

# TAMWORTH REGIONAL COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that a **Meeting of Tamworth Regional Council** will be held in the **Council Chambers, 4th Floor Ray Walsh House, 437 Peel Street, Tamworth**, commencing at **6:30pm**.

## ORDINARY COUNCIL AGENDA

**11 FEBRUARY 2020**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

Meeting Date: 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month commencing at 6:30pm.

Matters determined by Ordinary meetings will include all those non-delegable functions identified in Section 377 of the Local Government Act as follows:

- *“the appointment of a general manager*
- *the making of a rate*
- *a determination under section 549 as to the levying of a rate*
- *the making of a charge*
- *the fixing of a fee*
- *the borrowing of money*
- *the voting of money for expenditure on its works, services or operations*
- *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)*
- *the acceptance of tenders which are required under this Act to be invited by the council*
- *the adoption of an operational plan under section 405*
- *the adoption of a financial statement included in an annual financial report*
- *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6*
- *the fixing of an amount or rate for the carrying out by the council of work on private land*
- *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work*
- *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#)*
- *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194*
- *a decision under section 356 to contribute money or otherwise grant financial assistance to persons*
- *the making of an application, or the giving of a notice, to the Governor or Minister*
- *this power of delegation*
- *any function under this or any other Act that is expressly required to be exercised by resolution of the council.”*

Other matters and functions determined by Ordinary Council Meetings will include:

- *Notices of Motion*
- *Notices of Motion of Rescission*
- *Council Elections, Polls, Constitutional Referendums and Public Hearings/Inquiries*
- *Ministerial Committees and Inquiries*
- *Mayor and Councillors Annual Fees*
- *Payment of Expenses and Provision of Facilities to Mayor and Councillors*
- *Local Government Remuneration Tribunal*
- *Local Government Boundaries*
- *NSW Ombudsman*
- *Administrative Decisions Tribunal*
- *Delegation of Functions by the Minister*
- *Delegation of Functions to General Manager and Principal Committees*
- *Organisation Structure*
- *Code of Conduct*
- *Code of Meeting Practice*
- *Honesty and Disclosure of Interests*
- *Access to Information*
- *Protection of Privacy*
- *Enforcement Functions (statutory breaches/prosecutions/recovery of rates)*
- *Dispute Resolution*
- *Council Land and Property Development*
- *Annual Financial Reports, Auditors Reports, Annual Reports and Statement of the Environment Reports*
- *Performance of the General Manager*
- *Equal Employment Opportunity*
- *Powers of Entry*
- *Liability and Insurance*
- *Membership of Organisations*

**Membership:** All Councillors  
**Quorum:** Five members  
**Chairperson:** The Mayor  
**Deputy Chairperson:** The Deputy Mayor

## Community Consultation Policy

The first 30 minutes of Open Council Meetings is available for members of the Public to address the Council Meeting or submit questions either verbally or in writing, on matters INCLUDED in the Business Paper for the Meeting.

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

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

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day of the Meeting to address the Council Meeting. Persons not registered to speak will not be able to address Council at the Meeting.

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

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

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

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

### **Disclosure of Political Donations or Gifts**

If you have made a relevant planning application to Council which is listed for determination on the Council Business Paper you must disclose any political donation or gift made to any councillor or employee of the Council within the period commencing two years before the application is made and ending when the application is determined (Section 147(4) Environmental Planning and Assessment Act 1979).

If you have made a relevant public submission to Council in relation to a relevant planning application which is listed for determination on the Council Business Paper you must disclose any political donation or gifts made to any councillor or employee of the Council by you as the person making the submission or any associate within the period commencing two years before the submission is made and ending when the application is determined (Section 147(5) Environmental Planning and Assessment Act 1979).

## AGENDA

- 1 **APOLOGIES AND LEAVE OF ABSENCE**
- 2 **COMMUNITY CONSULTATION**
- 3 **MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL**

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 17 December 2019, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.*

### 4 **DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

### 5 **MAYORAL MINUTE**

Nil

### 6 **NOTICE OF MOTION**

Nil

## **OPEN COUNCIL REPORTS**

### 7 **ENVIRONMENT AND PLANNING**

#### **7.1 PLANNING PROPOSAL - TEMPORARY EVENTS – FILE No SF10100**

**DIRECTORATE: PLANNING AND COMPLIANCE**

**AUTHOR: Sonya Vickery, Integrated Planner - IP&R**

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Planning Proposal – Temporary Events”, Council:*

- (i) receive and endorse the Planning Proposal to enable temporary events on land zoned RE1 Public Recreation and/or any local public roads within the Region to be undertaken without development consent;*
- (ii) approve the submission of the Planning Proposal to the NSW Department of Planning Industry and Environment (NSW DPIE) with a request for Gateway determination;*
- (iii) notify the NSW DPIE of Council’s intention to utilise its plan making power as delegated by the Department to make the proposed amendment to the Tamworth*

***Regional Local Environmental Plan 2010; and***

- (iv) delegate to the General Manager any necessary amendments required to the Planning Proposal as a result of considerations by the NSW DPIE or as a result of Gateway determination.***

**SUMMARY**

The objectives and intended outcomes of this Planning Proposal are:

1. to enable certain temporary events on land zoned RE1 Public Recreation and/or any local public roads to be undertaken without development consent; and
2. to remove duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the *Environmental Planning and Assessment Act 1979* (EP&A Act), as it relates to temporary events by not requiring development approval in accordance with the provisions of the EP&A Act.

**COMMENTARY**

The preparation of a Planning Proposal is the first step in the NSW Department of Planning, Industry and Environment's (NSW DPIE) Gateway process which is the process for making or amending Local Environmental Plans (LEPs). The Planning Proposal recommends an amendment to the *Tamworth Regional Local Environmental Plan 2010* (TRLEP 2010) to enable temporary events on land zoned **RE1 Public Recreation** and/or any local public roads within the Region to be undertaken without development consent, the Planning Proposal is **ATTACHED**, refer **ANNEXURE 1**. The Planning Proposal removes the duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the *Environmental Planning and Assessment Act 1979*.

**Current Situation**

The existing approval pathway for anyone wanting to hold an event on land within the Region such as "pop-up" events, stalls, public entertainment etc., involves the lodgement of a development application and associated fees in addition to approvals under the *Local Government Act* and/or a *Section 138 Roads Act* in some instances. It is considered that, provided all appropriate approvals are obtained, development approval is unnecessary and overly burdensome. An amendment to the TRLEP 2010, is the only method available to reduce the requirement for a development application and is the most effective means of permitting temporary events within public reserves and local roads without obtaining multiple approvals.

The requirement for approvals to be obtained under the *Local Government Act 1993* and/or *Roads Act 1993* will remain.

If Council resolves to adopt the attached Planning Proposal, then it will be sent to the NSW DPIE for Gateway assessment and approval. Should Gateway approval be granted the consent will contain conditions pertaining to exhibition timeframes, specific terms and consultation requirements as deemed necessary.

The estimated time frame for the proposed LEP amendment is outlined in the Planning Proposal which is attached to this report.

**(a) Policy Implications**

Nil



**(b) Financial Implications**

Nil

**(c) Legal Implications**

This matter may result in an amendment to the *Tamworth Regional Local Environmental Plan 2010*. The Planning Proposal is an environmental planning instrument, a statutory legal document affecting land use within the Tamworth Regional Local Government Area.

**(d) Community Consultation**

As per the Gateway determination.

**(e) Delivery Program Objective/Strategy**

A Prosperous Region - P11 Support and facilitate economic development and employment opportunities.

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**7.2 DEVELOPMENT APPLICATION FOR AN ORGANICS RECYCLING FACILITY ON LOT 61 DP 707563, 284 GIDLEY APPLEBY ROAD, GIDLEY NSW – FILE No DA2020-0138**

**DIRECTORATE: PLANNING AND COMPLIANCE**

**AUTHOR: Sam Lobsey, Acting Director Planning and Compliance**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Development Application for an Organics Recycling Facility on Lot 61 DP 707563, 284 Gidley Appleby Road, Gidley NSW”, Council:*

- (i) note that the application is scheduled for determination by the Northern Regional Planning Panel on 19 February 2020; and*
- (ii) determine not to make a submission to the Northern Regional Planning Panel in relation to the application.*

**DEVELOPMENT ASSESSMENT SUMMARY**

The Northern Regional Planning Panel (NRPP) is the consent authority for this Development Application pursuant to Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011, as the proposed development has a “capital investment value” of more than \$5 million and Tamworth Regional Council is both the Applicant and landowner.

The NRPP will meet to determine the development application lodged by Tamworth Regional Council on Wednesday, 19 February 2020. Council may choose to make a submission to the NRPP Secretariat up to seven days before the Panel meeting.



**COMMENTARY:**

The Development Application must be determined by the Northern Regional Planning Panel (NRPP) pursuant to Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011, as the proposed development has a “capital investment value” of more than \$5 million and Tamworth Regional Council is both the Applicant and landowner.

**Application No:** DA2020-0138

**Applicant:** Tamworth Regional Council

**Proposal:** Construction and operation of a waste management facility (organic recycling) facility and associated infrastructure

**Location:** Lot 61 DP 707563, 284 Gidley Appleby Road Gidley NSW 2340

**Zone:** RU1 Primary Production

Tamworth Regional Council propose to construct and operate an Organic Recycling Facility (ORF) at 284 Gidley Appleby Road located approximately 15km North West of Tamworth City (the "Proposal").

The proposed facility will accept and process up to 35,000 tonnes per annum of Food Organics (FO), Garden Organics (GO) and Category 3 organic materials. The proposed facility will utilise proven Tunnel Composting System (TCS) technology within an enclosed facility to process these materials to produce various soil amendments suitable for use in landscaping and agricultural production. The Proposal would commence operation in parallel with the introduction of a FOGO kerbside collection service within the Tamworth Local Government Area (LGA).

The applicable planning instrument is the Tamworth Regional Local Environmental Plan 2010 (TRLEP), under which the subject site is zoned RU1 Primary Production. The proposed use is defined as a ‘resource recovery facility’, which forms part of a broader land use definition of a ‘waste or resource management facility’ which is a permissible development with consent.

The proposal is integrated development pursuant to the *Water Management Act 2000* and *Protection of the Environment Operations Act 1997*. The proposal is designated development in accordance with Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulations) and as a result an Environmental Impact Statement (EIS) has been prepared and submitted with the application.

The application was advertised and notified to adjoining and nearby landowners. The proposed development was placed on public exhibition over the following periods:

- 30 September 2019 to 28 October 2019; and
- 18 November 2019 to 17 December 2019.

The second public exhibition period occurred due to an administrative error which resulted in the application not being correctly exhibited as per the SEARs requirements and as per the *Environmental Planning & Assessment Regulation 2000 (EP&A Regs)*, specifically clauses 6 & 7 of Schedule 2.

Over the course of the two public exhibition periods a total of 110 submissions were received by Council. Over 50 submissions were considered informal given they did not comply with EP&A Regulations in terms of the level of detail required to accompany a submission (e.g. name, address).

The assessment report is **ATTACHED**, refer to **ANNEXURE 1**.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The application was advertised and notified to adjoining and nearby landowners. The public exhibition period commenced on 30 September 2019 and ended on 28 October 2019. A total of 71 submissions were received over the public exhibition period. Council proceeded to re-exhibit the application from Monday 18 November and until Tuesday 17 December 2019. A total of 39 submissions were received over the public re-exhibition period, bring the total number of submissions received over both exhibition periods to 110.

**(e) Delivery Program Objective/Strategy**

A Region for the Future – F21 Protect our natural environment.

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## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 AUSTRALIA INDOOR BIAS BOWLS CHAMPIONSHIPS 2021, FEE WAIVER REQUEST – FILE NO SF8788**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Paul Kelly, Manager Sports and Recreation**

#### **RECOMMENDATION**

*That in relation to the report “Australian Indoor Bias Bowls Championships 2021, Fee Waiver Request”, Council:*

- (i) decline the request to waive the total fees for the carnival; and*
- (ii) subsidise the event in line with the Significant Sport Event Fee Subsidisation Policy.*

#### **SUMMARY**

NSW Association of Indoor Bowlers Incorporated (NSWAIBI) has requested a fee waiver for the 2021 Australian Indoor Bowls Championships to be held at the Tamworth Sports Dome from 22 - 28 August 2021.

In recognition of the economic benefit to the community and the opportunity to showcase the Tamworth Sports Dome, NSWAIBI has asked Tamworth Regional Council (Council) to consider supporting the event through a full fee waiver.

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This event qualifies for consideration under Council’s Significant Sport Event Fee Subsidisation Policy (SSEFSP).

**COMMENTARY**

NSWAIBI has made a booking to host significant weeklong event in August 2021, at the Tamworth Sports Dome (Sports Dome). The fees for the use of the Sports Dome for this event totals \$9,720.00 based on the 2019-2020 fees and charges. This fee will remain current under the 2020-2021 fees and charges as the per hour court hire fees are rounded to the nearest \$5 and an annual CPI increase will not tip the fee to the next \$5 for the 2020-2021 financial year.

The total fee is based on court hire between 9:00am – 5:00pm, derived of:

weekday rate hours component	\$ 6,600.00
weekend rate hours component	\$ 3,120.00
<b>TOTAL court hire</b>	<b>\$ 9,720.00</b>

NSWAIBI has indicated the event will attract 290 participants, from across five states staying in Tamworth for the six day event.

To evaluate the economic value of such events, Council uses IdProfile’s *Event Impact Calculator* and a value of \$151 as the average daily spend for a sports tourist. This tool calculates the Australian Indoor Bias Bowls Championships will inject \$444,523 into the local economy, refer image 1.

Image 1, .IdProfile Event Impact Summary

The screenshot shows the IdProfile Event Impact Calculator interface. The top section contains input fields for: Event name (empty), Type of event (Sports and Recreation Activities), Significance of event (State), Start date (22/08/2021), Length of event (days) (6), Est. attendance per day (290), Est. avg daily spend (\$) (151), and Event total spend (\$262,740). A green 'Submit' button is visible. Below this is the 'Event Impact Summary' section, which includes a title bar with 'export' and 'reset' buttons. The main content is a table titled 'Tamworth Regional Council -- Modelling the effect of \$262,740 from a Sports and Recreation Activities event with State significance'. The table has four columns: Impact Category, Output (\$), Value-added (\$), Employment (annual FTE), and Resident Jobs (annual FTE). The data rows are: Direct impact (210,192, 97,985, 1.7, --), Industrial impact (126,052, 51,511, 0.5, --), Consumption impact (108,279, 48,271, 0.5, --), and Total impact on Tamworth Regional Council economy (444,523, 197,768, 2.8, --). A source note at the bottom states: 'Source: National Institute of Economic and Industry Research (NIEIR) ©2019. Compiled and presented in economy.id by .id, the population experts. Note: All \$ values are expressed in 2016/17 base year dollar terms.'

