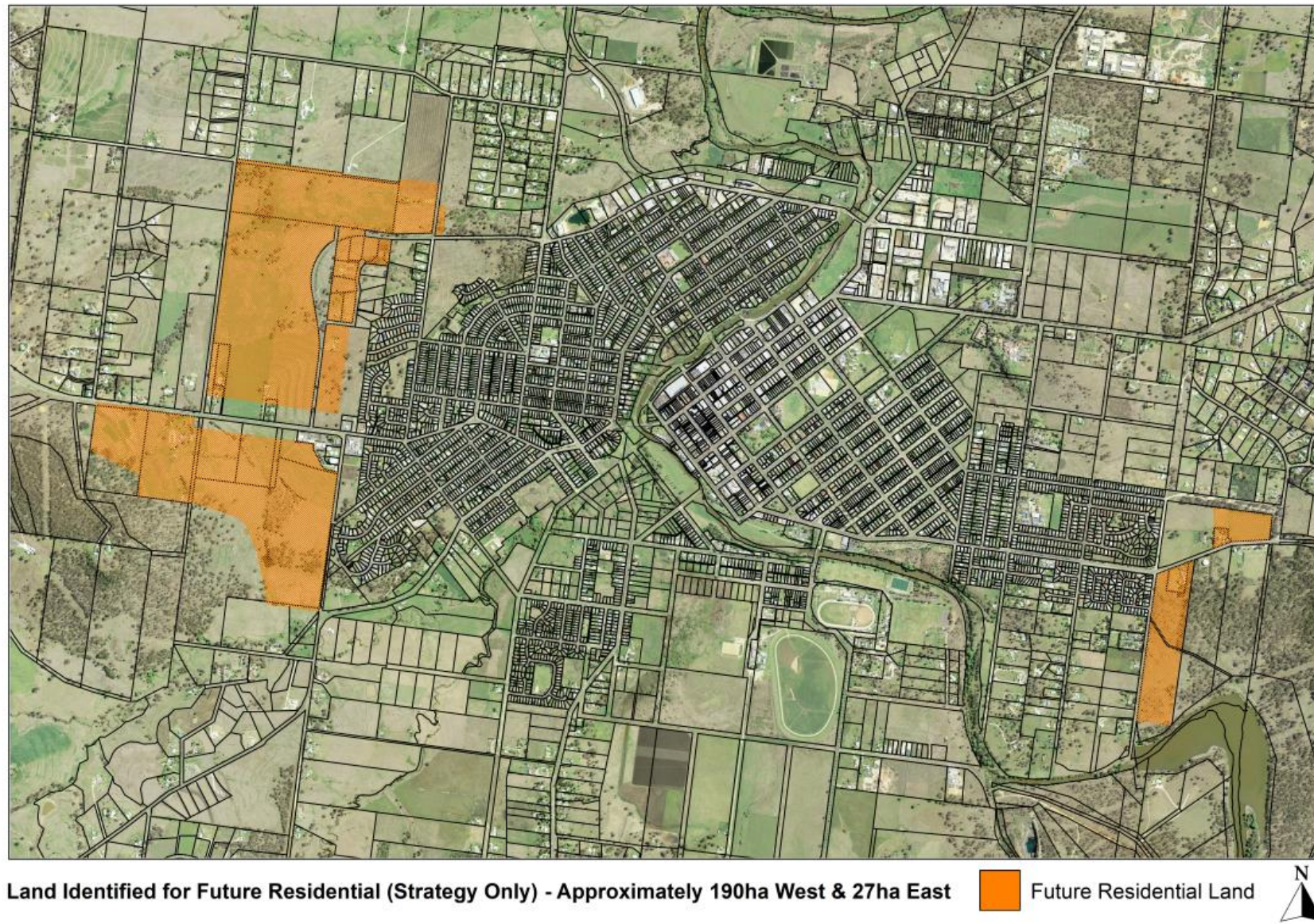


Figure 2

Section 9.1 Ministerial Directions

Ministerial Directions are issued under Section 9.1 of the *EP&A Act 1979* and must be addressed in a Planning Proposal to support a rezoning. The Ministerial Directions cover issues such as employment, environment and heritage, housing, infrastructure and urban development.

The Planning Proposal prepared by Keiley Hunter Town Planning on behalf of Inverell District Family Service Incorporated addresses the Section 9.1 Ministerial Directions relevant to the LEP amendment, which will be considered by the NSW Gateway Panel.

Should the Gateway Panel identify an inconsistency with a Ministerial Direction, it is standard practice to require additional information/studies (e.g. contamination assessment) and further consultation with the NSW Department of Planning, after a Gateway determination as been issued and prior to finalisation of a rezoning.

Conclusion

Council has received a request to amend the *Inverell Local Environmental Plan 2012*, to permit a 'Centre-Based Child Care Facility' on 1 Burgess Street, Inverell as an 'Additional Permitted Use' under Schedule 1 of the *Inverell Local Environmental Plan 2012*

It is considered that the Planning Proposal adequately addresses the requirements of Section 3.33(2) of the *Environmental Planning and Assessment Act 1979*. The proposed amendment is consistent with the *Inverell Local Strategic Planning Statement 2036* and *New England North West Regional Plan 2036*. The Planning Proposal addresses the relevant Section 9.1 Ministerial Direction and has sufficient strategic merit for submission to the NSW Department of Planning and Environment for a Gateway Determination.

Committee Members are requested to recommend to Council that the Planning Proposal be forwarded to the NSW Department of Planning and Environment requesting a Gateway determination in accordance with sections 3.33 and 3.34 of the *Environmental Planning and Assessment Act 1979*.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

The planning proposal is consistent with the relevant strategic planning framework, including the *Inverell Local Strategic Planning Statement 2036* and the *New England and North West Regional Plan 2036*.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

The amendment to the *Inverell Local Environmental Plan 2012* will change the planning provisions for Lot 2 DP 818029, 1 Burgess Street, Inverell.

ATTACHMENTS:

1. **Planning Proposal prepared by Keiley Hunter Town Planning (Downloaded From Planning Portal) - 1 Burgess Street, Inverell - Additional Permitted Use - Centre Based Child Care Facility – IDFS** (provided as a separate document)
2. **Owner's Consent** [↓](#)

Workforce Australia

Employment Services

Delivered by BEST Employment

2 September 2022

Inverell Shire Council
PO Box 138
INVERELL NSW 2360

To Whom it May Concern

BEST Employment, the landowners of 1 Burgess Street Inverell NSW 2360, give consent to Inverell District Family Services for lodgement of Planning Proposal – Amendment to the Inverell LEP 2012 – Additional Permitted Use under Schedule 1 – Centre-based Child Care Facility”.

