



**INVERELL**  
**SHIRE COUNCIL**

# **BUSINESS PAPER**

**Civil and Environmental Services  
Committee Meeting  
Wednesday, 8 May 2024**

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

3 May, 2024

A Civil and Environmental Services Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 8 May, 2024, 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.**

**BRETT MCINNES**

**GENERAL MANAGER**

**Agenda**

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## 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.

# OUR DESTINATIONS



### 01 LEADERSHIP



We will be an accountable and responsible Council that will be involved with the community and responsibly manage public resources.

### 02 PROSPERITY



The Shire has a diverse, strong local economy that provides opportunities that contribute to the quality of life for the community.

### 03 LIVEABILITY



Our community is healthy, safe, educated and offers opportunities for people of all ages and abilities. We value our natural and built environment.

### 04 SERVICES & INFRASTRUCTURE



Our community is enhanced by the provision of civic services and infrastructure. These services are planned and financially sustainable.

**1 APOLOGIES**

**2 CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

*That the Minutes of the Civil and Environmental Services Committee Meeting held on 10 April, 2024, 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 COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 10 APRIL 2024 AT 9.00AM**

**PRESENT:** Cr Stewart Berryman [Chairperson], Cr Paul Harmon (Mayor), Cr Di Baker, Cr Kate Dight, Cr Paul King OAM, Cr Jacko Ross, Cr Wendy Wilks and Cr Jo Williams.

**IN ATTENDANCE:** Brett McInnes (General Manager), Paul Pay (Director Corporate and Community Services), Justin Pay (Director Civil Services) and Sharon Stafford (Governance and Executive Services).

**1 APOLOGIES**

Nil

**2 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Cr Wendy Wilks

Seconded: Cr Di Baker

*That the Minutes of the Civil and Environmental Services Committee Meeting held on 13 March, 2024, 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**

**4 PUBLIC FORUM**

Nil

**5 DESTINATION REPORTS**

**5.1 BITUMEN RESURFACING PROGRAM 2024-2025 S28.21.1/17**

**COMMITTEE RESOLUTION**

Moved: Cr Di Baker

Seconded: Cr Jacko Ross

*The Committee recommend to Council that subject to the endorsement of the 2024/25 budget:*

- the proposed 2024-2025 Bitumen Resurfacing Program be adopted as presented; and*
- the adopted Bitumen Resurfacing Program be placed on Council's website for the information of the community.*

**CARRIED**

**5.2 URBAN WORKS PROGRAM 2023/24 S28.21.1**

**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Jacko Ross

*That the Committee recommend to Council that the \$531,136 in the 2023/24 Urban Works budget be allocated to the rehabilitation and reconstruction of Libani Close, Inverell.*

**CARRIED**

**6 INFORMATION REPORTS**

**COMMITTEE RESOLUTION**

Moved: Cr Di Baker

Seconded: Cr Jacko Ross

*That the following information report be received and noted.*

**CARRIED**

**6.1 WORKS UPDATE S28.21.1/17**

**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Wendy Wilks

*That the following information report be received and noted.*

**CARRIED**

**6.2 COMPLETION OF COMPANION ANIMAL IMPOUNDING FACILITY S5.9.33**

**The Meeting closed at 9.15am.**

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



## 5 DESTINATION REPORTS

### 5.1 GRAVEL RESHEET PROGRAM 2024-2025

**File Number:** S28.21.1/17 / 24/11485

**Author:** Jackson Blake, Works Engineer

#### SUMMARY:

Funding allocations have been proposed for the 2024-2025 Gravel Resheeting Program in Council's draft budget. This report details the breakdown of this funding and identifies which roads gravel resheeting is proposed. The Committee is being asked to recommend adoption of the Gravel Resheeting Program to Council.

#### RECOMMENDATION:

*That the Committee recommend to Council that:*

- i. the 2024-2025 Gravel Resheeting Program as presented be adopted; and*
- ii. upon the adoption of the 2024/25 budget the program be placed on Council's website for the information of the community.*

#### COMMENTARY:

Each year Council undertakes a Gravel Resheeting Program on Council's unsealed road network.

Council controls and maintains 1329km of unsealed roads. These roads are maintained in accordance with their classification under Council's Road Hierarchy and Asset Management System. Gravel resheeting is the process of re-applying a layer of gravel to the road, this layer acts as the road base and wearing course. The service standard requires the provision of a 100mm thick layer of gravel during resheeting.

Council sources this gravel from natural ridge gravel borrow pits and the material needs to meet certain engineering standards in order to provide adequate safety, trafficability and longevity. The cost of hauling gravel over long distances is significant and as such Council endeavours to source gravel as close to the resheeting works as possible.

The 2024-2025 Gravel Resheeting Program is scheduled to commence in July 2024. Gravel winning for the program will be undertaken so that the program can commence at the beginning of the new financial year.

The draft budget allocation for the 2024-2025 program is \$1,618,705.

The funding source for the program is as follows:

i)	Financial Assistance Grant (ACRD)	\$1,417,385
ii)	Revenue	\$ 201,320
	Total	\$1,618,705

The \$1,618,705 draft budget allocation for the 2024-2025 program is consistent with Council's recurrent funding levels in previous years budgets. Any increase or reduction of the above draft funding allocation during Council's budget adoption process would result in a corresponding reduction or increase in programmed resheeting works.