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	210,192	97,985	1.7	--
Industrial impact	126,052	51,511	0.5	--
Consumption impact	108,279	48,271	0.5	--
<b>Total impact on Tamworth Regional Council economy</b>	<b>444,523</b>	<b>197,768</b>	<b>2.8</b>	<b>--</b>

While Council acknowledges and welcomes the benefits hosting such an event will bring to the local economy, the total economic benefit does not warrant a complete fee waiver when compared to other large scale events that Council hosts and has waived fees for previously. Complete fee waivers are usually reserved for larger events that inject in excess of \$1 million into the local economy such as the National Primary Games and the June Long Weekend Baseball Carnival.

Council's SSEFSP caters for events such as this, and under this policy the event qualifies to receive a 40% subsidy, resulting in a reduced fee of \$5,832 (inclusive of GST).

In light of the above, it is recommended that this event not be offered a full fee waiver, rather subsidised through Council's SSEFSP.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Sports and Recreation has an annual budget allocation of \$40,000 for events subsidised under the Significant Sport Event Fee Subsidisation Policy. If Council decide to subsidise the event, \$5,832 (inclusive of GST) will be deducted from this budget allocation for this event.

There is no current budget for complete fee waivers for sporting events. Full fee waivers would require an allocation of funds from general fund, unrestricted cash.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region of Progressive Leadership – L21 Transparency and accountability of government.

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## **8.2 TAMWORTH ORGANIC RECYCLING FACILITY – FILE NO SF7667**

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Daniel Coe, Manager Water and Waste

**Reference:** Item 8.3 to Ordinary Council 24 November 2015 - Minute No 344/15

Item 8.5 to Ordinary Council 24 May 2016 - Minute No 137/16

Item 14.4 to Ordinary Council 9 August 2016 - Minute No 241/16

Item 8.5 to Ordinary Council 8 November 2016 Minute No 329/16

Item 8.5 to Ordinary Council 13 February 2018 - Minute No 17/18

Item 8.2 to Ordinary Council 9 April 2019 - Minute No 103/19

1 CONFIDENTIAL ENCLOSURES ENCLOSED

### **RECOMMENDATION**

***That in relation to the report "Tamworth Organic Recycling Facility", Council proceed with preparation of a Design, Construct and Operate Tender for the Organic Recycling***

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***Facility that includes an operating contract timeframe of ten years with a possible five year extension, prior to the determination of the Development Application in relation to this matter.***

## **SUMMARY**

The purpose of this report is to advise Council on progress with the proposed Tamworth Organic Recycling Facility and confirm Council's position on the tender/project delivery model and operating contract timeframe.

## **COMMENTARY**

Currently Council's waste organic processing is limited to the processing of organic green waste at the Forest Road Waste Management Facility. This organic processing facility is licensed with the EPA and processes approximately 15,000 tonnes per annum of green waste. Since late 2015, Council has been working toward the establishment of a new Organics Recycling Facility. The primary drivers for establishing a new Organics Waste Facility include:

- given site constraints in its current location the green waste processing facility is operating close to capacity;
- other organic waste streams such as food wastes and industrial putrescibles are currently disposed within the landfill. It is estimated these additional organic waste streams could be in the order of up to 15,000 tonnes per annum, which could be directed to a new facility, thereby saving valuable landfill space and delaying the need for any future landfill facility;
- the new organics facility will create products with commercial applications, over and above producing mulch, as the current green waste facility does;
- in 2017, Council adopted its *Integrated Waste Management and Resource Recovery Strategy* which identifies a range of initiatives to achieve Council's waste management ambitions. An aim of Council's Strategy is to '*Increase diversion of organic waste from landfill*'. The establishment of an Organics Recycling Facility is key to achieving this aim;
- the new organics facility will allow Council to implement a domestic food and garden organics waste collection system. Recent waste audits completed on Council's general waste bins (red bin) identified that in excess of 30 percent of the bin content was food organics that could be diverted and recycled in to reusable products;
- Council currently does not achieve all of the NSW Waste Avoidance and Resource Recovery (WARR) strategy targets. As Council would be aware, the NSW Government has a waste levy applied within certain areas of NSW. This levy is currently not applied to Tamworth Regional Council. There is uncertainty about the future application of this levy within the waste industry i.e. should this levy be applied to Council's not achieving the WARR targets;
- without moving the current organics processing facility from Forest Road Landfill, the limited available space on site does not allow for further resource recovery activities that Council has identified and included in its 20 year waste management capital works program; and
- without the development of waste processing infrastructure such as the Organics Recycling Facility, Council's sustainability programs i.e. community awareness and

education programs are unlikely to be successful because diverted material cannot be processed.

At its Meeting of 13 February 2018, Council resolved to withdraw a development application for a proposed Organics Recycling Facility (DA2017/0229) to be sited on part of Council's Effluent Reuse Farm located on Duri-Wallamore Road. Additionally, Council requested the Director of Water and Waste to investigate alternative project sites and opportunities for an Organics Recycling Facility.

Following the withdrawal of the Development Application it was immediately identified that Council did not have any further property in its ownership that was suited to the Organics Recycling Facility, hence any site would need to be acquired.

To assist Council staff identify possible properties for the original Covered Aerated Static Pile (CASP) composting technology, Pitt and Sherry, consultants were engaged to identify properties that met certain criteria such as:

- land zoning requirements would allow a composting facility with approval;
- distance from the airport (buffer zones of three kilometres and eight kilometres) to ensure no impacts would occur to the airport;
- distance from the Forest Road Landfill (within 25km and 35km) to ensure travel distance to the new facility would be acceptable for waste transporters;
- land not subject to flooding or floodplains;
- sealed access road suited to heavy vehicles within 1km of the land parcel boundary; and
- a minimum one kilometre buffer distance from neighbours and sensitive receivers; and minimum site size of 100ha.

The search for suitable properties identified up to ten properties as being potentially suitable for CASP. These were further reviewed and deemed unsuitable due to a number of factors including the distance being greater than 25km from Forest Road Landfill, increased number of sensitive receivers within one kilometre of the property and ancillary costs to upgrade services such as roads, electricity and water supply deemed excessive.

In conjunction to undertaking a substantive review of potential properties available that would suit the original CASP method of composting, Waste Operations staff also reviewed the opportunity for more advanced forms of composting methods. The CASP composting methodology was the selected technology for Council's initial proposed site as this Council owned property was suited to the technology given the large distances to neighbouring properties. These distances would ensure the management of any odour associated with the operating process.

As part of the review of the project, it was recognised that moving to a more advanced composting process with greater operational control on critical environmental aspects such as odour, would increase the available properties that could be utilised. As such, the option of Enclosed Tunnel Composting (ETC) was further developed and incorporated in the search for potential properties.

The ETC process is similar to the original CASP process, however, the initial stage of composting is undertaken within specially designed concrete tunnel structures that allow greater control on the composting environment. In addition, all odorous emissions can be mechanically extracted and directed to an odour removing bio-filter to minimise any processing odours. This greater level of control allows a potentially smaller parcel of land to site the facility due to reduced odour emissions that could be generated. As a result the processing facility could be sited on a smaller parcel of land allowing Council more opportunities for sites and



potentially a lower property acquisition price. The greater operational control requires additional infrastructure and hence a higher capital construction cost. However, the initial capital investment has a greater asset life, so the return on investment compared to the original CASP technology is comparable over a period of 20 years.

ETC is well utilised in NSW with multiple Councils utilising these types of facilities. One of the most recent examples is Dubbo Regional Council's facility that commenced operating in 2018.

As Council is aware in May 2016, Council received \$1.35 million under Round 3 of the NSW Governments Organics Infrastructure (large and small) Grants Program. In August 2018, Round 6 of this grant program closed, and given the potential additional capital expenditure associated with ETC, Council could apply for up to \$3 million in grant funding. Given this opportunity, Council submitted a grant application to the NSW Government for Organics Processing Infrastructure funding through the Waste Less Recycle More Organics Infrastructure (large and small) Grants Program. Council was advised in late February 2019, that its grant application had been successful to the full value of \$3 million. It should be noted that grant funds can be returned if Council elects to not proceed with the development.

The grant application submitted a proposal to establish an Organics Recycling Facility with eventual capacity to receive a potential 50,000 tonne per annum. Initially, the ETC facility would be constructed with a capacity of 35,000 tonnes per annum. The reason for this is additional tunnels can be constructed to increase processing capacity as demand requires over the future 20 years. In doing this, the initial capital cost is reduced and facility utilisation is optimised. Other infrastructure, that cannot be easily modified, such as the receival shed and on site water management structures, are planned to be constructed to cater for ultimate 50,000 tonne per annum capacity. Any future Development Application would reflect both the initial and long term processing capacity.

A number of preliminary steps were undertaken by Council to advance the establishment of the ETC Organics Recycling Facility, including:

- site assessment and feasibility analysis;
- potential odour analysis;
- identification of optimal processing system;
- identification of supporting infrastructure;
- drafting of an operational management plan for the organics processing facility;
- a cost benefit analysis of the project including third part review;
- financial assessment incorporating the project in to Council's 20 year waste capital works program and recurrent budget to determine the financial implications on waste revenue streams;
- extension of Council's waste collection contract to align with the commencement of organics processing; and
- the identification of a preferred site for the facility and the completion of the following for this site:
  - Desktop Aviation Report completed for site suitability from a bird strike perspective;
  - odour assessment for the project specific to this site; and
  - two property valuations to assess market value of the property.



At its Meeting held 9 April 2019, Council resolved to proceed with the purchase of the proposed Organic Recycling Facility site, located at 284 Gidley Appleby Road, Gidley. Since April 2019, the following items have been completed:

- purchase of property for proposed use as the site for the Organic Recycling Facility - May 2019;
- completed works associated with Secretary's Environmental Assessment Requirements - May 2019;
- completed works associated with the preliminary Concept Design and Environmental Impact Statement - September 2019;
- Submission of Development Application, including Public Exhibition and confirmation of comments from regulating authorities - December 2019;
- approach to Industry Operators Report - December 2019; and
- Joint Regional Planning Panel meeting booked for development application determination - 19/20 February 2020.

Further to the above, consultants Pitt and Sherry were engaged to approach industry operators/experts on Council's behalf to review industry experience, and preferred delivery model for similar projects completed within the waste industry. In particular key aspects of project delivery including, contract type i.e. Design, Construct and Operate or alternatives and operating term duration were reviewed. The completed report is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**. Based on the responses received, the majority of industry operator's preference was for a Design, Construct and Operate (DCO) delivery model above Construct and Operate (CO) or Operate delivery model. Some advantages/preferences of a DCO delivery model include:

- lower risk to Council as design and documentation is the responsibility of the operator with input and oversight from Council;
- operator can apply industry knowledge and implement technology to ensure efficient operation;
- the facility will be constructed to meet Council's performance requirements;
- inclusion of operating the facility ensures equipment is well maintained for the duration of the contract term; and
- potential costs saving in either the construction costs and/or future waste gate delivery fees to the facility for Council waste streams.

The approach to industry report also recommended that the tender phase should be 8-12 weeks in length and that longer operational contract timeframes are preferred i.e. no less than 10 years and include options to extend to ensure a commercially viable outcome.

The current project program is provided below:

- February 2020 - Council resolution on tender delivery model and Operational Contract timeframe;
- February 2020 – Determination of the Development Application for the project by the Joint Regional Planning Panel and anticipated approval;

- March 2020 – Report to Council regarding outcomes of the Development Application considered by the Joint Regional Planning Panel. In the event that approval is provided this report will seek Council's confirmation of project funding and to proceed;
- May 2020 - release of 12 week Tender;
- September 2020 - Tender review and contract award;
- November 2020 - Commence construction period; and
- July 2021 – Site constructed and commissioned.

The proposed timeframe is relatively tight. Therefore it is recommended that Council proceed now with the preparation of a Design, Construct and Operate tender delivery model with an operating contract timeframe of ten years with a possible five year extension, before the development application has been determined.

It should be noted that should Council agree with the recommendation and subsequently the NRPP does not approve Council's development application then some, or all, of the funds expended may be considered wasted depending on the course of action Council decides on at that time.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Development of full Design, Construct and Operate tender documents is \$150,000. Funds are currently available within the 2019/20 budget to proceed with these works.

**(c) Legal Implications**

All contract documents will be reviewed by legal representatives.

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region for the Future - F22 Encourage efficient use of resources to improve environmental sustainability.

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### **8.3 SHOWGROUND ROAD KERB AND GUTTER FEES – FILE NO RF390**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Murray Russell, Manager Infrastructure and Works**

***RECOMMENDATION***

***That in relation to the report "Showground Road Kerb and Gutter Fees" Council endorse the proposal to waive the ratepayers' contribution towards kerb and gutter construction on Showground Road.***

## **SUMMARY**

The purpose of this report is to seek Council's approval to waive the ratepayers' contribution towards new kerb and gutter construction for properties on the Dampier Street end of Showground Road.

## **COMMENTARY**

The road pavement between 62 and 76 Showground Road is deteriorating. This section of Showground Road has no kerb and guttering on the southern side of the road.

Kerb and gutter was recently constructed on the north side of Showground Road as part of Council's cemetery expansion project. To facilitate Council's cemetery expansion project, the eastbound lane of Showground Road was closed from mid July 2019 to early December 2019. This closure was much longer than originally anticipated, as some patches of very poor subsoil were found in a number of places that were not detected during the original geotechnical investigation. The work in the vicinity of Showground Road and Mayday Place had an impact on property access at times during construction and reconstruction. The properties affected are primarily businesses, however, there are some residences on these properties as well. The property owners in that area expressed their concern with the prolonged disruption to their accesses and also took the opportunity to highlight the poor drainage and lack of kerb and gutter on the south side of Showground Road.

As part of Council's pavement renewal and kerb construction program, reconstruction of the existing pavement and installation of kerb and gutter between 62 and 76 Showground Road (as shown in the figure below) was proposed to be undertaken within the next few years. However, with the recent reconstruction of half of Showground Road associated with the new cemetery, it now makes operational sense to complete these works during the current financial year.

Given that Council's kerb and gutter forward works program is currently under review, no specific project had yet been identified for this budget item for 2019/20, as a result, the proposed prioritising of Showground Road kerb and gutter for early completion this year will not impact Council's financial position. Due to the uncertainty with the program there was also no allowance made in the current budget for ratepayer contributions, therefore the waiving of the fees will also have no impact on the original budget.



Figure 1: Aerial imagery showing the project's extent. The above properties are held by four different owners.