Yours sincerely



Penny Alliston-Hall
Chief Executive Officer



Head Office, 47 Campbell Street, PO Box 175, Inverell NSW 2360 | P (02) 6720 8999
E best@best.com.au | www.best.com.au | ABN 31 078 059 248

5.6 MEMORANDUM OF UNDERSTANDING - ACCESS AND USE OF ONEROAD**File Number:** S28.8.5 / 22/31394**Author:** Justin Pay, Manager Civil Engineering**SUMMARY:**

Transport for NSW has created a new online platform for disseminating roads and traffic condition information to the public. Council is requested to endorse the execution of a Memorandum of Understanding that will give Council access to the platform.

RECOMMENDATION:

That the Committee recommend to Council that the Memorandum of Understanding with Transport for NSW – Access and Use of OneRoad be executed by Council.

COMMENTARY:

In 2020, the Royal Commission into National Natural Disaster Arrangements was conducted to review the handling of the 2019/20 bushfires that devastated the country. The Royal Commission's report, *The Royal Commission into National Natural Disaster Arrangements Report*, was tabled to the Australian parliament in October 2020.

Included in the Royal Commission's report was a list of recommendations that focused on areas such as emergency response capability, decision making, planning, education and communication. Of particular importance to the TfNSW were the recommendations for emergency information and warnings, such as *Recommendation 13.5. The development of national standards for mobile applications*, which states that "The Australian Government should facilitate state and territory governments working together to develop minimum national standards of information to be included in bushfire warnings apps".

Currently TfNSW manages a Live Traffic NSW website and Live Traffic NSW app, which provides live updates, traveller information and personalised alerts regarding NSW state roads. NSW state roads comprise approximately only 10% of all NSW roads.

In adherence to the Royal Commission's recommendations, TfNSW has enhanced the Live Traffic NSW website and the Live Traffic NSW app (collectively referred to as "Live Traffic NSW") so that it can provide a single source of truth for all incidents affecting all NSW roads. This enhancement has also improved Live Traffic NSW's functionality through the development of OneRoad, a Salesforce solution that is the publishing platform used to upload information onto Live Traffic NSW.

The objective of the OneRoad project is to onboard relevant NSW local government area agencies, authorities and Councils to the OneRoad publishing platform so that they can publish to Live Traffic NSW incidents and major events that occur within their jurisdiction, and facilitate Live Traffic NSW being a single source of truth for all incidents affecting all NSW roads.

In line with the Royal Commission's recommendations, Live Traffic NSW will continue to provide live updates and alerts for state roads as well as to provide information on all participating local government area-managed roads.

By doing so, it ensures that NSW motorists and local communities can access live updates, information and alerts on incidents affecting their local area – particularly natural disasters such as bushfires and flooding, as per the Royal Commission's recommendations.

The benefit of an enhanced Live Traffic NSW platform is that motorists and communities can access information on planned incidents (e.g. roadworks), unplanned incidents (e.g. accidents, weather events) and major events on most roads in NSW.

Council currently uses the My RoadInfo website, which is an initiative of Northern Rivers Joint Organisation (NRJO) of Councils. This is a subscription service that Council pays to utilise. Given the roll out of the OneRoad platform NRJO will be discontinuing My RoadInfo website.

Use of the OneRoad platform to publish traffic and road incident information onto the Live Traffic NSW website and app will function in a similar fashion to the current My RoadInfo system. Relevant Council staff have received preliminary training in use of the OneRoad platform. Once field staff verify roads or traffic related issues (such as roadworks, traffic accidents, natural emergencies like flooding or bushfires etc) these trained administration staff will publish the information. There is no cost to Council for use of this service for the first (5) five user licences. It is anticipated that a maximum of (4) four user licences will be required.

TfNSW plan a staged roll out for Councils to access the platform, Inverell Shire Council have been included in phase two of the process (22 Councils included) due to our previous involvement with NRJO's My RoadInfo. All other Councils in the state will be given the option to access the OneRoad platform in Phase 3 of the roll out.

Once fully implemented the OneRoad platform with information published for public access on Live Traffic NSW will provide significant benefit to road users in NSW. Access to the platform is non-mandatory for Councils and if issues arise Council may opt-out.

In order for Council to access the OneRoad platform, the attached MOU needs to be executed. The MOU outlines terms and conditions of use, roles and responsibilities regarding use of the platform and importantly clause 12 highlights the non-binding nature of the MOU. Given the potential for significant benefit to the public, it is recommended that Council resolve to execute the MOU. Staff have reviewed the MOU and are comfortable with the contents.

RISK ASSESSMENT:

There will be no change to Council's current liability associated with notifying incidents on its local road network.

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Participation in the OneRoad platform will be at no charge to Council based on the number of identified users.

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

1. OneRoad - Memorandum of Understanding [↓](#)



Memorandum of Understanding

Access and Use of OneRoad

The publishing platform for Live Traffic NSW Updates

| Details | | |
|--|---|--|
| Parties | TfNSW (“Principal”) and [insert name of Agency] (“Participating Agency”) | |
| Principal | Name | Transport for NSW |
| | ABN | 18 804 239 602 |
| | Legal Status | a NSW Government agency constituted under the <i>Transport Administration Act 1988</i> (NSW) |
| | Address | 231 Elizabeth Street, Sydney, NSW 2001, Australia |
| Principal Representative | | Aaron Keech, Director Customer Journey Communications Aaron.keech@transport.nsw.gov.au |
| Participating Agency | Name | [insert full legal name] |
| | ABN | [insert Aust Business Number] |
| | Legal Status | [insert the legislation under which the Principal Agency is incorporated as a legal entity] |
| | Address | [insert address – must not be a PO Box] |
| Participating Agency Representative | | [insert name and position/title and phone number and email address] |
| Date of this MoU | This MoU is dated the date the last Party signs the agreement | |
| MOU Start Date | | |

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1. Background & Overview of Project