The funding has been allocated on a priority basis, as determined by Council's Asset Management System. A detailed investigation into unsealed road gravel depths has been undertaken with 20 percent of unsealed road assets completed each year for the past five (5) years, totalling 100 percent of Council's unsealed road network. Council's asset management staff continue scheduled unsealed road inspections to ensure the asset register has up to date condition data. Along with

this information, other factors also considered when developing the program include customer requests and areas known to be prone to issues during inclement weather. Proposed segments were then inspected to verify their current condition and priority and adjustments to the program were made where required.

There is potential for sections of the unsealed road network to experience increased deformation due to extreme weather events or changes in usage patterns throughout the year. As such, it is proposed that any reactionary resheeting works will be funded by the Regional Emergency Road Repair Fund (RERRF). The 2023 NSW State Government Budget allocated \$390M to the new RERRF, this is in addition to the \$280M funding allocated in early 2023 under the Regional and Local Roads Repair Program (RLRRP). Council's allocation for the RERRF is in excess of \$10M. Reactive works will be funded according to the RERRF - Funding Allocation Strategy.

Due to the increase in plant hire rates and wages over the past 12 months, as well as longer than average haulage lengths, a rate of \$31K per kilometre has been estimated for the 2024-2025 program.

Upward of 40,000 cubic metres of gravel will be utilised during the completion of the program. This gravel will be sourced from Council's various gravel pits. The winning and stockpiling of the gravel by bulldozer will be undertaken predominately by contractors. A request for quotation process will be undertaken and contracts awarded for winning and stockpiling of material. All contractors that have the appropriate machinery listed with Council will be given the opportunity to provide a quotation to undertake the works. The contracts will be awarded based on the quantities required to complete the program as listed in the table below.

Composite works crews will complete the resheeting program, comprising both Council staff and contractors. The program will be scheduled around other priority programs such as the Jones Road Upgrade Project and other construction projects throughout the financial year. Every effort will be made to complete the program by June 2025, however this will be dependent on climatic conditions over the period.

The table shown below lists the Shire Roads proposed for resheeting prior to 30 June 2025.

<b>2024-2025 Gravel Resheeting Program</b>				
<b>Road No.</b>	<b>Road Name</b>	<b>L (m)</b>	<b>Area (m2)</b>	<b>Estimated Resheet Cost</b>
SR58	ROCKY CREEK ROAD	12,319	73,914	\$416,273
SR59	GRAMAN ROAD	8,508	51,048	\$280,764
SR153	BROSNANS LANE	1,043	6,258	\$29,986
SR173	DELUNGRA BYPASS ROAD	4,012	30,090	\$115,345
SR196	ONUS ROAD	873	4,802	\$101,229
SR205	FOXES LANE	5,256	23,652	\$151,110
SR225	GOOMERAH LANE	1,911	9,555	\$54,941
SR252	MCLACHLANS LANE	6,243	29,543	\$124,545
SR277	MCLEAN ROAD	2,218	13,308	\$63,768
SR415	REDHILL ROAD	3,577	16,974	\$102,839
SR416	KEMPTON ROAD	4,087	18,392	\$117,501
SR417	LONG GULLY ROAD	2,101	9,455	\$60,404
	<b>Totals</b>	<b>52,148</b>	<b>286,991</b>	<b>\$1,618,705</b>

A map showing the locations of the roads being proposed for resheeting is included in **Attachment 1**.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

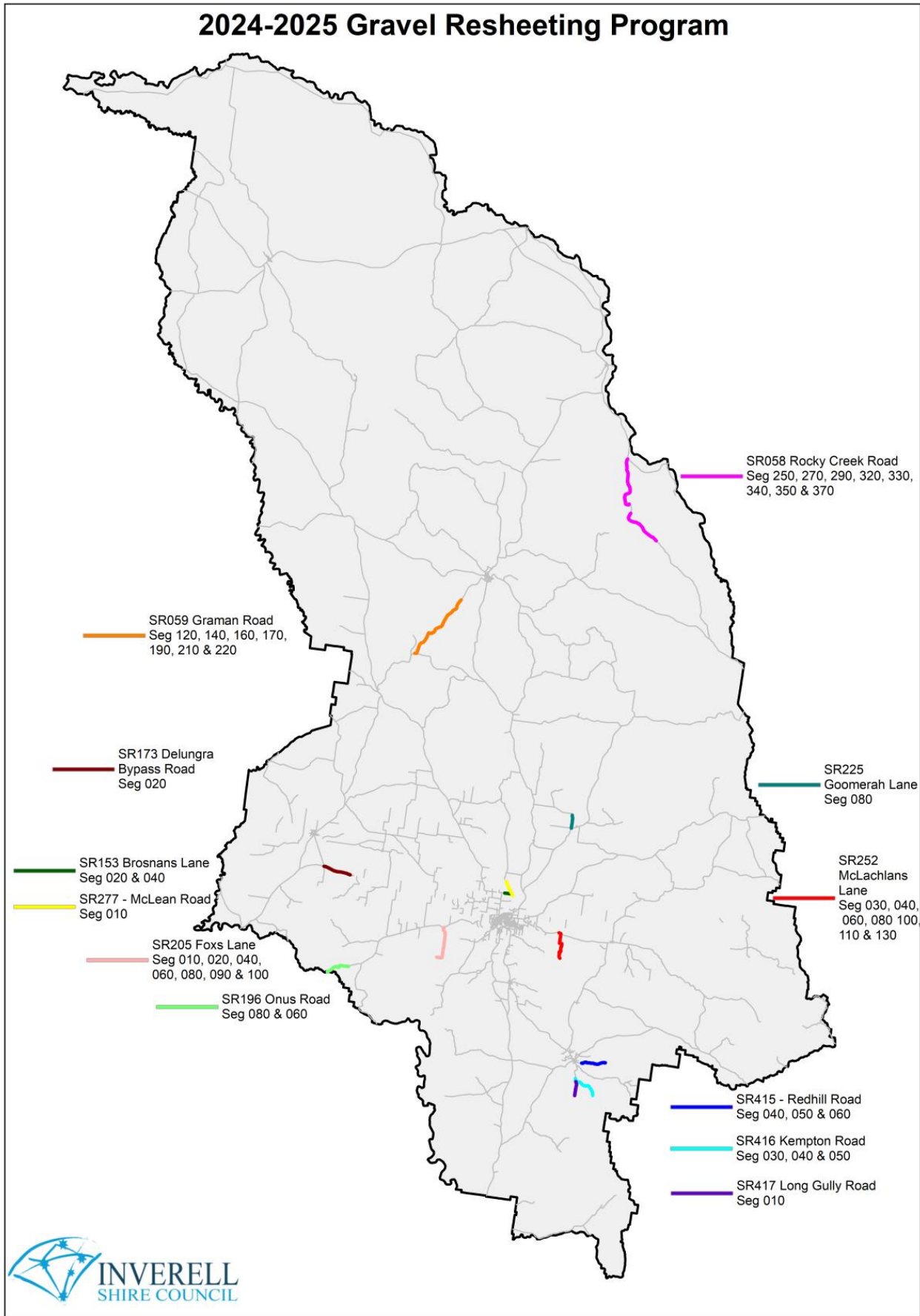
Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