Council's fees and charges include a fee for construction of new kerb and gutter along a ratepayer's property frontage, as prescribed in Section 217 of the Roads Act. For the 2019-2020 financial year this fee is \$178 per metre or 50% of the actual cost of works plus GST (whichever is less). Given the recent prolonged disruption to business and resident access along Showground Road, due to the cemetery expansion, Council could consider waiving this fee for affected properties in this instance.

Council staff have considered three options regarding the ratepayer's contribution towards kerb and gutter construction.

#### **Option 1: Levy the full fee**

Council can levy the full fee as shown in Council's fees and charges. This would appear equitable as the standard fee should be imposed in typical circumstances. However, this option does not take into consideration the impact the recent cemetery works had on these properties.

#### **Option 2: Reduce the ratepayers contribution by 50%**

A compromise between the option of levying the fee and waiving the fee would be to waive 50% of the fee.

#### **Option 3: Waive the full fee**

Businesses and residents on Showground Road were inconvenienced over a five month period by the Cemetery construction project, which was delayed by the discovery of very poor material below parts of the pavement. The ratepayer's contribution to kerb and gutter could be waived in this instance to counteract the negative impact that Council's recent project had on these businesses.

Waiving of the kerb and gutter contributions will result in a maximum \$22,873 loss of income. This potential income has not been included in Council's current budget, so waiving this fee

would not impact Council financial forecast for 2019-2020. The table below summarises how this cost has been calculated.

Street Number	Frontage Length (metres)	Maximum Fee per metre	Maximum Fee
76	18.5	\$ 178	\$ 3,293
70-74	55	\$ 178	\$ 9,790
66	36.5	\$ 178	\$ 6,497
62-64	18.5	\$ 178	\$ 3,293
<b>Total</b>	<b>128.5</b>		<b>\$ 22,873</b>

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The maximum financial implications are shown below. Note that the actual implications will depend on the actual construction costs.

Option 1: Nil

Option 2: \$11,436 loss of income

Option 3: \$22,873 loss of income

The potential kerb and gutter contributions shown above have not been included in the current budget, so waiving the above fees will not impact on Council's projected financial result for 2019-2020.

**(c) Legal Implications**

Council has an obligation to convey concentrated stormwater flows from road reserves, in locations that are not natural watercourses, away from residential and commercial properties.

**(d) Community Consultation**

Council has received a number of written requests including a petition requesting kerb and gutter in this area.

Individual discussions have been held with impacted property owners. Property owners have been made aware of the "ratepayers' contribution towards kerb and gutter construction" fee and that Council may consider waiving the fee in this instance.

Consultation with affected property owners will continue based on Council's consideration of a possible fee waiver.

**(e) Delivery Program Objective/Strategy**

A Region of Progressive Leadership – L21 Transparency and accountability of government.



#### **8.4 BICENTENNIAL PARK MASTERPLAN – FILE NO PROJ2019-0117**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Paul Kelly, Manager Sports and Recreation  
**Reference:** Item 8.2 to Ordinary Council 22 October 2019 - Minute No 375/19

**2 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Bicentennial Park Masterplan”, Council adopt the masterplan titled “Tamworth Bicentennial Park Masterplan, Draft. No.5, Final Version”.*

#### **SUMMARY**

As part of future planning for the continued growth of the city, Council staff updated the masterplan for Bicentennial Park. The masterplan outlines a collective vision for Bicentennial Park that will activate and encourage social, cultural, recreational and environmental benefits to the community and visitors to the region for a recreational experience that is unique to Tamworth.

Following the Ordinary Council Meeting of 22 October 2019, this draft Masterplan was placed on Public Exhibition 28 days between 28 October 2019 and 28 November 2019. A total of 64 respondents commented on the Masterplan.

#### **COMMENTARY**

Established more than 30 years ago as part of the Bicentennial celebrations for Tamworth, Bicentennial Park is one of the region’s most renowned open spaces. Located adjacent to the Tamworth City CBD, the park has provided the community with a place to recreate for decades and has been a central site for community based events every year.

The park also provides an important connection for walkways and cycleways, linking the City with residential areas and the CBD with the city’s Riverside Sports Field precinct.

In recent years there have been significant developments throughout the park, none more so than the establishment of the Tamworth Regional Playground. This award winning playground has revitalised areas of the park that had previously been under used and as a result it has become a hub of activity both day and night.

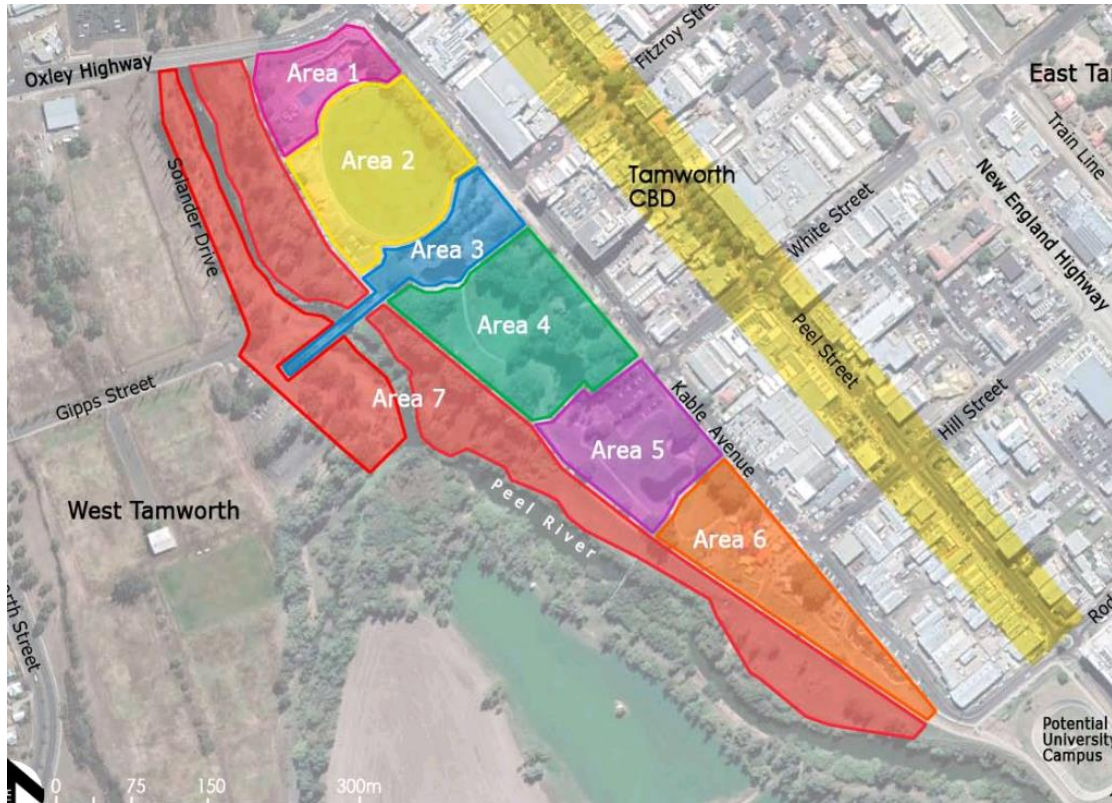
With plans for the region and city to grow beyond a population of 100,000, which will include CBD residential living, the planned approach to the future of Bicentennial Park over the coming 20 years will be critical.

The review of the Bicentennial Park masterplan was completed in five key stages as follows:

- Stage 1: Council staff commenced the development of a masterplan by reviewing the 2009 Bicentennial Park Masterplan. Staff identified incomplete works and reviewed them against current and future needs of the city to identify relevance to the current Masterplan.
- Stage 2: A landscape architect consultant was engaged to develop concepts for the park. The consultant participated in workshops held with key Council staff across a variety of disciplines and who have involvement with the park. Also a series of Council workshops were conducted to seek input from both Councillors and Council’s Executive Management Team (EMT).

From the combined workshops it was proposed that Bicentennial Park would incorporate seven areas in the masterplan to address the diversity of needs that are required in the park. These areas are displayed in Figure 1 below.

Figure 1: Overview of Bicentennial Park, showing the seven areas



The consultant was then asked to develop a draft Masterplan that included concept designs for each of the respective seven areas, based on workshop feedback and industry best practice.

Stage 3: The draft Masterplan was placed on public exhibition for a period of 28 days to seek community feedback. A total of 64 people commented on the project and this feedback is collated and **ATTACHED**, refer **ANNEXURE 1**, with a summary of this community feedback detailed in Table 1.

Table 1. Summary of community feedback.

Area	Feedback summary
1	<ul style="list-style-type: none"> <li>• Maintain Olympic Swimming Pool until when/if the proposed Aquatics Centre is constructed.</li> <li>• Desire for an Olympic Swimming Pool to remain in the CBD.</li> <li>• Swimming Clubs collectively support the Masterplan with the ultimate objective of having an Aquatics Centre.</li> <li>• Council is planning on closing the Olympic Swimming Pool by stealth.</li> <li>• Council needs to invest money into Olympic Swimming Pool.</li> </ul>



2	<ul style="list-style-type: none"> <li>Cricket NSW and AFL NSW/ACT applaud and endorse the Masterplan.</li> <li>Area requires spectator seating/grandstand.</li> <li>Ensure the 'Ross Taylor' doors are maintained.</li> </ul>
3	<ul style="list-style-type: none"> <li>Water feature needs to be water wise.</li> <li>The granite rock carvings should not be lost to the City.</li> <li>Recently completed works are of a poor standard.</li> </ul>
4	<ul style="list-style-type: none"> <li>Water wise planting is essential.</li> <li>This is a good place for passive recreation.</li> <li>Reinstate the stage.</li> </ul>
5	<ul style="list-style-type: none"> <li>Be sensitive with war memorials.</li> <li>Water wise planting.</li> </ul>
6	<ul style="list-style-type: none"> <li>Expand young children's road safety bike area.</li> <li>More shade throughout the playground.</li> <li>Fence on roadside of the playground.</li> </ul>
7	<ul style="list-style-type: none"> <li>Great ideas.</li> <li>Inclusion of an off-leash dog park.</li> </ul>

Stage 4: The community feedback was collated and presented to the Councillors and EMT in a Councillor Workshop on 10 December 2019. In this workshop and based on the community feedback, the Councillors recommended amendments to the Draft Masterplan to produce a final Masterplan. A summary of the recommendations are detailed in Table 2.

*Table 2. Summary of Councillor workshop recommendations for final draft.*

Area	Recommendation(s) for final masterplan.
1	<ul style="list-style-type: none"> <li>Clearly detail in the Masterplan the Tamworth Olympic Swimming Pool will continue to be maintained as a functional community asset until if/when the proposed new Aquatics Centre is built.</li> <li>Remove the hardstand for the temporary stage infrastructure.</li> </ul>
2	Area 2 to remain as proposed in Draft Masterplan.
3	Area 3 to remain as proposed in Draft Masterplan.
4	Area 4 to remain as proposed in Draft Masterplan.
5	Area 5 to remain as proposed in Draft Masterplan.
6	Area 6 to remain as proposed in Draft Masterplan.
7	Inclusion of a fish ladder in the masterplan adjacent to the weir.

Stage 5: A Final Master Plan was developed by the consultant and is **ATTACHED**, refer **ANNEXURE 2**.

The Masterplan also includes a prioritisation schedule of improvements across Bicentennial Park with short, medium and long term actions. It should be noted, however, that none of these actions are currently funded and will require funding consideration in future budgets as required.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

There are no costs associated with adopting the Masterplan. There are also no funds currently allocated to implement any components or priority actions of this plan.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The Draft Bicentennial Park Masterplan was placed on public exhibition for a total of 28 days between 28 October 2019 and 28 November 201. A total of 64 respondents commented on the Masterplan.

Council technical staff engaged directly with the community through community pop upstands at the Tamworth Regional Playground, the Tamworth Growers Markets and in Peel Street.

**(e) Delivery Program Objective/Strategy**

A Spirit of Community - C11 Provide public space that satisfies the communities needs.

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**8.5 WALLAMORE ANABRANCH RIVERINE IMPROVEMENT PROJECT – FILE NO SF10090**

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Bruce Logan, Director Water and Waste

**Reference:** Item 8.2 to Ordinary Council 13 December - Minute No 385/16  
Item 7.2 to Ordinary Council 14 February 2017 - Minute No 4/17

**RECOMMENDATION**

*That in relation to the report “Wallamore Anabranh Riverine Improvement Project”, Council:*

- (i) agree to an extension of three years to allow completion of works agreed to in the original project agreement; and*
- (ii) agree to the inclusion of Council owned properties located at 252 and 428 Wallamore Road.*

**SUMMARY**

The purpose of this report is to seek Council direction in relation to a previously agreed project undertaken by agencies of the NSW Government to upgrade and improve the banks of the Wallamore Anabranh.

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## COMMENTARY

In 2016, Council received a written request from the Wallamore Anabranh and Peel River Rehabilitation Project Steering Committee for its in-principle support of a Proposed Riverine Improvement Programme for the Wallamore Anabranh. In addition to the in-principle support, Council was asked to make both financial and non-financial contributions to the project, as an owner of land adjacent to the Wallamore Anabranh.

The Wallamore Anabranh and Peel River Rehabilitation Project Steering Committee was/is comprised of Landcare Australia, the Department of Primary Industry – Fisheries, the Department of Primary Industry – Local Land Services, although some of the NSW Government Agencies have all had name changes, and the Wallamore Road Landcare Group.

Following consideration of a report on this matter at its Meeting of 13 December 2016, Council resolved:

*That in relation to the report “Proposed Riverine Improvement Programme for the Wallamore Anabranh”, Council:*

- (i) authorise the General Manager to write to the Wallamore Anabranh and Peel River Rehabilitation Project Steering Committee providing Council’s in-principle support of the Riverine Improvement Programme for the Wallamore Anabranh;*
- (ii) give permission for access, subject to the cooperation of the Licensees and Lessees of Council owned land for the purpose of undertaking activities associated with this project on the Westdale Water Treatment Plant, “Somerset Farm” and 6-44 Britten Road properties;*
- (iii) authorise a financial contribution of \$159,000 (excluding GST) from the Wastewater Reserve towards the programme of works to be undertaken at the Westdale Water Treatment Plant, “Somerset Farm” and 6-44 Britten Road properties conditional upon Council being the owner of each property at the commencement of the works; and*
- (iv) authorise the General Manager to enter into a contract with Landcare Australia or its nominee for the holding and administration of these funds with the contract to include a condition requiring that Landcare Australia provide Council with written acquittals of expenditure following the completion of each phase of the project.*

A further report to the Council Meeting of 14 February 2017, detailed how the then NSW Department of Primary Industries – Fisheries is involved as the Project Manager and has requested that Council enter into a contract with the NSW Department of Primary Industries – Fisheries for the completion of the Wallamore Anabranh Riverine Improvement Programme, rather than the previously suggested Landcare Australia.