1.1. Background

- i. In 2020, the Royal Commission into National Natural Disaster Arrangements was conducted to review the handling of the 2019/20 bushfires that devastated the country. The Royal Commission's report, *The Royal Commission into National Natural Disaster Arrangements Report*, was tabled to the Australian parliament in October 2020.
- ii. Included in the Royal Commission's report was a list of recommendations that focused on areas such as emergency response capability, decision making, planning, education and communication. Of particular importance to the Principal were the recommendations for emergency information and warnings, such as *Recommendation 13.5. The development of national standards for mobile applications*, which states that "The Australian Government should facilitate state and territory governments working together to develop minimum national standards of information to be included in bushfire warnings apps".
- iii. Currently the Principal manages a Live Traffic NSW website and Live Traffic NSW app, which provides live updates, traveller information and personalised alerts regarding NSW state roads. NSW state roads comprise approximately only 10% of all NSW roads.
- iv. In adherence to the Royal Commission's recommendations, the Principal has enhanced the Live Traffic NSW website and the Live Traffic NSW app (collectively referred to as "Live Traffic NSW") so that it can provide a single source of truth for all incidents affecting all NSW roads. This enhancement has also improved Live Traffic NSW's functionality through the development of OneRoad, a Salesforce solution that is the publishing platform used to upload information on Live Traffic NSW.

1.2. Project Objectives and Intended Outcomes

- i. The objective of the OneRoad project is to onboard relevant NSW local government area agencies, authorities and councils to the OneRoad publishing platform so that they can publish to Live Traffic NSW incidents and major events that occur within their jurisdiction, and facilitate Live Traffic NSW being a single source of truth for all incidents affecting all NSW roads.
- ii. In line with the Royal Commission's recommendations, Live Traffic NSW will continue to provide live updates and alerts for state roads as well as to provide information on all participating local government area-managed roads.
- iii. By doing so, it ensures that NSW motorists and local communities can access live updates, information and alerts on incidents affecting their local area – particularly natural disasters such as bushfires and flooding, as per the Royal Commission's recommendations.
- i. The benefit of an enhanced Live Traffic NSW platform is that motorists and communities can access information on planned incidents (e.g. roadworks), unplanned incidents (e.g. accidents, weather events) and major events on most roads in NSW.

2. Definitions and Interpretation

2.1. Definitions

These meanings apply unless the context requires otherwise:

| | |
|---------------------------------|---|
| Agency | Means a NSW Government Agency (within the meaning of the <i>Privacy and Personal Information Protection Act 1998 (NSW)</i>) |
| Business Rules | Means the Business Rules at Schedule 1. |
| Confidential Information | Means all information made available by a Party pursuant to the terms of this MoU that is by its nature confidential or that the Party receiving it knows or ought to know is confidential. |
| Details | Means the Details table at the front of this MoU. |
| Health Information | Has the meaning given to that term in the <i>Health Records and Information Privacy Act 2002 (NSW)</i> . |
| Live Traffic NSW | Means the Live Traffic NSW website and Live Traffic NSW app which are managed by TfNSW. |
| MoU | Means this Memorandum of Understanding. |
| OneRoad | Means the licensed Salesforce interface for publishing information to Live Traffic NSW. |
| OT Connect Service Desk | Means the system support interface for OneRoad |
| Party | Means a Party to this MoU referred to in the Details. |
| Participating Agency | Means the participating Agency who manages a NSW road and has elected to participate in the Project. |
| Personal Information | Has the meaning given to that term in the <i>Privacy and Personal Information Protection Act 1998 (NSW)</i> . |
| Principal | Means Transport for NSW (TfNSW). |
| Privacy Laws | Means the <i>Privacy and Personal Information Protection Act 1998 (NSW)</i> and the <i>Health Records and Information Privacy Act 2002 (NSW)</i> . |
| Project | Means the Project that the Parties have agreed to undertake under this MoU. |
| Project Objectives | Means the objectives of the Project referred to in the clause 1.2. . |
| Permitted Information | Means information about incidents and events relating to roads under the Participating Agency's jurisdiction as prescribed by the Business Rules at Schedule 1. |

| | |
|-------------------|--|
| Start Date | Has the meaning given in the Details table at the front of this MoU. |
| User | Means an employee of the Participating Agency who has been registered by the Principal to access and use OneRoad to publish Permitted Information to Live Traffic NSW. |

2.2. Interpretation

- a) the words “include”, “including”, “for example” or “such as” are not to be interpreted as words of limitation, and when such words introduce an example, they do not limit the meaning of the words to which the example relates, or to examples of a similar kind.
- b) words denoting the singular include the plural and vice versa.
- c) where a word is defined then other grammatical forms of that word are to be interpreted in the same manner with the necessary grammatical change.
- d) no rule of construction applies to the disadvantage of the Party preparing this Deed on the basis that it prepared or put forward this Deed or a part of it;
- e) a reference to any document (such as a deed, agreement or other document) is to that document (or, if required by the context, to a part of it) as amended, novated, substituted or supplemented at any time;
- f) A reference to writing includes writing in digital form;
- g) a reference to a clause, schedule or attachment is a reference to a clause, schedule or attachment in or to this Deed.

3. Term & Termination

3.1. (Term) This MoU starts on the Start Date and continues until terminated by a Party in accordance with this MoU

3.2. (Termination) Either Party may terminate this MoU:

- a) for convenience at any time by giving the other Party at least fourteen (14) business days written notice; or
- b) immediately by written notice to the other Party if that other Party breaches its obligations under this MoU.

3.3. (Review) The Parties will review this MoU from time to time to consider whether any amendments are required or whether this MoU should be terminated. Either Party can require a review at any time and the Parties must review this MoU at least once every 5 years.

3.4. (Variation) The Parties may vary the terms of this MoU by a written document signed by both Parties

- 3.5. (Suspension)** The Principal may in its absolute discretion suspend the Participating Agency's access to OneRoad if the Principal has reasonable grounds to believe that the Participating Agency has breached this MoU or while there is any data security or privacy risk until such time as the Principal is satisfied that the breach has been rectified or the risk no longer exists.