1. **Map Showing Locations of the Roads Proposed for Resheeting** [↓](#)



**5.2 TRANSPORT FOR NSW FREIGHT POLICY REFORM PROGRAM****File Number:** S28.8.2 / 24/14990**Author:** Justin Pay, Director Civil Services**SUMMARY:**

On 25 January this year the NSW Government announced the Freight Policy Reform Program. The Freight Policy Reform Program Consultation paper has now been published, outlining the scope and purpose of the Freight Policy Reform Program and submissions are being called on the paper.

**RECOMMENDATION:**

*That the Committee recommend to Council that:*

- (a) the information be received and noted; and*
- (b) the Director Civil Services be delegated authority to provide a submission on the Freight Policy Reform Program Consultation paper and the Draft Heavy Vehicle Access Policy in accordance with the principles set out in the report.*

**COMMENTARY:**

On 25 January this year the NSW Government announced the Freight Policy Reform Program (FPRP). The FPRP is being led by Transport for NSW, in partnership with the Freight Policy Reform Advisory Panel (the Panel), who have experience in the freight and logistics sector. The FPRP will investigate and review the current policy settings that apply to different parts of the supply chain, including but not limited to:

- the major ports in NSW
- the road and rail network
- the supporting metropolitan and regional intermodal terminals and other enabling transport infrastructure
- the consideration of freight in the identification and use of industrial land.

The program will identify short, medium and long-term actions for Government to support the ongoing improvement of freight transport across NSW.

The freight task in NSW is complex and evolving, with a need to respond to advances in technology, the ongoing development of major infrastructure, the changing ports landscape, national harmonisation policies and global trade fluctuations.

The Freight Policy Reform Program Consultation paper has now been published, outlining the scope and purpose of the Freight Policy Reform Program (Reform). The consultation paper can be found at the following link [https://hdp-au-prod-app-nsw-haveyoursay-files.s3.ap-southeast-2.amazonaws.com/7117/1340/7001/FREIGHT\\_POLICY\\_REFORM\\_CONSULTATION\\_PAPER\\_A\\_PRIL\\_2024.pdf](https://hdp-au-prod-app-nsw-haveyoursay-files.s3.ap-southeast-2.amazonaws.com/7117/1340/7001/FREIGHT_POLICY_REFORM_CONSULTATION_PAPER_A_PRIL_2024.pdf)

The FPRP is taking an end-to-end system approach and considering the entire freight logistics chain, this includes the Draft Heavy Vehicle Access Policy (DHVAP). The DHVAP sets out five (5) policy pillars to enable a future focused freight network:

1. Agile and resilient networks
2. Innovative vehicles
3. Streamlined access
4. Telematics and data

5. Strong partnerships.

The DHVAP also sets out:

- i) proposed access priorities and Performance Based Standards (PBS) network opportunities
- ii) networks and access conditions for heavy vehicle classes
- iii) examples of innovative vehicle design templates.

The DHVAP can be found at the following link [https://hdp-au-prod-app-nsw-haveyoursay-files.s3.ap-southeast-2.amazonaws.com/7317/1331/1827/Draft\\_NSW\\_Heavy\\_Vehicle\\_Access\\_Policy\\_WCAG.pdf](https://hdp-au-prod-app-nsw-haveyoursay-files.s3.ap-southeast-2.amazonaws.com/7317/1331/1827/Draft_NSW_Heavy_Vehicle_Access_Policy_WCAG.pdf)

TfNSW is seeking feedback on the consultation paper and the DHVAP. It is intended that Council put forward submissions that highlight the importance of the following key principles:

- The classification of Inverell as a strategic centre be reinforced;
- That “last mile” road issues are considered to help support agricultural producers increase access to market;
- The importance of the Gwydir Highway as an East-West freight link;
- Cross border freight issues are given due consideration;
- Adequate funding be provided to Road Managers in order to meet the increasing demands of the road freight task;
- Reduction of “red tape” for road users when applying for heavy vehicle access through the National Heavy Vehicle Regulator; and
- Road Managers and Freight operators be provided adequate support when applying for, and considering heavy vehicle access requests that involve regional and inter-state travel.