As the legal entity with which Council will enter into a contract, the Minister responsible for the Department of Primary Industries will be responsible for the written acquittals of expenditure and the management of the project for the agreed term of the project of three years. After considering the report Council resolved as follows:

*That in relation to the report “Proposed Riverine Improvement Programme for the Wallamore Anabranh”, Council:*

- (i) authorise the amendment of the legal entity with which Council will correspond in relation to and enter into a contract for the completion of the Wallamore Anabranh restoration project; and*

- (ii) *authorise the affixing of Council's Seal to the Contract between Council and the Department of Primary Industries – Fisheries.*

A Legal Agreement was signed, Council forwarded its funds and the project got underway. To date the following work has been completed on properties owned by Council with frontage to the Wallamore Anabranh:

- all primary weed control along the Wallamore Anabranh;
- all primary weed control along the riparian areas of the Peel River to value add to these works;
- all of the fencing and some associated off stream stock watering infrastructure; and
- completed a small amount of in-channel revegetation activities.

The agreement stipulated the proposed work would be completed, including monitoring and maintenance of the works completed, for the first three years of the project until 31 December 2020, at which time ongoing weed control will revert to Council as the landowner.

However, revegetation has been significantly hampered by the prolonged drought and the NSW Department of Primary Industries – Fisheries has requested Council agree to an extension of the project for a further three years until 31 December 2023 to allow revegetation to be undertaken/completed when conditions improve.

In addition, since the agreement was signed, Council has sold Somerset Farm, 72 Wallamore Road and purchased 252 Wallamore Road and 428 Wallamore Road, both of which have frontage to the Wallamore Anabranh. Should Council agree to the extension these new properties will be included in the project at no additional cost.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Council has signed an Agreement with the Department of Primary Industries – Fisheries in relation to this matter.

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region for the Future - F11 Sound asset management planning.

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## **8.6 ROTARY CLUB OF TAMWORTH FIRST LIGHT REGIONAL WASTE WARRIORS EXPO SPONSORSHIP REQUEST – FILE NO SF9753**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Tracey Carr, Sustainability Coordinator

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Rotary Club of Tamworth First Light Regional Waste Warriors Expo Sponsorship Request”, Council:*

- (i) agree to sponsorship at the Gold level proposed, providing \$8,000.00 towards sponsoring this event; and*
- (ii) fund the sponsorship from the Waste Reserve.*

### **SUMMARY**

The purpose of this report is to seek Council’s direction in relation to a request for Council to sponsor the Regional Waste Warriors Expo in 2019, to be held in Tamworth.

### **COMMENTARY**

The Rotary Club of Tamworth First Light is seeking sponsorship for the second Regional Waste Warriors waste event to be held over two days, Friday 12 and Saturday 13 June 2020, at the Tamworth Jockey Club. Council has received a sponsorship proposal **ATTACHED**, refer **ANNEXURE 1**, seeking Platinum, Gold, Silver or Bronze level sponsorship for the 2020 Regional Waste Warriors Expo (the Expo).

Following on from the success of the first Regional Waste Warriors Expo held in February 2019, the Rotary Club of Tamworth First Light is planning to hold a second Expo to engage regional residents and waste industry leaders on the issues and opportunities in waste management.

The 2019 Waste Warriors Expo, which Tamworth Regional Council was the Platinum naming sponsor of, saw more than 2000 people attend across two days of exhibitions and workshops at the Tamworth Jockey Club. Council staff attended both days and presented a number of times to groups of students, residents and industry leaders. The presentations were well attended and staff received numerous comments from attendees on the overall success of the event. The 100 Mile Dinner was also a great success selling approximately 220 tickets.

This year, the Platinum level sponsorship has been taken up by Northern Inland Regional Waste so the platinum level of sponsorship is not available. There are unlimited Gold sponsorship opportunities and, due to the success of last year’s event and the potential for the event to grow, this presents a great opportunity for Council to continue to support the event and engage in education and networking opportunities.

The committee are seeking multiple Gold level sponsors, requiring a commitment of \$8,000.00, providing the following to the benefits:

- three free tickets to the 100 Mile Dinner industry networking event;
- extensive promotion of branding with inclusion on all promotional material including website, social media, television and newspaper advertising, flyers and brochures as well as direct marketing to schools and businesses;
- free exhibition space at the Expo;

- the opportunity to present at the seminars or workshops held over both days of the Expo; and
- exclusive access to a large and diverse audience of community members, schools, industry professionals and visitors from the local area and visitors to the region who will be attending the expo. The organisers are estimating at least 1000 people through the Expo each day.

Leaders and innovators from the waste industry have again been invited to exhibit and present new technologies and innovations at the Expo as well as attend a networking event to share ideas, collaborate and build partnerships for the future of the waste industry in Australia. Feedback from the organising committee suggests that there is strong interest from previous and new exhibitors for the event.

The Expo features a strong emphasis on community education, for business and residential waste, providing practical advice and easy to implement behaviour change ideas to support the waste hierarchy objectives of waste avoidance, reduction, reuse and recycle. This will again be delivered through workshops, demonstrations, product displays and seminars to cater for a wide range of interests, abilities and ages.

The Expo will also target the general public from across the region and be a family friendly event consisting of a wide range of workshops, demonstrations and entertainment.

The 100 Mile Night will be held again. This function will showcase local produce whilst offering an opportunity to network and socialise. The function will be ticketed and incur a charge to cover costs.

The Expo aligns with Council's Sustainability Strategy theme of Waste and the specific focus areas:

- avoid and reduce waste generation;
- increase recycling and divert more waste from landfill; and
- increase community recycling.

As well as supports the following measures of success identified in the Sustainability Strategy:

- Council engages with the community in terms of waste avoidance; and
- residents and businesses recycle more.

The Expo will offer an opportunity for Council, through the Sustainability Unit, to engage with a large portion of the regional community, as an exhibitor and presenter, to further promote and reinforce the messaging of the "Let's Talk Rubbish" campaign.

The sponsorship proposed would contribute to the promotion of the event and resources required for the event.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

There is no funding in the current operating plan to fund this proposal. As a result should Council agree to the sponsorship, funding of \$8,000.00 would need to be allocated from the Waste Reserve.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability.

**8.7 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY – FILE No SF9442**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Tracey Carr, Sustainability Coordinator

**Reference:** Item 8.8 to Ordinary Council 12 November 2019 - Minute No 404/19

**RECOMMENDATION**

*That in relation to the report “Regular Update on Drought Response and Water Sustainability”, Council receive and note the report.*

**SUMMARY**

The following report is presented to update Council on the drought responses in various centres across Council and any future planned works.

**COMMENTARY**

**Current regional water supply situation**

The latest update is provided below:

Area	Restrictions	Water Supply	Situation
Barraba	Level 4	Split Rock Dam	Split Rock Dam level is currently sitting at 0.9%.
Bendemeer	Level 3	MacDonald River	Due to recent rain there has been good flow in the MacDonald River. Staff will monitor the flow in the coming weeks to see if it is sustained before making any recommendations to change restrictions.
Nundle	Level 4	Peel River/Nundle Bore/Crawney Road Bore	Due to recent rain there has been reasonable flow in the Peel River upstream of Chaffey Dam. Staff will monitor the flow in the coming weeks to see if it is sustained before making any



Area	Restrictions	Water Supply	Situation
			recommendations to change restriction.
Manilla	Level 4	Namoi River/Manilla River	The good flow in the MacDonal River has reached the Namoi River and the weir at Manilla is overflowing. Staff will monitor the flow in the coming weeks to see if it is sustained before making any recommendations to change restriction.
Attunga	Level 2	Attunga Bores	Bore levels are stable.
Tamworth Moonbi-Kootingal	Level 5	Chaffey Dam/Dungowan Dam – Moonbi-Kootingal via Nemingha Pipeline	Chaffey Dam level is currently at 13.8%. 10% of Chaffey Dam is a trigger point under the Drought Marketing and Communications Plan to increase and update communications with business and residential users as well as introduce the 100 Litres per person per day residential target.

#### **Water restrictions in Barraba and Manilla**

On Monday 20 January 2020, Manilla and Barraba moved to Level 4 Restrictions. At the Ordinary Council Meeting held 12 November 2019, Council agreed to amend the Drought Management Plan (DMP) and consider Manilla and Barraba as one town water supply and therefore, all connections utilising the supply should sit on the same level of restrictions. At a workshop on 7 January 2020, Councillors provided direction due to the declining level of Split Rock Dam, the level of consumption in each centre and concerns about the long term supply for both centres, to introduce Level 4 restrictions. Communications and marketing activities continue in Barraba and Manilla as per the Drought Communication and Engagement Plan (CEP).

#### **Bulk refill stations**

Again at the workshop on 7 January 2020, and because of concerns bulk water filling stations were being accessed for water to be used for filling and topping up of pools and maintaining lawns and gardens, as well as deliveries to customers outside of the LGA, Councillors agreed to changes as follows:

- suspend credit card payments for water at Council bulk water filling stations – this will mean only those with an authorised card issued by Council will be able to access water at any of Council’s filling stations;
- issue all water carters, licensed by Council to deliver potable water, with a Council authorised access card for access to all drought filling stations;

- allow farmers who meet the criteria for access to free water and have been issued with an access card to access water at any of Council's stations; and
- tighten up the issue of licenses, compliance and policing of the use of water from the stations to ensure, as much as possible, water taken is only used for domestic and stock purposes including that water cannot be delivered to a tank on a residential property connected to a reticulated supply.

These changes became effective 20 January 2020.

### **Communications Engagement Plan (CEP) Level 5**

Whilst recent weeks have seen some inflows into Chaffey Dam, based on modelling supplied by Water NSW, it is estimated that Chaffey Dam will reach 10% of its capacity sometime in May or April 2020. 10% is a trigger point under the CEP to amend and increase engagement and communications with both residential and commercial water users and planning is underway to update messaging across all platforms.

As part of the implementation of Council's CEP the following media/public relations, advertising and social media actions will be ongoing and/or updated:

- continue pop up information and community awareness displays in prominent public areas;
- water cycle and sustainability training to preschools and kindergarten age students;
- request all schools to included water sustainability messaging in their communications with students, parents and teachers;
- Tamworth Regional Water Supply Taskforce activity will continue;
- celebrating residential and business water saving successes through media good news stories;
- implement 'pulse' advertising spend to alert residents to new level of dam;
- boost general advertising spending;
- continue to display VMS boards with changed messaging;
- launch of Council's Water Sustainability Awards event, celebrating the great work being done by Commercial water users;
- inclusion of a creative section for primary and secondary school students with a water conservation message;
- regular radio interviews on local stations where the community can ask questions and engage with Council staff on water issues;
- increase spend on boosted social media posts; and
- Communications team to engage online with social media and Council webpage commenters.

### Chamber of commerce water usage workshops



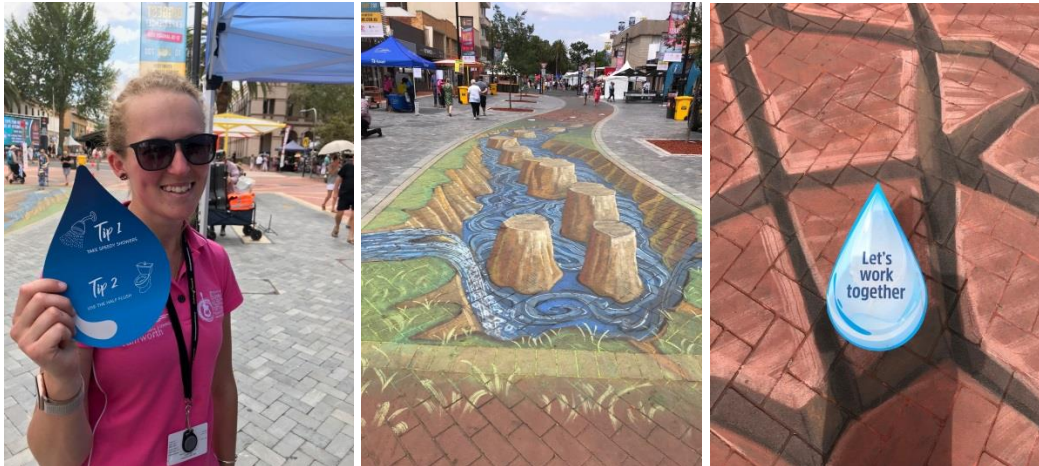
On Monday 11 November 2019, Council staff members hosted a series of workshops with the Tamworth Business Chamber. The workshops form part of Council's communications and engagement plan for Level 5 water restrictions and three information sessions for hospitality and tourism, development and construction, and the retail industries, respectively. The Tamworth Business Chamber assisted with the organisation of the day and use of a boardroom of a local business was kindly provided, to utilise SmartScreen's and digital media for the presentation of information. There were questions and pertinent information from attendees, along with important industry-specific information and suggestions on how Council can continue to support business, industrial and commercial operators through the drought. Council will look to host further sessions in the near future.

### Tamworth Country Music Festival

Community engagement around water conservation was a strong focus at the 2020 Tamworth Country Music Festival (TCMF). Given the number of visitors anticipated and community concerns about water use in the lead up to TCMF, a raft of additional activities were planned and implemented including:

- signage at the entrance to campgrounds advising Level 5 Restrictions are in force and that treated water should only be used for health, safety and hygiene;
- additional ranger patrols of campgrounds to ensure campers were adhering to Level 5 restrictions;
- stickers and signage in bathroom and toilet facilities located at campgrounds asking visitors to take short showers and only use the half flush;
- videos and still images on festival screens located in FanZone and Toyota Park reminding residents and visitors that we all need to conserve water. Tune into Recycling ambassador Troy Cassar-Daley gave his time to record videos for these screens;
- VMS roadside signage relocated to major access roads to target visitors and allow room for TCMF specific road signage;

- 3D river mural in Fitzroy Street incorporating water conservation messages; and
- daily pop-up community engagement stalls at various locations within the road closure running a waterwise bingo game, handing out water saving hand fans, shower timers and answering questions from residents and visitors.



### Business Seminars

On Monday 13 January 2020, Council hosted two forum sessions with local businesses in the Nemingha Room at the Old Crown Lands Building. 26 businesses from a range of backgrounds attended and asked a variety of questions in relation to water restrictions and conservation.

Majority of the questions asked focused on gaining further understanding of how the water supply process works, how businesses can reduce their consumption, and what the next steps are if dam levels continue to fall are.

The general feedback from the businesses which attended the sessions was positive and constructive.

Further sessions will be held in coming months.

#### (a) Policy Implications

These projects and activities are implemented from stated outcomes of Council's *Demand and Drought Management Plans*.

#### (b) Financial Implications

Nil

#### (c) Legal Implications

Nil

#### (d) Community Consultation

Nil

#### (e) Delivery Program Objective/Strategy

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability.