4. OneRoad Licences

- 4.1. (Funding)** The Principal will cover the costs associated with the management and use of Live Traffic NSW and licensing of the OneRoad publishing platform.
- 4.2. (Allocation of licences)** The Principal will grant the Participating Agency up to five (5) licences to access and use OneRoad.
- 4.3. (Assignment to Users)** Each licence will be assigned to a User, who is required to be registered with the Principal in accordance with clause 5.1.
- 4.4. (Licence Sharing)** Licences cannot be shared amongst multiple users.
- 4.5. (Additional licences)** If the Participating Agency requires additional licences, they will need to either:
- a) De-register an existing User and register a new User to utilise that licence; or
 - b) Submit a request in writing to the Principal for an additional licence providing a business justification for why the additional licence is required. Additional licences may incur a cost to the Participating Agency.

5. Onboarding

5.1. User Registration

- 5.1.1. (User nomination)** As part of the initial onboarding, the Participating Agency Representative may nominate up to five (5) proposed Users.
- 5.1.2. (User access request)** At any point after the initial onboarding, if the Participating Agency needs to add a User, the Participating Agency must submit a request to register the User through the OT Connect Service Desk..
- 5.1.3. (User eligibility)** The Participating Agency must provide confirmation with each User nomination or User access request, and provide the particulars if requested, that each User:
- a) has a genuine business need to access and use OneRoad;
 - b) will complete the required OneRoad training;
 - c) is aware of the Business Rules referred to in Schedule 1 for publishing the Permitted Information to Live Traffic NSW using OneRoad.
- 5.1.4. (User Approval)** Following receipt of a User nomination or User access request, the Principal will approve the request and onboard the User; unless:
- a) the Principal deems that the proposed User does not have a genuine business need to access and use OneRoad; or

- b) The Participating Agency does not have an available licence for the proposed User.

5.2. User Accounts

5.2.1. (Credentials) The Principal will provide a User with a unique one-time password for accessing OneRoad.

5.2.2. (Initial Access) When a User logs into OneRoad for the first time, they will be asked to:

- a) reset their one-time password and/or set up an alternative log-in authentication method; and
- b) accept the terms and conditions for using OneRoad.

5.2.3. (Security) The Participating Agency is responsible for ensuring that Users:

- a) do not share their OneRoad access credentials and authentication details; and
- b) safeguard the secrecy of their access credentials and authentication details.

5.3. Participating Agency Representative

5.3.1. (Representative Responsibilities) The Participating Agency must appoint a Representative to:

- a) Nominate, register and manage its Users;
- b) liaise with the Principal on any issues related to OneRoad training;
- c) ensure that all Users complete the required OneRoad training and hold a OneRoad completion certificate before they access and use OneRoad.
- d) ensure that all Users are aware of and comply with the Business Rules referred to in Schedule 1 for publishing the Permitted Information to Live Traffic NSW.

5.3.2. (Appointment) The Participating Agency Representative at the date of this MoU is the person referred to in the Details. The Participating Agency may, by written notice to the Principal, change the Participating Agency Representative.

5.4. User de-registration

5.4.1. (Participating Agency de-registration) The Participating Agency must de-register a User through the OT Connect Service Desk within five (5) working days from when that User no longer requires access to OneRoad,

5.4.2. (Principal de-registration) If a User account is inactive for six (6) consecutive months, the Principal will de-register the User. If the User needs to regain access to OneRoad, the Participating Agency will need to re-register the User in accordance with clause 5.1.

5.5. OneRoad Training

5.5.1. (Initial training) Users who have been nominated by the Participating Agency in accordance with clause 5.1.1. will receive instructor-led online OneRoad training from the Principal.

5.5.2. (Subsequent training) Users who are subsequently registered in accordance with clause 5.1.2. are to receive OneRoad training from the Participating Agency using

the OneRoad training module and end-user documentation supplied by the Principal to the Participating Agency.

6. Incident and Event Reporting

6.1. Principal's Accountabilities

6.1.1. (System access and support) The Principal is responsible for:

- a) managing Live Traffic NSW;
- b) providing Users with access OneRoad for the purpose of enabling the Participating Agency to publish the Permitted Information to Live Traffic NSW; and
- c) providing Users with technical support in relation to any OneRoad or Live Traffic NSW system issues through the OT Connect Service Desk.

6.2. Participating Agency's Accountabilities

6.2.1. (User publications) The Participating Agency is responsible for:

- a) publishing Permitted Information to Live Traffic NSW through OneRoad;
- b) ensuring that its Users who use and access OneRoad:
 - i. have completed the OneRoad training and are competent to publish the Permitted Information;
 - ii. uphold the Project Objectives;
 - iii. comply with all applicable Privacy Laws; and
 - iv. publish and update Permitted Information in accordance with the Business Rules referred to in Schedule 1.

6.2.2. (Accuracy) The Participating Agency is responsible for the accuracy of the Permitted Information that is published.

6.2.3. (Assistance) The Participating Agency agrees to provide the Principal with any reasonably required assistance relating to the Participating Agency's use of OneRoad in order for the Principal to satisfactorily manage the OneRoad and Live Traffic NSW systems.

6.3. (Joint Accountabilities) Each Party agrees to:

- a) work collaboratively and co-operate with the other Party in good faith to achieve the Project Objectives;
- b) perform its obligations in accordance with the Service Levels in Schedule 2; and
- c) ensure that its personnel comply with all provisions of this MoU that are relevant to those personnel. Each Party is responsible for the acts and omissions of its personnel as though their acts and omissions were the acts and omissions of that Party.

7. Subcontracting & Assignment

- 7.1. (No Subcontracting)** The Participating Agency must not subcontract its obligations under this MoU without the Principal's prior written approval.
- 7.2. (No Assignment)** The Participating Agency must not assign its obligations under this MoU without the Principal's prior written approval.

8. Confidentiality

- 8.1. (Confidential Information)** The Parties acknowledge and agree:
- a) to keep Confidential Information confidential at all times;
 - b) take all reasonable steps and do all things that may be reasonably required to keep the Confidential Information confidential and protected from unauthorised access, disclosure or use;
 - c) immediately notify the other Party if it becomes aware of any unauthorised access to, use, or disclosure of, any Confidential Information; and
 - d) immediately destroy any Confidential Information at the other Party's request.

9. Privacy

- 9.1. (Personal and Health Information)** The Parties acknowledge and agree, with respect of any Personal Information or Health Information:
- a) to comply with the Privacy Laws insofar as they are applicable; and
 - e) to immediately notify the other Party when it becomes aware of a breach or likely breach of any of the provisions of the Privacy Laws.