Submissions need to be provided to TfNSW by 31 May 2024. The Committee is requested to recommend to Council that the Director Civil Services be given delegated authority to provide a submission based on the above key principles.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil

## 6 INFORMATION REPORTS

### 6.1 WORKS UPDATE

**File Number:** S28.21.1/17 / 24/14287

**Author:** Justin Pay, Director Civil Services

#### **SUMMARY:**

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

#### **COMMENTARY:**

##### **Fixing Country Bridges Funding Grant**

Council has been successful in obtaining \$4.109M from the Fixing Country Bridges Funding Grant to replace Mathers Bridge on Nullamanna Road. Council has committed to a co-contribution of \$250K to bring the total funding to \$4.359M for the project.

Mathers Bridge is located along Nullamanna Road and crosses Frazers Creek just north of the Nullamanna village. The existing bridge consisting of a timber superstructure and concrete deck was constructed in the late 1950s and is now nearing the end of its useful life. A structural report completed on the bridge in 2019 found the bridge to be in very poor condition. Due to the condition of the existing bridge and the high volume of heavy vehicle traffic along the route, works began in 2022 to replace the bridge. A single lane side track under constant traffic control was constructed to allow heavy vehicles to continue to use the route while construction of the new bridge is underway. The construction of the new bridge is being undertaken by a team of contractors.

The contract for the bridge replacement project has been awarded to DavBridge Constructions.

Works that have been completed to date include:

- Bridge Options Report
- Bridge Design Plans
- Geotechnical Investigation
- Environmental Report
- Aboriginal Heritage Report
- Construction of the side track including the installation of a temporary bridge
- Demolition of the existing timber bridge
- Environmental protection works
- Piling works
- Bridge Abutment
- Deck Installation
- Kerb Installation
- Guardrail Installation
- Approach Slab Installation
- Pavement Construction for Bridge Approaches

Remaining Works to be completed include:

- Bitumen Seal of Bridge Approaches
- Installation of Asphalt Wearing Surface on the Bridge Deck

The finalisation of the project has been delayed due to availability issues of asphalt contractors as well as delays with bitumen sealing of the bridge approaches due to wet weather. The Bridge is expected to be open by the end of May 2024.



Mathers Bridge – Pavement works completed for the bridge approaches.

### **Walkers Bridge Replacement - Red Hill Road, Tingha**

Council has received \$675,000 of grant funding under the National Bushfire Recovery Agency funding program for the replacement of Walkers Bridge. Council has supplemented this funding with \$634,597 from the Roads to Recovery funding allocation providing a total project budget of \$1,309,597.

Walkers Bridge is a single lane timber structure built in 1966 over Darby's Creek on the eastern edge of the Tingha village on Red Hill Road. After many design considerations and budget constraints, Council has approved the replacement with a single lane box culvert structure.

Design plans have now been finalised with excavation of the culvert foundation underway and due for completion early May 2024. The gabion construction contractor is due to commence onsite on Monday, 6 May 2024 and continue for two (2) weeks at which time Council's crews can commence the base slab construction. Project completion is planned for the end of June 2024.





Walkers Bridge Demolition – commencement of foundation excavation

### **RMCC Asphalt Resurfacing Program 2023-2024**

Transport for NSW (TfNSW) provided a budget allocation of \$415,320 for asphalt resurfacing works along the Gwydir Highway within the Inverell LGA for the 2023-2024 financial year. Segments 7400 and 7410 were identified for replacement of the asphalt wearing surface. Both segments are located within the Inverell urban area and on the fringe of the CBD. The locality is referred to as Glen Innes Road from the Tingha Road Roundabout to Henderson Street Roundabout and Otho Street from Henderson Street Roundabout to Evans Street.

Works were postponed until the latter half of this financial year whilst discussions were undertaken with TfNSW regarding two (2) matters, the first concerning whether Council would consider funding associated resurfacing works within the parking lanes of both segments, the area outside of TfNSW jurisdiction and the second regarding Otho Street and the possibility of the State Highway classification being removed from Otho/Byron Street and transferred to Campbell Street from Henderson Street roundabout to Byron Street.

With regard to the outcome of these matters, the resurfacing of the parking lanes was deemed unnecessary and not justified under Council's asset management practises and TfNSW opposed the reclassification proposal of their road network.

Works commenced on Sunday, 7 April 2024 as daywork and continued on Monday, 8 April and Tuesday, 9 April as nightwork. Glen Innes Road was completed over the weekend and during the day due to lower traffic volumes and the close proximity of residents and Cousins Motor Inn whilst Otho Street was completed as nightwork so as not to affect the businesses that operate along this section of road.

Works were completed on time and under budget with minimal impact on the community and travelling public.

7 Apr 2024 at 10:08:28  
S 29° 46' 46", E 151° 7' 4"  
18 Glen Innes Rd  
Inverell NSW 2360  
Australia



Asphalt Preparation Works



Finished surface Glen Innes Road



Finished surface Henderson Street Roundabout



Finished surface Otho Street

### **Remote Roads Pilot Program – Jones Road Upgrade**

Council has been successful in securing funding for upgrade works on Jones Road to the entrance of Green Valley Farm. The project cost is \$1.903M funded by the Federal Government's Remote Roads Pilot Program (\$1,249,600), and a contribution from Council (\$653,455).

Green Valley Farm is a major tourist attraction for the Inverell Shire. The upgrade works associated with this project will improve the safety of the road as well as improve trafficability for tourists.