**8.8 GREASE TRAP WASTE MANAGEMENT - SUBMISSIONS RECEIVED TO PROPOSED FEE FOR WASTE RECEIVED FROM OUTSIDE TAMWORTH REGIONAL COUNCIL AREA – FILE NO SF1226**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager Water and Waste  
**Reference:** Item No 8.4 to Ordinary Council 12 June 2018 – Minute No 191/18  
Item No 8.4 to Ordinary Council 26 November 2019 – Minute No 425/19

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

**RECOMMENDATION**

*That in relation to the report “Grease Trap Waste Management – Submissions Received to Proposed Fee for Waste Received From Outside Tamworth Regional Council Area”, Council:*

- (i) note the two submission received in relation to the proposal to accept grease trap waste from outside the Tamworth Regional Council area at a higher rate than locally produced waste; and*
- (ii) formally adopt the fee for grease trap waste from outside the TRC area at a rate of \$270 per kilolitre for the 2019/20 financial year.*

**SUMMARY**

The purpose of this report is to advise Council of submissions received in relation to Council’s proposed fee for the acceptance of grease trap waste generated from outside the Tamworth Regional Council area at a cost of \$270 per kilolitre (2019/20 financial year).

**COMMENTARY**

As reported to Council at its Meeting of 26 November 2019, historically all Grease Trap Waste (GTW) from the Tamworth Regional Council area is disposed of via utilisation of liquid waste ponds at the Tamworth Forest Road Landfill. Tamworth appears to be the only major regional centre in NSW which is still allowed to utilise this disposal method.

The location of the liquid waste ponds at Forest Road is currently restricting Council’s ability to win shale material for use in landfill operations at the Forest Road site. This is necessitating the importation of material at a significant operational cost. In addition, the ponds need to be decommissioned in the next few years to enable the next stage of development of the landfill to take place for solid waste management.

Establishment of Council’s proposed Organics Recycling Facility (ORF) was planned for the long term management of GTW; however, delays in implementation of this project have necessitated the establishment of an alternative facility at least on a temporary basis.

There are presently approximately 300 local businesses that are required to have their grease traps serviced regularly at their cost, including disposal, to comply with their trade waste discharge permits, issued by Council. Whilst it would be possible to simply stop accepting GTW at the landfill and direct the business owners to use contractors that will dispose of the waste using some other means, this will no doubt come at an increased cost to the businesses and risk an adverse response from business owners about increased cost and potentially, see businesses fail to comply with their trade waste agreements and/or the possibility of illegal discharge of waste.



Following approval by Council in June 2018, a trial GTW facility was constructed at the Westdale Wastewater Treatment Plant (WWTP) and commenced operation in April 2019. Following the success of this trial, Council at its meeting of 26 November 2019, resolved to close the facility at Forest Road Landfill and accept GTW at the Westdale WWTP from 1 February 2020. This disposal option is planned to be an interim measure until Council's ORF is operational which is currently planned for 1 July 2021. As part of the report presented to Council in November 2019, Council also considered the issue of GTW generated outside of the Tamworth Regional Council area being disposed of at the Westdale WWTP.

As previously detailed, the intention of the establishment and operation of the GTW at the Westdale WWTP by Council was to provide a reliable and cost effective GTW management service for the businesses within the Tamworth Regional Council area at a similar cost to the previous arrangements when the Forest Road Waste Management Facility was accepting GTW.

During the GTW trial period liquid waste contractors have delivered some GTW from Armidale and other non Tamworth Regional Council area businesses to the Westdale facility.

The overall capital investment Council has made in establishing the GTW facility at Westdale WWTP is in the order of \$250,000.

In relation to the above, Council at its Meeting of 26 November 2019, resolved as follows:

*That in relation to the report "Grease Trap Waste Management", Council:*

- (i) approve expansion and continuation of the operation of the Grease Trap Waste Treatment Facility at the Westdale Waste Water Treatment Plant until the Organics Recycling Facility is operational in July 2021;*
- (ii) allocate \$130,000 from the Wastewater Reserve to allow for required capacity increases and operational improvements to the Grease Trap Waste Treatment Facility at the Westdale Waste Water Treatment Plant;*
- (iii) write to all customers still utilising the Forest Road Landfill liquid waste ponds advising they will be closed and Council will not accept further waste to the ponds from 1 February 2020 and;*
- (iv) accept grease trap waste from outside of the Tamworth Regional Council area at a charge of \$270 per kilolitre.*
- (v) place the new fee on public display for public comment for no less than 28 days.*
- (vi) request the Director Water and Waste provide a further report to Council if there are objections to the proposed new fee, otherwise if no objections are received, the new charged be formally adopted.*

Subsequently the proposed fee of \$270 per kilolitre for GTW produced outside of the Tamworth Regional Council area was placed on public display for 28 days. During the display period Council has received two submissions to the proposed fee. These submissions are **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1** and **2**. In summary, the submissions received both believe it is unfair to charge a higher fee for business operating outside of the Tamworth Regional Council area.

In respect to the submissions made, Tamworth Regional Council has invested a considerable amount of capital in the construction of the GTW collection and treatment system. These works have been funded, not just by waste disposal fees, but from other trade waste fees levied, such as annual fees and trade waste usage charges levied to trade waste dischargers within the Tamworth Regional Council area. As Tamworth Regional Council, does not receive trade waste income from outside its Council area, it is considered inequitable for Tamworth businesses to subsidise a facility to benefit businesses who have not contributed fully to the cost of establishing the facility by way trade waste fees and charges.

In addition, Tamworth Regional Council operates a liquid waste tracking system at significant annual expense. Allowing untracked waste loads from outside the Tamworth Regional Council area into the Westdale WWTP wastewater treatment system brings additional risks to the treatment process that must be managed. Expanding the tracking system in to other Council areas, if Council decided to do so, would also come with additional administration costs.

Based on the above it is recommended Council note the two submissions received but not change the originally proposed fee and implement the fee of \$270 per kilolitre for GTW generated outside of the Tamworth Regional Council area.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Should Council adopt a different fee for GTW from outside the Council area, presumably lower than the proposed \$270 per kilolitre, then Council would forgo some income. The total amount would be difficult to estimate and would depend on the volume of GTW discharged from businesses outside the council area, however it would be relatively insignificant compared to the income raised from Council based businesses.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Council has written to all customers utilising the Forest Road Landfill liquid waste ponds advising they will be closed and Council will not accept further waste to the ponds from 1 February 2020.

The proposed fee for the acceptance of grease trap waste generated from outside of the Tamworth Regional Council area at a charge of \$270 per kilolitre was placed on public display for comment for a period of 28 days.

**(e) Delivery Program Objective/Strategy**

A Region for the Future - F22 Encourage efficient use of resources to improve environmental sustainability.

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**8.9 DUNGOWAN DAM CATCHMENT MANAGEMENT POST BUSHFIRE – FILE NO SF9795**

**DIRECTORATE: WATER AND WASTE**  
**AUTHOR: Daniel Coe, Manager Water and Waste**

**RECOMMENDATION**

*That in relation to the report “Dungowan Dam Catchment Management Post Bushfire”,*

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**Council:**

- (i) receive and note the report; and**
- (ii) request the Director Water and Waste provide further reports regarding the matter as required.**

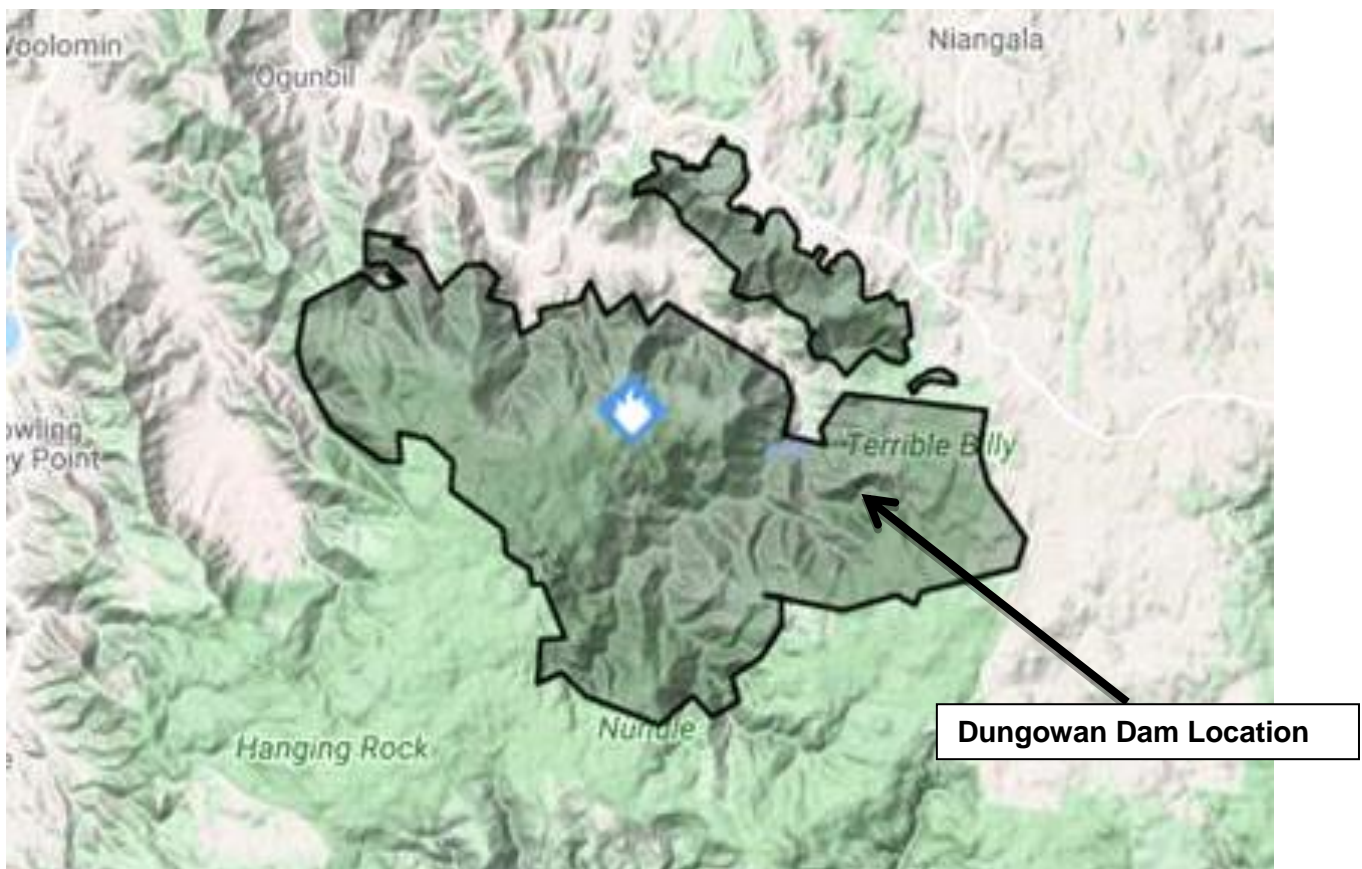
**SUMMARY**

The following report provides an update to Council on the Dungowan Dam catchment management works currently being performed following the bushfire that burnt the catchment during December 2019.

**COMMENTARY**

As Council would be aware, lightning strikes started a fire in the vicinity of the Dungowan Dam catchment on 10 December 2019. The fire became known as the Pearson's Trail complex fire and burnt for 43 days before being declared out on 22 January 2020. During the course of the fire 23,052 hectares (ha) was burnt which included almost all of the catchment of Dungowan Dam.

The extent of the fire (as of late December 2019) in the proximity of the Dam is shown below.

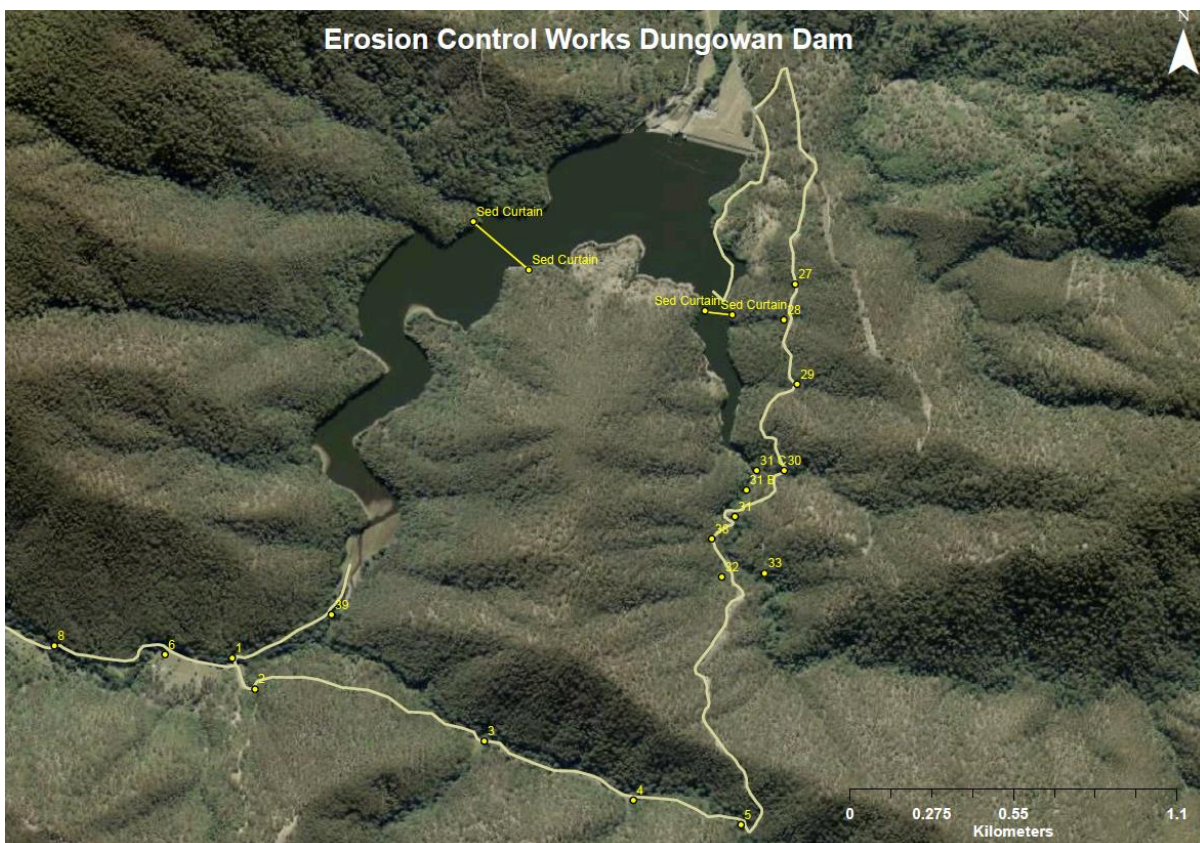


Council staff were not able to access Dungowan Dam to undertake a full inspection of the extent of damage, due to safety reasons, until 7 January 2020. Following inspection, it was identified that the dam wall and surrounding outlet works had not been affected by fire. However, the catchment at the rear of the dam i.e. the creeks that flow in to the dam had been significantly burnt. It was identified that the majority of Council's infrastructure was

operational, with the exception of the electrical and telemetry systems at the Level Creek gauging station which required replacement/repair. Works are currently underway, by Council staff, to repair this equipment.