10. Publicity

- 10.1. (Publicity Coordinated by the Principal)** It is intended that any publicity or announcements about the Project or Live Traffic NSW will be centrally coordinated by the Principal.
- 10.2. (Participating Agency Publicity)** Prior to the Participating Agency disclosing, distributing or otherwise communicating any media release, social media or other promotional material about or relating to the Project it must first obtain the prior approval of the Principal.

11. Confirmation of Compliance

- 11.1. (Annually)** The Participating Agency must, within fourteen (14) days of each anniversary of the Commencement Date, provide the Principal with confirmation in writing that it has reviewed and complied with its obligations under this MoU.
- 11.2. (Information Upon Request)** The Participating Agency must provide all information reasonably requested by the Principal to confirm that the Participating Agency has

complied with its obligations under this MoU.

12. Non-binding Memorandum of Understanding

- 12.1. (Statement of Intentions)** This MoU is solely a statement of the mutual intentions of the Parties with respect to its contents, and it does not create legally enforceable rights or obligations for any Party.
- 12.2. (Representations)** Each Party represents to each other Party that:
- a) no reliance will be placed on this MoU;
 - b) this MoU does not create any binding obligations;
 - c) this MoU does not contain all matters upon which agreement must be reached in order for any binding agreement to be entered;
 - d) this MoU creates no rights in favour of any Party; and
 - e) this MoU imposes no commitment on any person to enter into any agreement.

13. Dispute Resolution

- 13.1. (Dispute notice)** If a dispute arises out of, or in relation to, the content or implementation of this MoU, the Party claiming that a dispute has arisen must give written notice of the dispute to the other Party. On receipt of this notice, the Parties must, within fourteen (14) business days, endeavour to resolve the dispute.
- 13.2. (Referral to chief officers)** If the Parties have not resolved the dispute within fourteen (14) business days of being given notice of a dispute, the Parties are to refer the dispute to their chief officers or other relevant executive officer having responsibility for this MoU to resolve.
- 13.3. (Premier's Guidelines)** If any dispute referred to in the preceding paragraphs is not settled despite the best efforts of the Parties, the matter must be resolved in accordance with the guidelines established by the Premier of New South Wales for resolution of disputes between public authorities irrespective of whether those Guidelines are binding on either or both Parties.

14. Notices

- 14.1. (Form of Notice)** A notice given in connection with this MoU:
- a) must be in writing
 - b) must be marked for the attention of the recipient's representative; and
 - c) must be left at the recipient's address, or sent by prepaid ordinary post (airmail if posted to or from a place outside Australia) to their address or sent by email to the email address of the recipient's representative as referred to in the Details, (or otherwise as notified from time to time).
- 14.2. (Effective Date)** A notice takes effect from the time it is received unless a later time

is specified in it.

14.3. (Receipt) A notice is deemed to have been received:

- a. in the case of a posted letter, on the third (seventh, if posted to or from a place outside Australia) day after posting; and
- b. in the case of a hand delivered notice or email communication, on the day it is delivered to the recipient's Representative's address

but if receipt of a notice occurs on a day on which business is not generally carried on in the place to which the notice is sent or occurs later than 5.00 pm (local time), it will be taken to have occurred at the commencement of business on the next day when business is generally carried out.

15. General

15.1. (Costs of this MoU) Each Party will bear its own costs in respect of the negotiation and preparation and signing of this MoU.

15.2. (Compliance with Laws) Each Party will observe all applicable laws.

15.3. (Governing Law and Jurisdiction) This MoU is governed by the law in force in New South Wales (NSW). Each Party submits to the exclusive jurisdiction of the courts of NSW.

15.4. (Counterparts) This MoU may be executed by counterparts by the respective Parties, which together will constitute one agreement.

15.5. (Electronic Execution) A Party may sign this MoU, and any variations to it, by electronic means where permitted by Law. Each Party consents to the signing of this MoU by electronic means.

Signing page

Authority to Sign: Each person who signs this MoU on behalf of a Party warrants that he or she is duly authorised to sign this MoU.

Signed for and on behalf of
Principal:

Signature of witness

Signature of authorised delegate

Full name of witness

Name of authorised delegate

Position/Title

Date

Signed for and on behalf of
Participating Agency:

Signature of witness

Signature of authorised delegate

Full name of witness

Name of authorised delegate

Position/Title

Date

Schedule 1 – Business Rules

These Business Rules identify the types of incidents or events that are permitted for publication, when the information should be published, and who is responsible for publishing it.

1.1 Publishing Principles

In addition to the guidance provided in the User training, the following general principles apply to information published through OneRoad:

1. Personal Information and Health Information **must not** be published (for example, details about a person, medical conditions, names, contact details or vehicle registration or licence plate numbers);
2. Only information regarding incidents or events that impact a roadway should be published;
3. The following are examples of incidents and events that are not required to be published:
 - Mobile works – that is, road maintenance activities less than 20 minutes in duration that will not have a significant impact on traffic;
 - Pedestrian pathways / cycleways where there is no impact to roadways;
 - Works that do not require speed reduction or lane closure; or
 - Works with no network impact – typically less than 3 days duration, no shoulder closure or low speed environment (For example: roadside maintenance, survey, Geotech investigation).

1.2 Permitted Information

| Incident type | Examples | Road responsibility | Publishing responsibility | Comments |
|--------------------|---|----------------------|---|---|
| Unplanned incident | 1. Road safety has been impacted 2. Clearways and/or road closures are in place 3. Public transport has been affected 4. Increase to traffic / congestion Examples: Crashes, flooding, bushfires or traffic signal faults | Principal | Principal | <ul style="list-style-type: none"> The Principal will publish the Permitted Information upon becoming aware of an incident or event that occurs on either: <ul style="list-style-type: none"> a road managed by the Principal which impacts a road managed by the Participating Agency; or a road managed by the Participating Agency impacting a road managed by the Principal. The Participating Agency is required to notify the Principal immediately upon becoming aware of an unplanned incident occurring on a road under its management that impacts a road managed by the Principal, to facilitate the Principal's publication of the incident. |
| | | Participating Agency | Participating Agency (if no impact to a road managed by the Principal) | |
| Planned incident | Roadwork requiring: <ol style="list-style-type: none"> moderate term impacts – duration between three days and three weeks long term impacts – extended duration of three weeks or more delays of five minutes or more to motorists directional closures, detours, contraflows or full closures oversize/ overmass restrictions Examples: Infrastructure projects, safety projects or maintenance | Principal | Principal | |
| | | Participating Agency | Participating Agency (if no impact to a road managed by the Principal) | |
| Major event | 1. Road safety has been impacted 2. Clearways and/or road closures are in place | Principal | Principal | <ul style="list-style-type: none"> The Participating Agency must only publish incidents or events impacting their roads. |
| | | Participating Agency | Participating Agency | |