The project includes works along a 1.2km section of Jones Road and includes a pavement overlay, widening, replacement of drainage structures, bitumen sealing in addition to heavy patching of the New Valley Road between Jones Road and Tingha. The key aim of the project is to improve safety and trafficability on the route to Green Valley Farm.

The Construction Team have completed earthworks along the length of the project. Following the completion of the earthworks the first layer of pavement has been hauled and stabilised. It is expected that the final layer of pavement will be hauled during the month of May.

The project is on schedule and is expected to be completed by September 2024.

Regular communication is being maintained with the operators of Green Valley Farm throughout each stage of the project.



Jones Road Upgrade Project – First Layer of Stabilised Pavement.

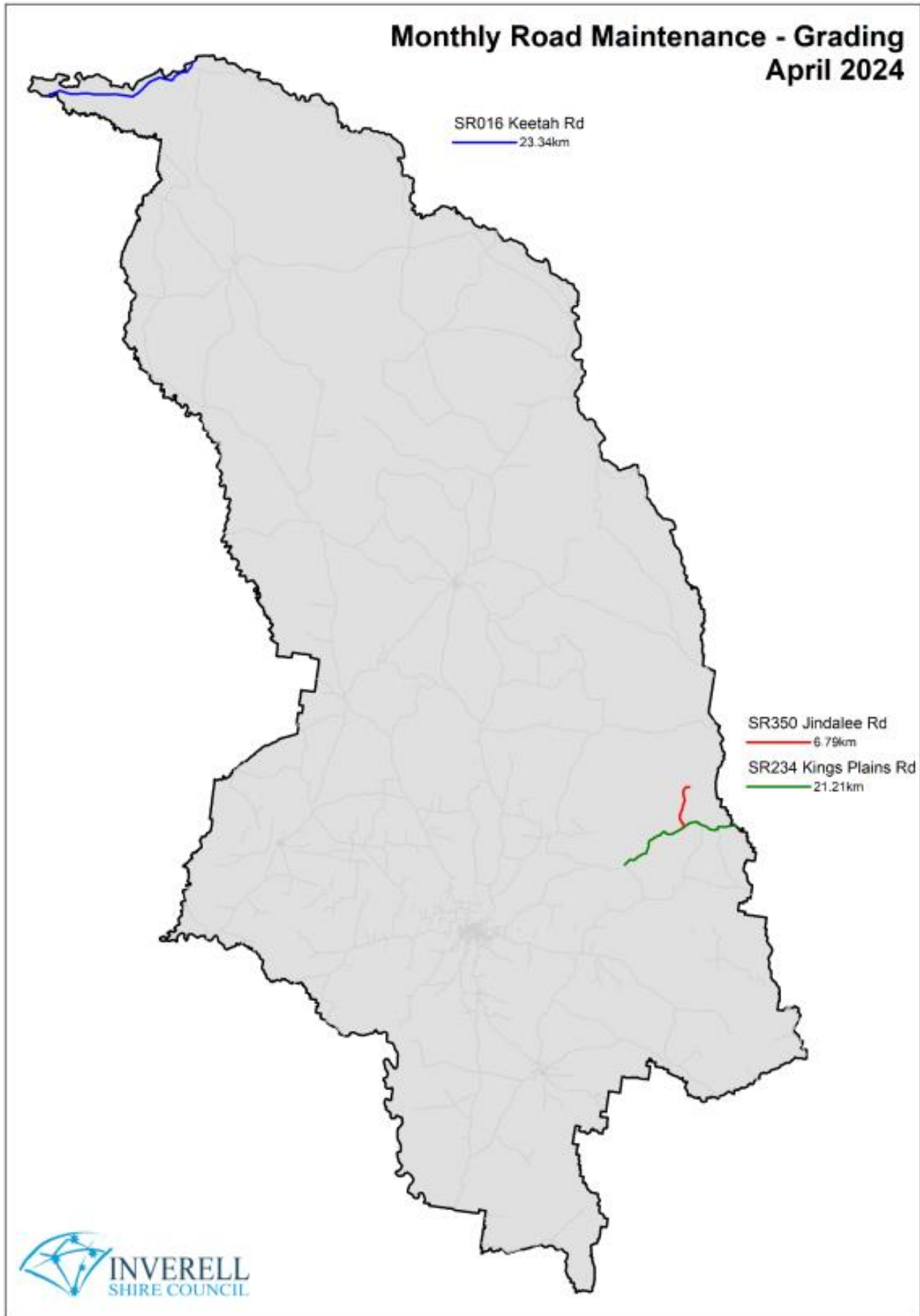


Jones Road Upgrade Project – Earthworks for New Road Formation Completed.

**Road Maintenance****Maintenance Grading**

The following maintenance grading works were undertaken during April 2024.

<b>Road Number</b>	<b>Road Name</b>	<b>Length Graded (km)</b>
SR16	Keetah Road	23.34km
SR234	Kings Plains Road	21.21km
SR350	Jindalee Road	6.79km
	<b>TOTAL</b>	<b>51.34km</b>



**Reactive Spot Grading**

No reactive spot grading works were undertaken during April 2024.

**Gravel Patching**

The following gravel patching works were undertaken during April 2024.

<b>Road Number</b>	<b>Road Name</b>	<b>Area Patched (m2)</b>
SR33	Limestone Road	17,960m2
SR103	Gragin Boundary Road	5,300m2
SR104	Lecoin Road	11,500m2
SR177	Blyths Lane	10,250m2
SR181	Havilah Park Road	17,668m2
SR196	Onus Road	15,705m2
	<b>TOTAL</b>	<b>78,383m2</b>

**Gravel Re-sheeting**

No gravel re-sheeting works were completed in April 2024.