As part of a state wide initiative, following the New South Wales bushfires, the NSW Government, through the Department of Planning Industry and Environment has been monitoring the state of fires throughout the state, with particular emphasis on fires that have occurred in drinking water catchments. Fires occurring in drinking water catchments can lead to water quality issues. Catchment rains following bushfires may introduce large quantities of eroded soil and ash and degraded organic matter into dams. This subsequently may lead to difficulties in treating water from the storages.

The NSW State Government has now also provided emergency works funding to assist Councils (and other dam owners) with remediation works in bushfire affected drinking water catchments. As part of this program, and to minimise the impact on Dungowan Dam, Council has been working with NSW Public Works Advisory, who have engaged NSW Soil Conservation, to perform remediation works in the Dungowan Dam catchment. Following site inspections a plan for erosion control measures, including siltation curtains within Dungowan Dam, and rock placement within tributaries to the dam was developed. Initial funding provided by the NSW Government is in the order of \$200,000 with funding to be reviewed as the project progresses. The following plan shows the location of siltation curtains placed within the dam and erosion control structures to be constructed within the Dams tributaries.



Works commenced on 16 January 2020, commencing with the clearing of fire trails to allow access to the Dam catchment. Works have commenced closest to the Dam and will progress moving further up the catchment. Siltation curtains have been placed in the Dam and an example is shown below.





Erosion prevention structures have been constructed from rock and erosion prevention fabric. To date in excess of 1500 tonnes of rock has been delivered to site for the project. An example of the erosion control structure being constructed is provided below.



All works are expected to be completed by the end of February 2020.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

To date all works have been funded by the NSW Government. Council has not been requested to provide funding and there is nothing to suggest this may be the case, however if such a request is made, a further report will be presented to Council for consideration.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region for the Future - F22 Encourage efficient use of resources to improve environmental sustainability.

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**8.10 LEVEL 5 WATER RESTRICTIONS MARKETING PLAN – FILE NO SF9442**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Tracey Carr, Sustainability Coordinator  
**Reference:** Item No 8.2 to Ordinary Council 27 August 2019 – Minute No 275/19

1 CONFIDENTIAL ENCLOSURES ENCLOSED

**RECOMMENDATION**

*That in relation to the report “Level 5 Water Restrictions Marketing Plan”, Council:*

- (i) fund from the Water Reserve the essential elements of the Level 5 water restrictions marketing plan for a further six months at a total cost of \$123,050.00; and*
- (ii) fund from the Water Reserve the additional elements identified in the Level 5 water restrictions marketing plan at an additional cost of \$50,590.00 over the next six months.*

**SUMMARY**

To meet the key achievements identified in the Drought Management Response: Water Restrictions Communication and Engagement Plan (CEP) a marketing plan was developed and implemented in August 2019, with a budget approved for six months to 28 February 2020. As the drought continues and the level of Chaffey Dam nears 10%, it is necessary to continue communication and engagement activities beyond 28 February 2020, when the existing budget will be fully expended.

This report provides the outline of the continuation of the marketing plan with the details **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

## COMMENTARY

Due to the severity of the ongoing drought it is considered necessary for Council to continue with activities to raise community awareness of the current restriction levels and ensure residents and visitors to the region are actively reducing their consumption of treated water. The activities to be undertaken at the various levels of water restrictions are detailed in Drought Management Response Water Restrictions Communication and Engagement Plan (CEP), adopted by Council at the Ordinary Council Meeting on 27 August 2019.

The CEP includes a broad range of communications and engagement activities, including the introduction of a residential water consumption target per person per day at 20% capacity of Chaffey Dam and the introduction of Level 5 Restrictions, 150 litres per person per day. The next trigger point in the CEP is at 10% capacity of Chaffey Dam and includes increasing engagement activities with business and industry, updating the existing advertising to incorporate more serious messaging around the need for action and cooperation from the community and the introduction of a residential target of 100 litres per person per day.

The current consumption trends indicate that residents and businesses are making efforts to reduce their overall water use which makes the continuation of the activities identified in the CEP incredibly important at this time. With Tamworth, Moonbi and Kootingal approaching the 10% trigger point the introduction of the new target, 100 litres per person per day, ongoing significant promotion, education and awareness will be required.

The continued marketing plan details the reach and impact of each element so Council can consider the elements individually and determine the value of each, if necessary. A significant portion of the essential elements cost is radio and television airtime. The monthly spend for airtime can be amended or stopped at anytime if required.

The elements of the plan that are considered essential total \$123,050.00 over the next six months and are as follows:

<b>Radio</b>	<b>Notes</b>	<b>Expenditure</b>
Initial Advertising Schedule	x1 month	\$2,010.00
Ongoing Advertising Schedule	x5 months	\$7,500.00
	<b>Sub-Total</b>	\$9,510.00
<b>Social Media</b>		
Six Month Social Media Advertising	x6 months	\$4,000.00
	<b>Sub-Total</b>	\$4,000.00
<b>Television</b>		
TV Ad Creation	x1 30sec & x3 15sec TVCs	\$14,560.00
Initial Advertising Schedule	x1 month	\$14,700.00
Ongoing Advertising Schedule	x5 months	\$35,280.00
	<b>Sub-Total</b>	\$64,540.00
<b>Print</b>	<b>Notes</b>	<b>Expenditure</b>

Fortnightly Newspaper ad	x6 months	\$5,000.00
Water Update print and postage	x 18,000 homes	\$40,000.00
	<b>Sub-Total</b>	\$45,000.00
	<b>TOTAL</b>	<b>\$123,050.00</b>

The elements above are the methods already employed to deliver water restrictions information and are considered to be very effective. Television advertising is expensive, however, reaches a large audience regionally. The message used for television advertising always refers people back to Council's website to check the restrictions information specific to their location. Viewers can become over exposed to advertising leading to advertising fatigue. A new look and message will be launched at the announcement of 10% capacity of Chaffey Dam and "pulsed" advertising used to avoid advertising fatigue. Pulsing will see the ad frequency increased for short periods of time when trigger points are hit and then the frequency reduced or even stopped until the next trigger point is reached. Advertisement scheduling will continue to be set so that ads are not played between 10:00pm and 6:00am to avoid low viewer time slots and high viewer, prime time, programs will be targeted.

Radio advertising is more localised and by utilising all local stations is able to reach large numbers of listeners across a wide range of demographics within the target region. Radio gives the opportunity to provide a strong call to action and can be broadcast at specific times to hit target audiences, for example work travel times.

Social media is a low cost, high impact method of communication which has the ability to be targeted at specific locations and demographics through paid sponsorship of content. By utilising Council's own social media, Facebook, Instagram, and YouTube, there is the additional benefit of being able to monitor comments and respond in a public forum to provide accurate information direct to the public.

Ongoing monitoring of consumption will guide marketing spend and scheduling; where consumption targets are being achieved communication will be scaled back or paused to ensure the best value is achieved in all paid activities.

Further to these essential elements, a number of additional elements have been identified and costed for Councils consideration. Staff consider that including these additional elements will assist and support the essential elements and keep the water conservation message at the front of everyone mind during day-to-day activities. The additional elements identified are as follows:

<b>Out of Home</b>	<b>Notes</b>	<b>Expenditure</b>
Car air fresheners	x10,000	\$4,700.00
VMS Hire	x6 signs, x3 months	\$28,080.00
Bus Shelters	x6 months	\$4,290.00
Bus Backs or other public signage	x6 months	\$13,520.00
	<b>TOTAL</b>	<b>\$50,590.00</b>

Car air fresheners will be custom printed with the "Lets Work Together" message and distributed at Council offices as well as local petrol stations and would be a novel way to keep the message in a location that most residents would see on a regular basis; hanging from the rear view mirror of the car.



VMS boards, bus shelters, bus backs, taxi's and public place signage ensure that restrictions and conservation messages are prominent during the average resident's day to day movements and activities. VMS boards are relatively expensive but have additional benefits, such as the information can be regularly updated and they can be removed at any time should restrictions ease or consumption targets are at a level that the additional messaging is considered to not be required. It may not be possible to have the bus backs removed when the drought breaks, whilst this will be further pursued with the bus company, the message will not refer to the level of restrictions it will be a more general message about water conservation which would be appropriate at any time.

**(a) Policy Implications**

This marketing plan has been developed to support the implementation of water restrictions as identified in Council's Drought Management Plan 2015.

**(b) Financial Implications**

The marketing activities identified have been presented in two groups, those considered essential to deliver the CEP and optional additional activities that would ensure the best result in delivering the CEP.

There is no existing budget for this work so Council would need to provide funds from the Water Reserve.

Total funds requested:

Essential marketing elements (for six months)	\$123,050.00
Additional recommended marketing elements (for six months)	\$50,590.00
<b>TOTAL</b>	<b>\$173,640.00</b>

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Community consultation is undertaken at the development of each new rendition of the Drought Management Plan. Further consultation will be undertaken when the drought breaks and the Drought Management Plan is reviewed and updated and will include measuring the effectiveness of marketing and communications activities.

**(e) Delivery Program Objective/Strategy**

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability.

**8.11 EMERGENCY WATER SUPPLY PLAN – FILE NO SF9442**

**DIRECTORATE: WATER AND WASTE**  
**AUTHOR: Tracey Carr, Sustainability Coordinator**

**RECOMMENDATION**

*That in relation to the report "Emergency Water Supply Plan", Council provide \$100,000 from the Water Reserve to develop an Emergency Water Supply Plan for Tamworth/Moonbi and Kootingal.*

## **SUMMARY**

With the Region facing unprecedented drought conditions, including record low rainfall in 2018 and 2019, water supplies are under stress and severe water restrictions remain in place. Chaffey Dam currently supplies the largest population within the region and, should the drought continue, alternative emergency water supply options need to be considered to ensure ongoing water supply for Tamworth, Moonbi and Kootingal residents.

## **COMMENTARY**

The Region is facing unprecedented drought conditions, with record low rainfall occurring across 2018 and 2019. This has led to town water supply systems facing severe stress and having to implement severe water restrictions, as well as major dams in the region dropping to record low storage levels.

With Chaffey Dam now below 15% and Level 5 Water Restrictions in place in Tamworth, Moonbi and Kootingal since September 2019, the Tamworth water supply system remains under severe stress.

WaterNSW have acted swiftly to undertake works to minimise in stream water transmission losses between Chaffey Dam and Calala Water Treatment Plant (CWTP) in order to extend the remaining supplies in Chaffey for as long as possible. With the temporary Peel River weir located at Dungowan village in place since December 2019, in stream losses have been significantly reduced. With the Chaffey Dam to Dungowan pipeline construction nearing completion, water losses between Chaffey Dam and CWTP will be mostly eliminated by the end of March 2020. Without these drought contingency works, based on modelling undertaken by Water NSW, it is likely that Chaffey Dam would have been empty by around August 2020. With these works in place, the remaining storage is predicted to last until around June/July 2021.

As Chaffey Dam approaches 10% capacity it is considered Council needs to start considering further drought contingency and emergency supply measures on both supply and demand to ensure Tamworth, Moonbi and Kootingal do not run out of water. Depending on the options identified it may be necessary for planning for emergency supply measures to commence in the near future to ensure there is sufficient time to implement measures identified.

The Drought Management Plan has been the guiding policy document since its adoption in 2015 and during water restrictions, first implemented Tamworth Moonbi and Kootingal in January 2019.

Council also adopted a Water Restrictions Communication and Engagement Plan, dealing with, amongst other things, Tamworth and Moonbi Kootingal once Chaffey Dam reached 20% and below, but this Plan only looks at communication and messaging not actual measures that could be implemented on the demand and/or supply side to avoid the prospect of Tamworth and Moonbi Kootingal running out of water.

The Emergency Water Supply Plan (the Plan) will further guide Council through this most critical stage of the drought and to help plan for the potential worse case scenario of Chaffey Dam reaching zero storage in this drought period and into the future.

Through the Namoi Unlimited Consultancy Agreement, Hunter H2O has provided a project proposal to prepare a draft plan. The proposal identifies the key tasks to be completed to deliver an Emergency Water Supply Plan by early May or April 2020, in line with when current projections indicate Chaffey Dam will reach 10% of capacity.

The Plan will identify different options, approximate cost and time required to implement and the impacts of each option in the following areas:

- residential demand reduction;
- non-residential demand reduction;
- emergency supply options including groundwater, surface water and effluent reuse; and
- preliminary water carting assessment for supplementary purposes.

Once completed, the Plan will be presented to Council with the aim of identifying any and all viable options for water supply for Tamworth, Moonbi and Kootingal and guide decision making moving forward in the event the drought continues.

Should Council choose to proceed with this work, the project upper fee limit for the proposal is \$100,000.

**(a) Policy Implications**

This project is proposed to establish an Emergency Water Supply Plan that compliments and expands actions identified and being undertaken under Councils *Drought Management Plan and Drought Management Response – Water Restrictions Communication and Engagement Plan*.

**(b) Financial Implications**

Should Council choose to proceed with the development of and Emergency Water Supply Plan, funding of \$100,000 would be required from the Water Reserve.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability.

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**8.12 DISPOSAL OF WALCHA COUNCIL SOLID WASTE AT FOREST ROAD WASTE MANAGEMENT FACILITY – FILE NO SF1179**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager Water and Waste  
**Reference:** Item 7.3 to Ordinary Council 8 November 2011 - Minute No 345/11  
Item 8.4 to Ordinary Council 8 November 2016 - Minute No 328/16

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Disposal of Walcha Council Solid Waste at Forest Road Waste Management Facility”, Council:*

*(i) note the completion as of 8 February 2020, of the Memorandum of*

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***Understanding between Walcha Council and Tamworth Regional Council for the disposal of general solid waste from the Walcha Council area to the Forest Road Waste Management Facility; and***

- (ii) approve Walcha Council to continue to disposal of general solid waste from the Walcha Council area for up to a further 12 months in accordance with Council's Policy for the 'Acceptance of Waste Generated outside the Tamworth Regional Council Local Government Area'.***

**SUMMARY**

The purpose of this report is to advise Council of the completion of the Agreement between Walcha Council and Tamworth Regional Council for the disposal of general solid waste generated from within the Walcha Council area at the Forest Road Waste Management Facility.