| Incident type | Examples | Road responsibility | Publishing responsibility | Comments |
|---------------|---|---------------------|---|---|
| | 3. Public transport has been affected 4. Increase to traffic / congestion Examples: NYE celebrations or ANZAC Day ceremonies | | (if no impact to a road managed by the Principal) | <ul style="list-style-type: none">The Participating Agency should ensure that any incidents or events they are notified of by Police or emergency services (both within business hours and out of hours) are published as soon as practically possible. |

Schedule 2 – Service Levels

1.1 (KPIs) The following table lists the KPIs for the Principal and Participating Agency under this MoU.

| Key Result Area | Principal Responsibility | Participating Agency Responsibility | Target | Evaluation |
|---|--------------------------|-------------------------------------|---|--|
| Access to OneRoad | Y | N | OneRoad to be available 95% for Users to publish Permitted Information | Upon any system outage, the Principal will provide an outage notification to the Participating Agency Representative |
| OneRoad User system support | Y | N | User support issue by priority level in accordance with clause 1.2 of this Schedule. | OT Connect Service Desk Response and resolution determined by priority level in accordance with clause 1.2 of this Schedule. |
| Publication of incidents or events affecting roadways managed by Participating Agency | N | Y | <p>Planned incident and event notifications should be published at least a day (1) day before the incident/event starts.</p> <p>Unplanned incident and event notifications should be published as soon as practically possible.</p> | <p>The Principal will run a OneRoad usage report periodically to measure frequency of use by the Participating Agency.</p> <p>Where there are periods of inactivity of concern to the Principal, the Principal Representative will engage with the Participating Agency Representative to identify whether OneRoad is being utilised as intended and, if required:</p> <ul style="list-style-type: none"> • Provide additional User |

| Key Result Area | Principal Responsibility | Participating Agency Responsibility | Target | Evaluation |
|--|--------------------------|-------------------------------------|---|---|
| | | | | training; or <ul style="list-style-type: none"> Discuss suitability of an inter-agency arrangement. |
| Closure of published incidents or events Note: Incidents and events should be closed in a timely manner so that motorists and local communities receive accurate and up to date information about roadways in NSW. | N | Y | Planned incident and event notifications will automatically close at the period selected when the incident was published. Unplanned incident and event notifications are to be closed as soon as practically possible, from the incident or event ceasing to impact the roadway. | The Principal will monitor incident and event closures by running a OneRoad incident report on a daily basis. The Principal Representative will engage with the Participating Agency Representative regarding relevant incidents that remain unclosed. |

1.2 (Priority Levels) The following table sets out the priority levels that apply with respect to the OneRoad User support:

| Priority | | Support hours (24*7 for P1 & P2) | |
|----------|---|----------------------------------|----------------------|
| | | Response Time | Resolution Timeframe |
| P1 | A critical system down issue with high operational impact. User is unable to operate OneRoad. | 2 hours | 4 hours |
| P2 | A system issue affecting a major component of OneRoad's functionality. Some aspects of OneRoad are still operational. | 2 hours | 1 business day |
| P3 | The system issue is affecting efficient operation by one or more Users. | 4 hours | 4 business days |
| P4 | The system issue is an inconvenience but there are workarounds or alternates. | 1 business day | 5 business days |

6 INFORMATION REPORTS

6.1 WORKS UPDATE

File Number: S28.21.1/15 / 22/30434

Author: Justin Pay, Manager Civil Engineering

SUMMARY:

This report is intended to keep Council updated on the capital works and maintenance programs.

COMMENTARY:

Fixing Country Roads Funding Grant

Council has been successful in obtaining \$3.685M from the Fixing Country Roads Funding Grant to complete works on Yetman Road between Palaroo Lane and Oakwood.

An additional private contribution of \$20K from an industry beneficiary brings the total funding to \$3.705M. This grant will allow Council to upgrade this section of road to allow road train access. This will result in improved freight access and efficiency. Currently, road train access on Yetman Road terminates at the Inverell Regional Livestock Exchange however, once this project is complete, a further 12km along Yetman Road will have road train access.

This project includes the following works:

- Construction of a new two-lane bridge on a new and improved alignment crossing Rob Roy Creek to replace the old narrow bridge at Moseley Dene.
- Construction of 400m of approaches for the new bridge alignment.
- Full reconstruction and widening of 2km of road from Hunts Gully to approx. 300m past Stewarts Grain Trading.
- Widening and drainage works to 3.6km of road to bring the existing road up to standard for road train access.
- Drainage works for 1.2km to clean out and restore table drains.
- Replacement of 9 pipe sets between Palaroo Lane and Stewart's Grain Trading.

The new bridge at Moseley Dene has been designed and the review of the Environmental Factors and Aboriginal Cultural Heritage Study has been completed. A Fisheries Permit has also been obtained.

Works commenced in January 2022, which included the opening up of the existing table drains for the full reconstruction section from Hunts Gully to Stewart's Grain Trading. The pavement works for Hunts Gully to Stewart's Grain Trading full reconstruction have now been completed with the bitumen seal applied at the end of May as planned. The issues identified with the bitumen seal were rectified by the bitumen seal supplier and the line marking has been installed which completes this section of the project.

Piling Contractors have been engaged to bore the piles at the Moseley Dene bridge site through a request for quotation process with works due to commence the week of writing this report. Preparation works for the drilling rig have been completed which consisted of constructing working platforms either side of the creek to create a stable platform for the drilling rig to work from and survey pegs installed for the location of the 6 piles to be constructed.

This project is currently on track and is required to be completed by the end of 2022.



Yetman Road – Moseley Dene Bridge Replacement Project – Working Platform constructed in preparation for the drilling rig to bore the bridge piers

Yetman Road-Taylor Avenue Intersection Upgrade

Council secured funding from the Local Roads and Community Infrastructure Program for the upgrade of Yetman Road-Taylor Avenue Intersection.