**Heavy Patching**

No heavy patching works undertaken during April 2024.

**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



**6.2 COUNTRY PASSENGER TRANSPORT INFRASTRUCTURE GRANTS SCHEME 2023-2024**

**File Number:** S15.8.33/06 / 24/14561

**Author:** Scott Hamilton, Project Engineer

**SUMMARY:**

This report is intended to keep Council updated on the outcome of our recent submission for funding under the Country Passenger Transport Infrastructure Grants Scheme for 2023-2024.

**COMMENTARY:**

The Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) provides funding to support the installation or upgrade of bus stop infrastructure owned and maintained by Council. It represents Transport for NSW's (TfNSW) financial contribution towards improving the accessibility and quality of kerbside passenger transport infrastructure in regional NSW.

The Scheme is open to applications for the provisions of new or upgraded infrastructure components under the following criteria:

- new shelter and associate works, or
- upgrades to existing bus stops including:
  - boarding areas - levelling of basic boarding point; minor boarding point upgrade
  - connecting footpath
  - security/lighting
  - signage
  - hard-stand areas
  - street furniture
  - tactile ground surface indicators (TGSIs)

Applications for new shelters and associated works has a maximum total grant value of \$20,000 per site whilst applications for an upgrade has a maximum total grant value of up to \$4,500 per site, depending on the upgrade type. Applications cannot be made for both a new shelter and upgrade at the same location. If schools, transport providers and businesses would like a shelter or upgrade they are required to contact Council to make an application on their behalf.

Council received a request from Ashford Central School for the installation of three (3) new shelters adjacent the school and one (1) request from a local bus operator for a new shelter at the intersection of Old Bundarra Road and Doncaster Drive.

In total Council made application for the manufacture and installation of four (4) new shelters each consisting of a three-sided shelter with seating facilities and associated access works for each site. The shelters are the same as those installed under previous CPTIGS projects.

Council received formal notification advising that a total grant funding allocation of \$80,000 has been awarded to undertake new shelter infrastructure works in the following locations:

- Project 1 – 51 Martyn Street, Ashford, adjacent eastern school bus stop.
- Project 2 – 37-39 Albury Street, Ashford, at school pick up area.
- Project 3 – 53 Martyn Street, Ashford, adjacent western school bus stop.
- Project 4 – Intersection of Old Bundarra Road and Doncaster Drive.

The maximum funding allocation of \$20,000 per shelter has been provided for each location, totalling \$80,000.

A local contractor will be engaged to manufacture the four shelters as per Council's current design specification with Council programming installation at a date to be confirmed. Completion timeframe for the grant funding is two (2) years from the date of the formal notification, that being 13 March 2026.



Project Site 1 - 51 Martyn Street, Ashford



Project Site 2 - 37-39 Albury Street, Ashford



Project Site 3 - 53 Martyn Street, Ashford



Project Site 4 - Intersection of Old Bundarra Road and Doncaster Drive

**ATTACHMENTS:**

**Nil**

**6.3 SMOKE-FREE OUTDOOR PUBLIC PLACES POLICY - 12 MONTH UPDATE**

**File Number:** S24.17.1 / 24/14808

**Author:** Anthony Alliston, Director Environmental Services

**SUMMARY:**

On the 27 July 2022 Council adopted a Smoke-Free Outdoor Public Places Policy which commenced on 12 December 2022. The purpose of this report is to provide the Civil and Environmental Services Committee an update on the effectiveness of the Smoke-Free Outdoor Public Places Policy after more than 12 months of the policy being in place.

The Committee is being asked to note the information and the update.

**COMMENTARY:**Background

In response to a Notice of Motion from Councillor Paul King at the April 2022 meeting of Council seeking to prohibit smoking in designated seating areas within the core CBD, Council resolved to endorse the draft *Smoke-Free Outdoor Public Places Policy* for the purpose of community consultation on 25 May 2022.

The draft policy was subsequently placed on public exhibition on 10 June 2022 for a period of 28 days and at the Ordinary Council meeting held 27 July 2022 Council resolved (RES:2022/102):

*That:*

- i) That the draft Smoke-Free Outdoor Public Places Policy be adopted as presented;*
- ii) The policy commence upon erection of required signage and community notification; and*
- iii) A further report evaluating the effectiveness of the policy be provided at the completion of 12 months from the date of commencement.*

A copy of the adopted Smoke-Free Outdoor Public Places Policy is included as **Attachment 1**.

In accordance with the Council resolution the policy was to commence upon the erection of the signage and community notification. The signs were erected and the community were notified on 12 December 2022 of the policy's commencement.

A further report was then presented to the Ordinary Meeting of Council on the 13 December 2023 after Councillor Paul King raised a question "*if the existing No Smoking signs in the Inverell CBD were adequate in size and number*". Council resolved (RES:2023/218) "*that a further 10 A4 signs be purchased and placed in those areas in the CBD where there is more than a 100m distance between signs.*" The additional signs were erected in February 2024.