**COMMENTARY**

In November 2011, Council considered a report regarding a proposed Memorandum of Understanding between Walcha Council and Tamworth Regional Council for the disposal of general solid waste from within the Walcha Council area at the Forest Road Waste Management Facility. At the time, Walcha Council's reasons for the disposal of general solid waste at the Forest Road Waste Management Facility were to provide better environmental outcomes by rationalising unsustainable landfills in the Walcha Council area. It was estimated that Walcha would be disposing of approximately 1,580 tonnes of general solid waste during the initial five year term of the proposed Agreement.

Given, among other things, the amount of landfill space that would be consumed at the Forest Road Waste Management Facility versus the economic benefit of receiving the waste, Council approved the request to enter into a Memorandum of Understanding with Walcha Council under commercial arrangements in accordance with the following conditions:

1. all waste accepted for disposal under this arrangement shall be disposed at the Forest Road landfill on weekdays only and between the hours of 8.00am and 4.00pm - to minimise the impact on resources needed to manage the waste and reduce heavy vehicle movements on weekends;
2. the transport route used by vehicles delivering the waste shall be limited to the New England Highway, Manilla Road, Bligh Street and thence onto Forest Road - for safety and road impact reasons;
3. the cost for waste disposal should be based on Councils annual advertised charges for accepting commercial waste at the landfill plus a 10 percent surcharge;
4. the term of the agreement be for a five year period with an option in favour of Walcha Council to request an extension of the agreement for a further three years; and
5. that in the event of an amalgamation of any of the Council's involved in the agreement; the approval for acceptance of waste at Tamworth would be subject to renegotiation.

It should also be noted as part of the November 2011 report, Council also agreed to enter into a similar arrangement for the acceptance of general solid waste from the Uralla Council area. However, no agreement has been finalised between Tamworth Regional Council and Uralla Council and as such, no general solid waste has been received from Uralla Council.

In February 2012, Walcha Council and Tamworth Regional Council signed an Agreement where Walcha Council could deliver and dispose of general solid waste, generated within

Walcha Council area at Tamworth Regional Council's Forest Road Waste Management Facility, in accordance with the resolution of Council. The Agreement was for a period of five years with an option for a further extension of three years.

In accordance with the Agreement, Walcha Council exercised a three year extension option that commenced on 8 February 2017. The details of this extension was reported to Council at its Meeting of 8 November 2018. At this Meeting Council resolved the following:

*That in relation to the report "Disposal of Walcha Council General Solid Waste at Forest Road Waste Management Facility", Council:*

- (i) note as per the Agreement between Walcha Council and Tamworth Regional Council signed in February 2012, Walcha Shire has exercised the 3 year option to continue to deliver general solid waste generated from within the Walcha Council area to the Forest Road Waste Management Facility;*
- (ii) request the Director of Water and Waste to initiate discussions with Walcha Council in relation to its long term waste strategy regarding the disposal of general solid waste; and*
- (iii) request the Director Water and Waste to provide further reports to Council in relation to this matter as information becomes available.*

In respect to the above, during the past three years Walcha Council have been undertaking works to enable landfilling operations to recommence in Walcha to prevent the ongoing transfer of waste to Tamworth. In summary, Walcha Council has gained approval from the NSW EPA to recommence landfill operations at their existing landfill site in accordance with developed landfill filling and capping plans. To enable operations to recommence within Walcha, capital works associated with the landfill need to be completed. Correspondence received from Walcha Council is **ATTACHED**, refer **ANNEXURE 1**, details this work will take up to 12 months to complete. Also included in this correspondence is Walcha Council's request for Tamworth Regional Council to continue taking general solid waste for this period whilst works are completed.

Given the completion of the Memorandum of Understanding between Walcha Council and Tamworth Regional Council for the disposal of general solid waste from within the Walcha Council area at the Forest Road Waste Management Facility, it is recommended Council consider Walcha's request in accordance with Council's Policy for the 'Acceptance of Waste Generated Outside the Tamworth Regional Council (TRC) Local Government Area (LGA)'.

As per this Policy, Council assesses requests for the acceptance of waste from outside the TRC LGA for disposal at Council's solid waste facilities based on the following criteria (comments in italics relate to Walcha Council's current request):

- a) every request submitted to Council to accept waste from outside the TRC LGA shall be made in writing.

*This application has been made and included as Annexure A.*

- b) the waste material must be classified and proven to be of a type that is acceptable for disposal at the respective landfill.

*The material has been classified as general waste and can be disposed of within the Forest Road Landfill.*

- c) the volume of waste to be disposed of and the impacts upon the lifespan of the landfill.

*During the eight years of receiving waste from Walcha Council, on average 375 tonnes per annum of waste has been received at the Forest Road Waste Management Facility.*

*The Forest Road Waste Management Facility currently receives in the order of 50,000 tonnes per annum for landfilling. The expected 375 tonnes to be delivered from Walcha Council is a small percentage of overall waste received at the Forest Road Facility.*

- d) road traffic impacts to transport the nominated volume of waste.

*The impact on traffic is likely to be negligible and will continue as per previous arrangements.*

- e) whether the arrangement is to be temporary or permanent.

*The submission identifies this arrangement to be temporary in nature up to 12 months until Walcha Council establishes its own landfill operations.*

- f) the nexus within the regional context to manage waste – e.g. regional initiative fostered through Northern Inland Regional Waste.

*Walcha Council is part of Northern Inland Regional Waste Group. Tamworth Regional Council should assist other Council's where possible to continue sustainable waste management practices.*

- g) the environmental benefits of the proposal.

*The material received does not directly improve the environment for Tamworth Regional Council but improves environmental outcomes from a regional waste perspective long term.*

- h) the origin of the waste (waste generated in the regulated areas of the state will NOT generally be accepted).

*The material has not been generated within the waste section 88 (POEO Act) levy area.*

On the basis of the above, it is recommended that Council accept general solid waste from Walcha Council to the Forest Road Waste Management Facility in accordance with Council's policy for the 'Acceptance of Waste Generated Outside the Tamworth Regional Council (TRC) Local Government Area (LGA)'.

**(a) Policy Implications**

The application from Walcha Council for the disposal of general solid waste for up to a further 12 months has been reviewed in accordance with Council's Policy for the 'Acceptance of Waste Generated Outside the Tamworth Regional Council Local Government Area.

**(b) Financial Implications**

In accordance with the Policy, fees and charges for waste generated outside the TRC LGA and approved for disposal at the TRC Landfill will attract a ten percent surcharge above the advertised gate fees for disposal of the respective waste type. In respect to this application the charge (including the additional 10 percent) would be \$121/tonne.

Based on the expected 375 tonnes of waste to be delivered it is expected Council will generate approximately \$45,375 of additional income over the next 12 months.



The proposed price is the same as Walcha paid under the previous agreement.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability.

**8.13 POSSIBLE ADDITIONS TO WATER REBATE SCHEME – FILE NO SF3219**

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Tracey Carr, Sustainability Coordinator

**Reference:** Item 8.2 to Ordinary Council 17 December 2019 - Minute No 455/19  
Item 8.3 to Ordinary Council 8 October 2019 - Minute No 348/19

**RECOMMENDATION**

*That in relation to the report “Possible Additions to Water Rebate Scheme”, Council:*

- (i) add additional water saving products to the rebate eligibility list that may assist residential business and industry as follows; and*

<i>Item number</i>	<i>Product</i>	<i>Description</i>	<i>Rebate</i>
<i>1</i>	<i>Evaporative air conditioner servicing and maintenance</i>	<i>Work must be undertaken by a licenced tradesperson. Can be for service and maintenance.</i>	<i>50% up to \$200</i>
<i>2</i>	<i>Stand alone 2,000 – 4,999 litre rainwater tank</i>	<i>Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.</i>	<i>50% up to \$100</i>
<i>3</i>	<i>Stand alone 5,000 – 9,999 litre rainwater tank</i>	<i>Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.</i>	<i>50% up to \$400</i>

<b>4</b>	<b><i>Stand alone 10,000 litre rainwater tank or above</i></b>	<b><i>Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.</i></b>	<b><i>50% up to \$500</i></b>
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***(ii) provide a further \$30,000 to be allocated to the payments of the above rebates.***

## **SUMMARY**

The financial assistance offered through Council's Residential Water Saving Rebate Scheme has been highly effective in encouraging residents to install water saving products in and around their homes. Council recently resolved to extend the rebate scheme to business and commercial operators. It was also resolved that rebates for other measures also be investigated and considered for addition to the rebate eligibility list. This report is to present two further opportunities for rebates.

## **COMMENTARY**

Council's Water Saving Rebate Scheme is designed to offset the use of treated water by offering financial assistance to residents to install water-efficient products in and around their existing homes and, more recently, for businesses and commercial operators, connected to the treated water supply, retrofitting existing homes or businesses, or to residents installing products in new homes where the product is not a requirement of the NSW Building Sustainability Index (BASIX).

In light of the ongoing drought and the need to increase water conservation, the list of products eligible for rebates was extended at the Ordinary Council Meeting held 17 December 2019.

Ongoing monitoring of consumption levels has indicated that evaporative air conditioning uses more water than initially anticipated. A review of consumption in Tamworth, Moonbi and Kootingal indicates consumption increases with the outside temperature and it is estimated that the increase from evaporative air conditioner use could be as high as 4 to 5 Megalitres per day when the temperature is above 35 degrees Celsius. Level 5 restrictions were introduced in September 2019 and initially, during the cooler weather, daily consumption was between 16 and 17 Megalitres per day. Further analysis shows that on a weekday about 50% of that consumption is consumed by business and commercial and around 50% by residential. This indicates that on days when the temperature is over 35 degrees, daily residential consumption increases by up to 50%. On this basis reducing water demand from evaporative air conditioners should be a priority.

To this end on 9 January 2020, a workshop was held with local air conditioning installers and maintainers to discuss how water consumption from evaporative air conditioners could be reduced. The meeting provided direction as follows:

- based on some work done by Council staff, the estimated number of evaporative air conditioners installed in Tamworth, Moonbi and Kootingal is approximately 8000 units;
- one key reason for excessive water consumption is the lack of regular maintenance of the unit;

- the cost of regular maintenance at least annually, is relatively low, but if left for a number of years the value of repair work required escalates and contributes to owners not getting the units maintained regularly;
- turning down the amount of water that runs through the “bleed” line is an effective way of reducing water consumption. However, some owners rely on the water collected from the bleed line for other purposes – swimming pool top up and garden watering etc. and therefore are reluctant to reduce flow through the air conditioner; and
- a rebate on servicing the evaporative air-conditioning may increase the number of units that are serviced.

Based on work completed from various sources, including advice from air conditioner installers and maintainers, in 2009 when a small study of evaporative air conditioner water use in Tamworth was undertaken and more recent investigations suggests that evaporative air conditioners can, on average, use between 10 to 40 litres of water per hour whilst older, poorly maintained units and very hot days can see usage up to 70 litres per hour.

Advice is that a well maintained unit will use approximately 20% less than a poorly maintained unit. The table below has been prepared based on the following assumptions:

- 50% of, or 4000, present units have not been maintained in the last 12 months; and
- on average evaporative air-conditioners are used for approximately 10 hours per day for a period of 91 days per year (three months).

Hourly consumption (Litres)	Annual consumption (Litres per hour x 10 x 91) /unit	Potential annual water savings – (20% reduction x 4000 unmaintained units) - Megalitres
10	9,100	7.28
20	18,200	14.56
40	36,400	29.12
70	63,700	50.96

The figures indicate properly maintained evaporative air-conditioners could save up to one Megalitre of water per day during the summer and based on this it is recommended Council introduce a rebate to encourage annual service and maintenance of evaporative air conditioners. Should Council agree with this recommendation then the following is considered appropriate:

- based on advice about how much it costs to service and maintain an evaporative air conditioner, the rebate should be set at 50% of the cost of the service up to a maximum of \$200;
- the service must be completed by a qualified tradesperson; and
- rebates only applies to property connected to a reticulated supply in the Council area.

#### **Stand alone rainwater tanks**

Council currently offers a three tiered rebate scheme for the installation of rainwater tanks at residential properties where there is a connection to the reticulated water supply and where

the tanks are plumbed into the property to offset the use of treated water inside the home e.g. toilet flushing and laundry use. This is the standard set up for tanks required under BASIX and therefore tanks installed under BASIX are eligible for a rebate for the volume of water storage installed that exceeds the BASIX minimum requirement.

Product	Description	Rebate
2,000 – 4,999 litre rainwater tank	Must be connected to toilet and/or laundry to offset use of the treated water supply at any time.	\$200
5,000 – 9,999 litre rainwater tank	Must be connected to toilet and/or laundry to offset use of the treated water supply at any time.	\$800
10,000 litre rainwater tank or above	Must be connected to toilet and/or laundry to offset use of the treated water supply at any time.	\$1,000

Council also conducts inspections of rainwater tanks at residential properties where there is a connection to the reticulated water supply where, if the tank is found to be fully standalone and isolated from the treated water supply, a “rainwater in use” sign is issued. This confirms the use of an independent water supply for outdoor watering. Since March 2019, approximately 1,265 tank inspections have been completed. Any tank installation that is eligible for a rebate is not eligible for a “rainwater in use” sign unless specific additional plumbing is undertaken to ensure that the tank can only be filled with rain water and the outside tap is unable to be switched to the treated water supply. Tanks installed to BASIX requirements are not eligible for a “rainwater in use” sign.

This means that any tank installation that is a requirement of BASIX or is eligible for the existing rebates, should not be used for any outdoor watering including gardens, lawns and swimming pool top ups under level 4 and 5 restrictions where all use of treated water outdoors is banned.

Council has received a number of requests for rebates for tanks installed but not plumbed into the residence/house. The central reason for not paying rebates for tanks not plumbed into the house is that the value of the installation (in terms of treated water saving) is reduced, compared to a tank that is plumbed into the house, because the tank plumbed into the house maximises the use of rainwater to offset treated water all the time, whilst the tank not plumbed into the house only conserves treated water when the water in the tank is used for a purpose that would previously have used treated water.

However, there is no doubt that in a residential area the use of water captured in rain water tanks to fill swimming pools and water gardens would offset treated water use.

It is suggested that should Council wish to consider some form of rebate for the installation of tanks that are not plumbed to the residence then, to reflect that these installations conserve less treated water than a tank that is plumbed into the house, a rebate, which is less than the rebate paid for tanks plumbed into the house, may be considered. The rebate paid should also consider the size of the tanks and on that basis the table below shows a proposed list of rebates for tanks not plumbed into the residence.

Stand alone 2,000 – 4,999 litre rainwater tank	Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.	50% up to \$100
Stand alone 5,000 – 9,999 litre rainwater tank	Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.	50% up to \$400
Stand alone 10,000 litre rainwater tank or above	Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.	50% up to \$500

**(a) Policy Implications**

These projects and activities are implemented from stated outcomes of Council's *Demand and Drought Management Plans*.