The works will include pavement widening to accommodate a turning lane into Taylor Avenue and will also include a drainage upgrade at the location. Kerb and gutter will be constructed as well as a significant extension to underground drainage at the site.

Kerb and gutter works for 280m along Yetman Road on the western side and the returns on Fernhill Road and Taylor Avenue have now been completed. The pavement has been widened along Yetman Road to meet the new kerb and gutter and the existing road has been milled in order to be re-graded and shaped.

The open drain lined with concrete matting has been completed along the eastern side of Yetman Road from the intersection of Taylor Avenue to the railway crossing approximately 160m to the north.

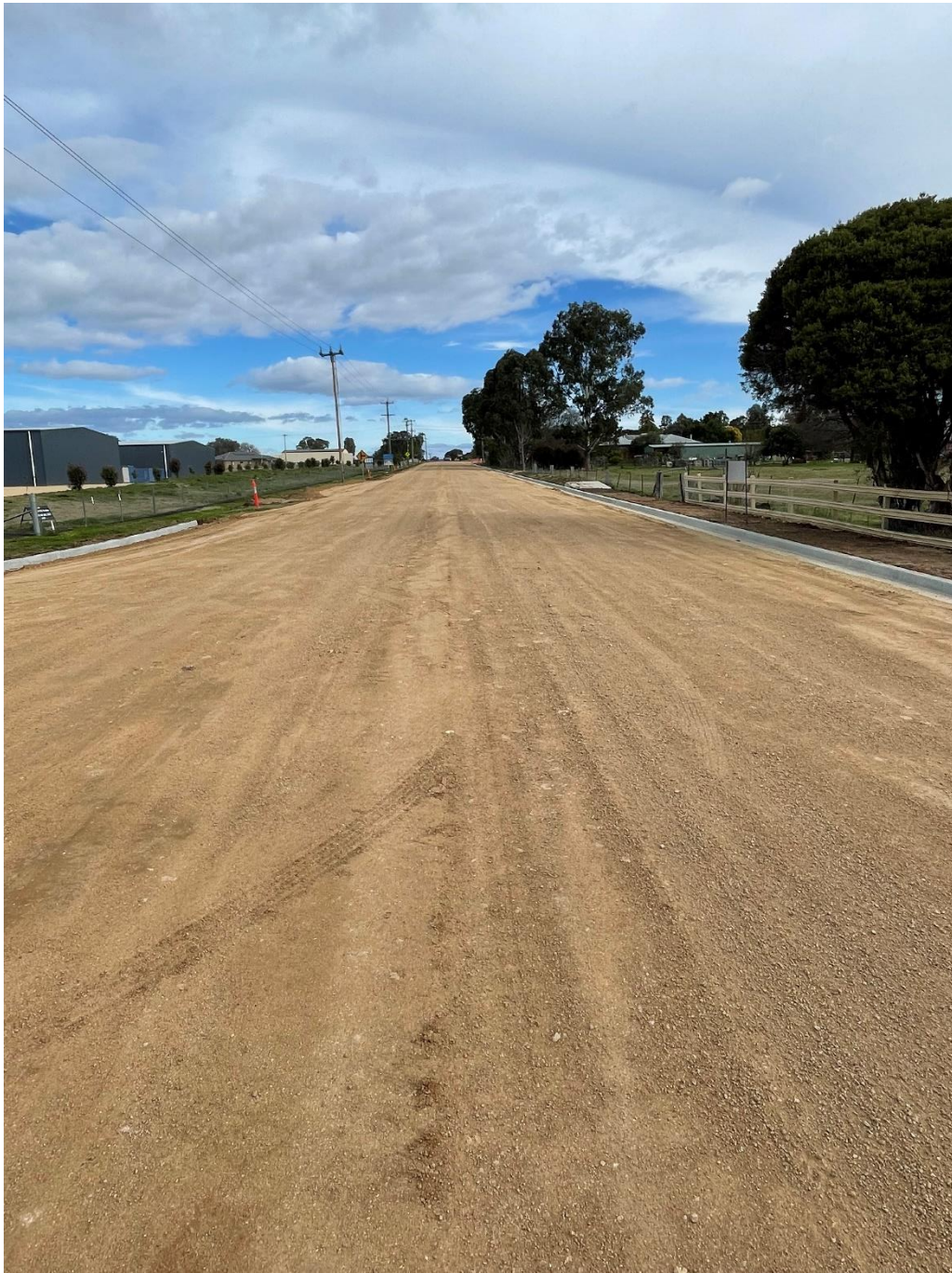
The remaining works for this project includes:

- Installation of drainage pipe across Fernhill Road
- Bitumen Seal
- Linemarking
- Turfing

These works will be completed by the end of September 2022.



Taylor Avenue Intersection Upgrade Project – Concrete matting installed in open drain



Taylor Avenue Intersection Upgrade Project – Full road width milled ready to be re-graded and shaped for bitumen seal



Taylor Avenue Intersection Upgrade Project – Rip-rap rock pitching installed around headwalls for erosion protection

Roundabout Construction – Intersection of Gwydir Highway, Bundarra Road and Chester Street

Project work is continuing on the construction of a roundabout at the intersection of Gwydir Highway, Bundarra Road and Chester Street. A construction budget of \$5,882,000 has been provided which includes contributions from the State Government of \$2.2M and the Federal Government of \$1.5M. The key budget components include:

- Design & Legal - \$660,000
- Works Authority Deed (TfNSW) - \$172,446
- Demolition/Rehabilitation - \$203,062
- Roundabout Construction - \$4,156,302
- Contingency - \$690,190

Council has entered into funding deeds with both the State and Federal Governments. These deeds require the completion of the roundabout construction by November 2022.

The project includes the following:

- Earthworks
- Vegetation clearing and grubbing
- Significant storm water drainage works
- Realignment of underground services including power, Telstra, NBN, water and sewer
- Realignment of the intersection
- Construction of a concrete pavement and roundabout
- Flexible pavement construction on roundabout approaches
- Kerb and gutter construction
- Footpath works
- Traffic management at multiple intersections in Inverell township

Construction of storm water drainage in Chester Street is now complete. Earthworks and other pavement related works are now complete in the Chester Street leg of the roundabout. In this location the Select Material Zone (SMZ) of the pavement has been completed and Council's concrete crew have completed construction of the Lean Mix Concrete (LMC) sub-base pavement layer and have commenced kerb and gutter works. Drainage works across the highway are nearing completion and earthworks on the southern approach to the roundabout are continuing. Earthworks and construction of the Select Material Zone (SMZ) of the pavement has commenced on the highway section at the throat of the Chester Street leg of the Roundabout.