The Smoke-Free Outdoor Public Places Policy

The *Smoke-Free Outdoor Public Places Policy* prohibits smoking (including the use of electronic cigarettes) in the following outdoor public areas:

- *High Pedestrian Activity Areas of Inverell Core CBD defined as:*
  - *Otho Street (between Rivers Street and Byron Street);*
  - *Byron Street (between Campbell Street and Lawrence Street); and*
  - *Evans Street (between Otho Street and Campbell Street).*

**Figure 1** identifies the Smoke-Free Area adopted by Council. The Smoke-Free Area signs are the size of an A4 piece of paper, similar in size to the parking signs in the CBD, and are spaced at approximately 50m-100m apart. There are now 48 No Smoking signs in the Inverell CBD in Byron

Street, Otho Street and the surrounds of the Town Hall. **Attachment 2** includes a plan showing the location of the No Smoking signs.



**Figure 1 – Adopted Smoke-Free Zone in Inverell CBD**

In regard to the enforcement of the policy, this was to be achieved through the signage, positive persuasion (messaging) and self-policing through the community. In certain instances, it was intended that enforcement may also be achieved by issuing of Penalty Infringement Notices by authorised officers.

### Discussion

The purpose of this report is to provide an update to the Committee and to evaluate the effectiveness of the policy after being in place for approximately 18 months (12 December 2022). In this regard the following discussion is provided:

- Council's ordinance staff have indicated that they have observed a marked reduction of people smoking within the Smoke-Free Zones over the last 12 months. At this stage (as authorised officers), while on the rare occasion they have had to remind smokers in regard to not smoking in the Smoke-Free Zones, no Penalty Infringement Notices have been issued. Council ordinance staff will continue to monitor the Smoke-Free Zones and keep Council management informed.
- In correspondence to Council in January 2024 from the public, there is evidence of community policing of the policy in specific areas and businesses within the CBD. Self-policing was identified as an enforcement tool within the policy.
- As a result of the matters relating to signage (size and number) raised by Councillor King, Council resolved to erect an additional 10 signs in the Smoke-Free Zone. The placement of the additional signs was targeted in the areas where Council had received complaints and information regarding self-policing.
- A review of Council's complaints system (Pathway) reveals that there have been very few (three) complaints relating to smoking in the CBD area in the past 12 months.
- Council's web-site includes the Smoke-Free Outdoor Public Places Policy in the Community Notices section and from time-to-time there are social media posts relating to the policy. This practice will continue.

In regard to evaluating the policy after 12 months, it is considered that on balance the adopted policy has effectively assisted Council and the community in achieving the primary purposes of the policy, being to:

- Protect members of the community from the health and social impacts of smoking by others in public places;
- Improve public amenity and maintenance of Council property;
- Help to protect the environment from the impacts of discarded cigarette butts; and
- Support the intent of the *Smoke-free Environment Act 2000 (NSW)(SFE Act)*.

It must also be acknowledged that the implementation and enforcement of such a policy cannot provide a 100% outcome and the measurement of its effectiveness, by the nature of the issue at hand, will be via anecdotal evidence and personal observations.

### Conclusion

Inverell Shire Council, like many Councils, has recognised the imperative to create a healthier environment for its residents and visitors. With the detrimental effects of smoking on public health well-documented, Council took proactive steps in July 2022 to adopt a Smoke-Free Outdoor Public Places Policy.

The adopted policy recognises that Council has:

- An obligation to promote public health outcomes where Council provides assets and services for the benefit the community;
- A commitment to improve the natural environment and the amenity of the local area by reducing cigarette related litter;
- An acknowledgement of the damaging effects associated with passive smoking in outdoor public spaces; and
- An understanding of the indirect effects of smoking in outdoor areas such as atmospheric pollution, sensory irritations and exposure to discarded cigarette butts.

Based on a 12-month evaluation of the policy and its effectiveness, it is considered that on balance the aims of the policy are being met. The Committee is asked to note the information and the update. Council staff will continue to positively promote the policy via its web-site and social media and proactively monitor the effectiveness of the identified enforcement mechanisms of the policy.

### **RISK ASSESSMENT:**

Nil

### **POLICY IMPLICATIONS:**

The Smoke-Free Outdoor Public Places Policy commenced on the 12 December 2022.

### **CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

### **LEGAL IMPLICATIONS:**

Council has the power under the *Local Government Act 1993* to enforce the provisions of the policy.

### **ATTACHMENTS:**

1. **Smoke-Free Outdoor Public Places Policy** [↓](#)
2. **Plan - Location of No Smoking signs** [↓](#)

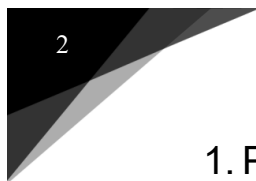


**Inverell Shire Council**

# **Smoke-Free Outdoor Public Places Policy**

**Adopted 27 July 2022  
Res 2022/102**





## Smoke-Free Outdoor Public Places Policy

### 1. Purpose

The purposes of the policy are as follows:

- Protect members of the community from the health and social impacts of smoking by others in public places,
- Improve public amenity and maintenance of Council property,
- Help to protect the environment from the impacts of discarded cigarette butts,
- Support the intent of the *Smoke-free Environment Act 2000 (NSW)(SFE Act)*.

### 2. Principles

The policy recognises that Council has:

- An obligation to promote public health outcomes where Council provides assets and services for the benefit the community.
- A commitment to improve the natural environment and the amenity of the local area by reducing cigarette related litter.
- An acknowledgement of the damaging effects associated with passive smoking in outdoor public spaces.
- An understanding of the indirect effects of smoking in outdoor areas such as atmospheric pollution, sensory irritations and exposure to discarded cigarette butts.
- Adopted a Community Strategic Plan that includes the following destinations:
  - i) A community that is healthy, educated and sustainable; and
  - ii) An environment that is protected and sustained.