Contractors are continuing relocating telecommunication services at the site and this work will continue for several weeks.

Relocation of the watermain is now complete and is set to be commissioned in the first weeks of September.

Current traffic management at the site includes Chester Street being closed at the intersection of Gwydir Highway and traffic light control on the other legs of the intersection. As an added safety measure, the northern leg of the Rosslyn Street – Gwydir Highway intersection is closed. This is to ensure that any traffic that may detour past the roundabout construction site does not cause safety issues at the Rosslyn Street intersection.

The project is slightly behind schedule due to wet weather and other delays associated with third party asset relocation. The project team has a strategy in place to make up this lost time over the remainder of the project, this strategy is dependent on minimal further delays. The major risk to the project schedule is the relocation of power infrastructure.

Approval from Essential Energy for relocation of power assets is now finalised and removal of the street lighting is programed for the 10th of September. Reloaction of other power assets will follow the mandatory public notification period.



Overhead Aerial view of Roundabout construction project progress



Aerial view of Roundabout construction project progress from the south

Moore Street Upgrade – Hospital Entrance

Council has secured funding to complete upgrade works on Moore Street at the Inverell hospital entrance. The project cost is \$1,349,000 funded by the State Government's Fixing Local Roads Program (\$911,654), contribution from NSW Health Infrastructure (\$337,250) and Council contribution (\$100,096).

The recent redevelopment of the Inverell Hospital resulted in the 'main entrance' for this facility being moved to Moore Street. Council has received grant funding from the State Government to undertake upgrade works to Moore Street to meet subsequent demand.

The project includes works along a 1,000-metre section of Moore Street and includes pavement rehabilitation, widening, a turning lane into the hospital and drainage upgrade including construction of kerb and gutter. The key aim of the project is to improve sight distance impacting safe access to the new hospital.

In order to meet the milestones of the funding deed for the project, Council commenced construction during April and must have construction completed and open to the traffic no later than 30 June, 2023.

Site preparation works have been undertaken to meet the project commencement milestone. The main body of works will be undertaken later in the calendar year and construction completed and open to the traffic in accordance with the completion milestone.

Ashford Road Rehabilitation and Widening – Wandera South

Council has allocated \$1,742,253 (\$1,089,986 from the Repair Program and \$652,267 from the Bitumen, Heavy Patching Stabilisation Fund) to complete rehabilitation and widening works on a

section of Ashford Road 11.47km to 13.90km north of Inverell. This section of road, south of the village of Wandera is undulating with narrow travel lanes and substandard horizontal curves.

Subbase material has now been placed for a length of 1600 metres with compaction of the subbase to be carried out over the next few weeks. At this time the remaining select layers and subbase layers will be undertaken on the northern end of the project for the remaining 830 metres prior to commencing the base layer for the entire project.

Council encountered areas of significant ground water ingress into the pavement with this remediation work having now been addressed for the first 1600 metres at an additional estimated cost of \$381,081. These works were not included in the original project scope and they will be responsible for an over-expenditure on this project as well as an extension of time of the project schedule. It is proposed that the additional expenditure associated with addressing the ground water ingress issues be funded from the 2022/23 Repair Program. A further report on this matter will be provided to the October Committee meeting. Earthworks are still outstanding on the remaining 830 metres and provided there are no significant ground water issues project completion is planned for November 2022.



Mixing of subbase shoulders – Ashford Road Wandera South

Maintenance Grading

The following maintenance grading works were undertaken during August 2022.

Works were completed by Council maintenance grading crews supplemented by contractor crews.

| Road Number | Road Name | Length Graded (km) |
|-------------|----------------------|--------------------|
| SR205 | Foxs Lane | 5.30km |
| SR227 | Wandera Lane | 3.35km |
| SR277 | McLean Road | 3.20km |
| SR153 | Brosnans Lane | 1.05km |
| SR143 | Mackie Lane | 1.00km |
| SR368 | Gillespies Lane | 0.60km |
| SR151 | McFertridge Lane | 0.40km |
| SR149 | Palaroo Lane | 0.95km |
| SR235 | Orchard Place | 1.75km |
| SR250 | Roseneath Lane | 0.85km |
| SR252 | McLachlans Lane | 4.50km |
| SR212 | Leviathan Road | 5.95km |
| SR270 | Inverness Road | 0.75km |
| SR107 | Northcotts Road | 1.00km |
| SR268 | Sturmans Road | 2.55km |
| SR267 | Spring Mountain Road | 14.20km |
| SR18 | Milkomi Road | 11.95km |
| SR13 | Appletree Flat | 18.35km |
| SR30 | Kneipp Road | 2.60km |
| SR31 | Hillview Road | 6.20km |
| | TOTAL | 86.50km |

Reactive Spot Grading

There were no reactive spot grading works undertaken during August 2022.

Gravel Patching

The following gravel patching works were undertaken during August 2022.

| Road Number | Road Name | Area Patched (m2) |
|-------------|-----------------|-------------------|
| SR154 | Arrawatta Road | 500m2 |
| SR136 | Dintonvale Road | 400m2 |
| SR102 | Mastermans Road | 300m2 |
| | TOTAL | 1,200 m² |

Gravel Re-sheeting

Due to the regular wet weather, Council was unable to gain access to gravel pits with machinery which resulted in no gravel re-sheeting works being finalised during August 2022.

Heavy Patching

The following heavy patching works were undertaken during August 2022.

| Road Number | Road Name | Area Patched (m2) |
|--------------------|-------------------|--------------------------|
| MR73 | Bundarra Road | 8,675m2 |
| SR234 | Kings Plains Road | 3,550m2 |
| | TOTAL | 12,225 m² |

Other Maintenance Activities

Council's State, Regional and Local Roads, Urban and Village Street maintenance activities, such as bitumen patching, drainage and shoulder repairs as well as vegetation control, are continuing as required. Town maintenance will continue as programmed.

ATTACHMENTS:

Nil