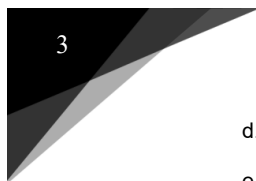
### 3. Scope

This policy applies to everyone in relation to the nominated outdoor public places in the Inverell Shire Council Local Government Area. Further information regarding nominated smoke-free areas is contained in Part 6 of this policy.

### 4. Background (State Wide Controls)

Controls exist under the SFE Act that ban smoking in enclosed public places and various outdoor public places including:

- a. within 10 metres of children's play equipment,
- b. public swimming pool complexes,
- c. spectator areas at public sports grounds and other recreational areas,



### Smoke-Free Outdoor Public Places Policy

- d. at public transport stops and stations, (bus stops and taxi ranks)
- e. within 4 metres of a pedestrian access point to a public building,
- f. commercial outdoor dining areas.

Smoking bans in the above areas are regulated by NSW Health. Complaints relating to people smoking in those areas identified in the Act should be referred to NSW Health.

Through application of this policy Council extends the smoking ban to additional outdoor public places in Inverell Shire.

## 5. Legislative Framework

Under the *NSW Local Government Act 1993* Council has the power to:

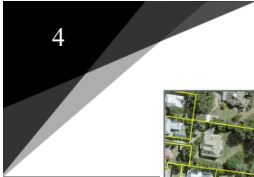
- Erect suitably worded and strategically placed notices in public places (including public roads) prohibiting smoking (including e-cigarettes) (s.632 (1) and (2) (e) of the Act).
- Serve by means of an authorised person, a penalty infringement notice (\$110.00) upon any person who fails to comply with the terms of any such notice (s.679 of the Act).
- Demand by means of an authorised person, the name and address of any person reasonably suspected of failing to comply with the terms of any such notice (s680 of Act).
- Remove, by means of an authorised person, from community land any person who fails to comply with the terms of any such notice (s681 of the Act).

Council also has a common law right as a condition of entry to prohibit smoking on properties it owns or occupies. All Council owned buildings are smoke-free environments.

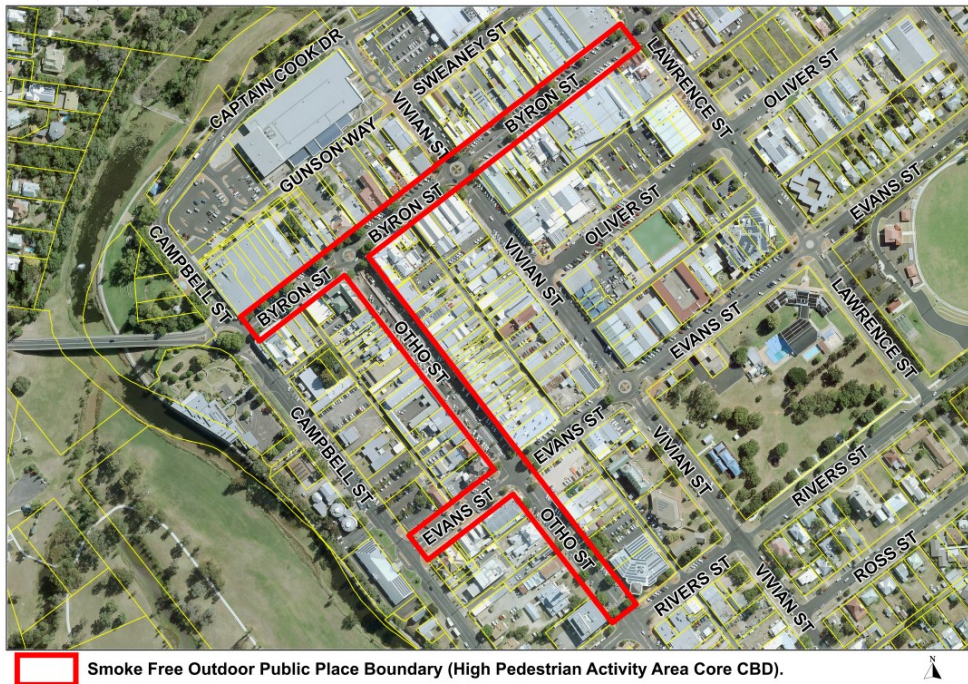
## 6. Application (Additional 'Smoke-Free' Outdoor Public Places)

This policy prohibits smoking (including the use of electronic cigarettes) in the following outdoor public areas:

- High Pedestrian Activity Areas of Inverell Core CBD defined as:
  - Otho Street (between Rivers Street and Byron Street)
  - Byron Street (between Campbell Street and Lawrence Street)
  - Evans Street (between Otho Street and Campbell Street)



Smoke-Free Outdoor Public Places Policy



The prohibition of smoking in these areas applies at all times. Suitable signage will be installed as required throughout the identified area.

These areas are in addition to those places listed under the SFE Act.

### 7. Enforcement and Authorised Persons

Enforcement of this policy will rely on signage, positive persuasion (messaging) and self-policing through the community. In certain instances enforcement may also include the issuing of penalty infringement notices by authorised officers if necessary to achieve compliance.

Council Rangers and Environmental Health Officers are authorised officers for the purpose of enforcement action in accordance with this policy. NSW Police Officers are also authorised officers under the provisions of the Local Government Act.

### 8. Variation and Review

Council shall review this policy on an annual basis. Council reserves the right to vary or revoke this policy at its discretion.



**NO SMOKING SIGNAGE  
INVERELL CBD**

 No Smoking Sign

 Smoke-free area