**(b) Financial Implications**

If the eligibility of the rebate scheme is extended to evaporative air conditioner servicing and pad replacement and stand alone tanks, it is estimated that, initially, a further \$30,000 will need to be allocated for this purpose.

The uptake of rebates and expenditure would be monitored and reported to Council in future monthly update reports to determine if the budgets suggested above require amending.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Community consultation was initiated by a proposal from the Tamworth Business Chamber to the Ordinary Council meeting of 8 October 2019, and has involved a workshop for commercial operators and business owners through the Tamworth Business Chamber and a workshop for industry professionals. Follow up seminars and discussion with industry professionals has identified the additional rebates mentioned above.

**(e) Delivery Program Objective/Strategy**

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability

## 9 GOVERNANCE, STRATEGY AND FINANCE

### 9.1 2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – FILE NO SF1385

DIRECTORATE: CORPORATE AND GOVERNANCE  
AUTHOR: Karen Litchfield, Manager Governance

1 ANNEXURES ATTACHED

#### RECOMMENDATION

*That in relation to the report “2020 National General Assembly of Local Government”, Council:*

- (i) nominate Councillor representatives to attend this Conference as appropriate; and*
- (ii) determine whether any Motions will be submitted for inclusion on the Conference Agenda.*

#### SUMMARY

The purpose of this report is to advise Council of the 2020 National General Assembly of Local Government to be held at the National Convention Centre, Canberra, 14-17 June 2020.

#### COMMENTARY

The National General Assembly of Local Government (NGA) is the major conference for the Australian Local Government Association (ALGA) and attracts participants from local government across Australia. The Assembly is the premier event in the local government calendar and is an opportunity for the sector to debate issues of national significance, hear from political and academic speakers as well as to develop policy and strategy for the coming year.

The 2020 NGA will be held at the National Convention Centre in Canberra from 14 - 17 June. While the Assembly is not until June, accommodation is reserved with registration and can book out early, therefore, to secure rooms close to the National Convention Centre it is recommended that Councillors nominate to attend as soon as possible.

The theme for the 2020 NGA is *Working Together for our Communities, this theme acknowledges the need to come together and with other partners, including the Federal Government, to deliver for our communities.*

This year, the NGA will focus debate on motions that explore strategies on the identified critical areas local government needs to consider now and into the future. Providing clear actions within these areas provides councils with an opportunity to influence the development of ALGA policy and advocacy by ALGA on federal election commitments.

The ALGA has developed a discussion paper is in **ATTACHED**, refer **ANNEXURE 1**, to assist Council to identify motions for the Business Paper. To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. not be focused on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference;



3. be consistent with the themes of the NGA;
4. complement or build on the policy objectives of your state and territory local government association;
5. be submitted by a council which is a financial member of their state or territory local government association;
6. propose a clear action and outcome; and
7. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions are due by 11:59pm on Friday 27 March 2020, electronically in the prescribed format.

**(a) Policy Implications**

Approval arrangements for Councillor discretionary trips, attendance of Councillors at conferences, seminars, forums, workshops, professional development programs and/or other significant expenses and facilities under this policy and for insurance purposes must be authorised by way of a formal resolution of an Ordinary Meeting of the Council.

**(b) Financial Implications**

Councillors have been allocated the sum of \$4,500 annually to specifically provide for attendance at Local Government sector conferences, workshops, industry working parties and community non Council functions and events. Authorisation of the attendance of Councillors is by way of a resolution of the Council. Council also has allocated \$2,000 to Councillors for attendance at the LG NSW Annual Conference or the National General Assembly. Authorisation and the payment of the expenses involved will only be provided by Council where the conference, workshop or industry working party is directly related to the Councillor's civic functions and responsibilities and/or the Local Government sector. Costs per delegate are estimated to be registration fees at \$989, accommodation at \$325-375 per night and air travel at \$600.

**(c) Legal Implications**

Council's formal resolution for the attendance of any delegate is required for insurance purposes whilst the representatives are performing bona fide Council duties.

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region of Progressive Leadership – L12 Represent and advocate community needs.

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## 9.2 COUNCIL INVESTMENTS DECEMBER 2019 – FILE NO SF9655

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Sherrill Young, Manager Financial Services

**1 ANNEXURES ATTACHED**

### RECOMMENDATION

*That in relation to the report “Council Investments December 2019”, Council receive and note the report.*

### SUMMARY

This report provides an overview of Council Investments for the month of December 2019.

### COMMENTARY

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 31 December 2019, is **ATTACHED**, refer **ANNEXURE 1**.

The following table provides a summary of the types of investments held and the institution they are held with:

Institution	Cash bank	at	Financial Assets Amortised Cost	Financial Assets at Fair Value	Total	% of Total
NAB	6,108,869		46,000,000	0	52,108,869	35.10%
ANZ	0		15,000,000	0	15,000,000	10.10%
BOQ	0		5,000,000	0	5,000,000	3.37%
CBA	0		10,000,000		10,000,000	6.74%
St George	0		27,000,000	0	27,000,000	18.19%
TCorp	0		0	338,369	338,369	0.23%
Westpac	0		39,000,000	0	39,000,000	26.27%
<b>TOTAL</b>	<b>6,108,869</b>		<b>142,000,000</b>	<b>338,369</b>	<b>148,447,238</b>	

The amount invested at 31 December 2019, has decreased by \$8,743,102 compared to funds held at 30 November 2019. Cash payments for December include loan repayments, property settlement, and asset purchases.

Council's investments mainly include restricted funds received for specific purposes or held for future renewal works for each of the three main funds, as summarised in the following table:

<b>Fund</b>	<b>Restriction</b>	<b>Amount</b>	<b>%</b>
General	Unrestricted	6,144,372	4.14%
General	Internally Restricted	22,719,321	15.30%
General	Externally Restricted	12,621,369	8.50%
<b>General Fund Total</b>		<b>41,485,062</b>	<b>27.94%</b>
Water	Unrestricted	2,040,303	1.37%
Water	Internally Restricted	26,783,993	18.05%
Water	Externally Restricted	20,944,902	14.11%
<b>Water Fund Total</b>		<b>49,769,198</b>	<b>33.53%</b>
Sewer	Unrestricted	2,081,979	1.40%
Sewer	Internally Restricted	40,305,944	27.15%
Sewer	Externally Restricted	14,805,055	9.98%
<b>Sewer Fund Total</b>		<b>57,192,978</b>	<b>38.53%</b>

**Total Investments** 148,447,238

Moneys received for each Fund can only be used within that Fund. An explanation for each category of restriction is described below.

**Unrestricted:**

These are funds required to meet short term cash flow requirements and contingencies to maintain solvency.

**Internally Restricted:**

Funds set aside for future commitments mostly relate to asset renewals, remediation works, or leave provisions. For General Fund, this includes self funding activities such as the Airport, Waste Management and Fleet operations.

**Externally Restricted:**

Funds provided for specific purposes such as developer contributions, grants and loans.

The use of restricted funds is largely controlled by 10 – 20 year asset management plans which are included in the resourcing strategy of Councils Community Strategic Plan.

**(a) Policy Implications**

All of Council's investments are held in accordance with the 'Tamworth Regional Council Investment Policy' except for the term deposit with the Bank of Queensland that is now below the minimum rating level due to a recent down grade.

**(b) Financial Implications**

Investment levels and interest rates are currently on par with the revised estimate calculations.

**(c) Legal Implications**

All of Council's investments are held in accordance with the 'Tamworth Regional Council Investment Policy' which accords with the requirements of:

- Local Government Act 1993 – Section 625;
- Local Government Act 1993 – Order (of Minister) dated 16 November 2000;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) and 2;
- Local Government (General) Regulation 2005 – Clauses 212 and 215; and
- Local Government Code of Accounting Practice & Financial Reporting – Update No. 15 dated June 2007.

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region of Progressive Leadership – L21 Transparency and accountability of government.

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**9.3 COUNCILLOR TRAINING AND PROFESSIONAL DEVELOPMENT – FILE NO SF1037**

**DIRECTORATE: CORPORATE AND GOVERNANCE**  
**AUTHOR: Karen Litchfield, Manager Governance**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Councillor Training and Professional Development", Council:*

- (i) receive and note the report; and*
- (ii) approve Cr Inglis to attend the Australian Governance Summit in Sydney on 2 and 3 March 2020.*

**SUMMARY**

The purpose of this report is to seek approval for Councillor Glenn Inglis to attend the Australian Governance Summit 2020 in Sydney at the International Convention Centre on 2 and 3 March 2020.

**COMMENTARY**

Council has invested in the professional development of a number of Councillors through the Company Directors Course conducted by the Australian Institute of Company Directors (AICD). The course was excellent and the quality of the research papers and instruction was of a high order. Councillor Inglis as a member of the AICD undertakes its structured and

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comprehensive professional development program to meet his local government obligations for ongoing professional development.

The AICD supports its members in developing and maintaining the director skills and capabilities identified in the Company Directors Corporate Governance Framework. This framework has specific application to TRC.

Members of AICD are required to accrue and maintain 60 DPD units over a rolling three-year cycle. Members can accrue DPD units for both formal and informal learning that are undertaken to improve skills and capabilities, and in some cases, where members contribute to the learning of others.

The annual Australian Governance Summit is a major event for the Director community. It is an opportunity to join with business leaders from across many sectors and industries and develop a greater understanding of the critical issues facing organisations and their boards. The Australian Governance Summit 2020 will be held in Sydney at the International Convention Centre on 2 and 3 March 2020, a full program is **ATTACHED**, refer **ANNEXURE 1**.

**(a) Policy Implications**

TRC Policy “ Payment of Expenses and Provision of Facilities to Councillors” provides the sum \$4,500 annually for a wide range of Councillor professional development activities.

TRC has an obligation to identify the training needs of Councillors and ensure they have access to ongoing training and professional development throughout their tenure in public office.

The OLG has issued guidelines to support Councillor professional development strategies.

**(b) Financial Implications**

Event registration is \$1,649.00 with travel and accommodation estimated at \$600.00.

**(c) Legal Implications**

Amendments made to the *Local Government Act 1993* (the Act) by the *Local Government Amendment (Governance and Planning) Act 2016* in August 2016, saw the inclusion in the prescribed role of Councillors under section 232 a responsibility “to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor”.

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region of Progressive Leadership – L22 To be a leader in best practice for local government.

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#### 9.4 LG NSW TOURISM CONFERENCE – FILE NO SF1037

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Karen Litchfield, Manager Governance

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “LG NSW Tourism Conference”, Council nominate Cr Helen Tickle, and other Councillors as appropriate, to attend the conference to be held in Jindabyne 16-18 March 2020.*

#### **SUMMARY**

This report is to advise that the LG NSW Tourism Conference will be held on 16-18 March at Jindabyne, NSW.

#### **COMMENTARY**

The LG NSW Tourism Conference will be held on 16-18 March at the Rydges Horizons Snowy Mountains, Jindabyne, NSW. The Conference is supported by Snowy Monaro Regional Council will feature a range of plenary style presentations and smaller group workshop style sessions.

A copy of the program for the Conference is **ATTACHED**, refer **ANNEXURE 1**.

#### **(a) Policy Implications**

Approval arrangements for Councillor discretionary trips, attendance of Councillors at conferences, seminars, forums, workshops, professional development programs and/or other significant expenses and facilities under this policy and for insurance purposes must be authorised by way of a formal resolution of an Ordinary Meeting of the Council.

#### **(b) Financial Implications**

Councillors have been allocated the sum of \$4,500 annually to specifically provide for attendance at Local Government sector conferences, workshops, industry working parties and community non Council functions and events. Authorisation of the attendance of councillors is by way of a resolution of the Council. Authorisation and the payment of the expenses involved will only be provided by Council where the conference, workshop or industry working party is directly related to the Councillor's civic functions and responsibilities and/or the Local Government sector.

The cost of the Conference will consist of the registration fee of \$600 per person, flights and accommodation of approximately \$1,000 for two nights depending on accommodation and flights options available at the time of booking.

#### **(c) Legal Implications**

Council's formal resolution for the attendance of any delegate is required for insurance purposes whilst the representatives are performing bona fide Council duties.

#### **(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Region of Progressive Leadership – L22 To be a leader in best practice for local government.

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## **10 COMMUNITY SERVICES**

### **10.1 NSW COUNTRY RUGBY UNION CHAMPIONSHIPS – FILE No SF5609**

**DIRECTORATE:** BUSINESS AND COMMUNITY  
**AUTHOR:** Kate Baker, Co-Ordinator Economic and Destination Development

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

#### **RECOMMENDATION**

*That in relation to the report “NSW Country Rugby Union Championships”, Council support the event by providing funding of \$15,000 per year for the 2020, 2021 and 2022 Championships.*

#### **SUMMARY**

NSW Country Rugby Union has requested \$20,000 per year financial support from Tamworth Regional Council for the 2020, 2021 and 2022 NSW Country Rugby Union Championships, to be staged at Scully Park Regional Sporting Precinct.

The Championships will be staged over the June long weekend each year, utilising both Scully Park and the adjacent Ken Chillingworth Oval, the home ground for the Pirates Rugby Club.

The event was conducted in Tamworth in 2019, without financial support from Council. NSW Rugby Union is now seeking support in order to lock in a three-year deal in Tamworth.

While it is acknowledged that this event will generate positive economic activity for the city and region, it is recommended Council provide annual support of \$15,000 only per year.

#### **COMMENTARY**

The NSW Country Rugby Union Championships is an annual event incorporating nine country zones and is the flagship event for eligible teams across the zones. The event attracts participants across the men’s, women’s and Colts (under 19’s), with players ranging in age from 18 to 35 years.

NSWCRU is keen to have Tamworth as home of the NSW Country Rugby Championships for the next three years, being 2020, 2021 and 2022.

It has been attracted to Tamworth because of the excellent facilities - a major, high quality stadium adjacent to a licensed club and hotel accommodation, and a neighbouring second field – Ken Chillingworth Oval.

There are 26 teams expected to attend the championships in 2020, with all zones being represented. 25 players make up each team, totalling 650 players, plus conservatively 134 staff and support crew. Additional attendees will include family members, friends and rugby fans.

NSW Country Rugby has a firm focus on supporting local clubs, including the Central North Zone and the Pirates club. The involvement of these local clubs is crucial to the success of the Championships and they will benefit from an injection of funds into the club and the zone. Sponsorship raised for the Championships goes back to the zones.

Importantly, the championships provide access and opportunity for all players in attendance for higher honours. All NSWCRU pathways align to state and national representation.

In 2019 the gate was free, so difficult to accurately measure the visitation, however the crowd was estimated to be 1000 on Saturday and 800 on Sunday.

The Wests Entertainment Group, operator of the stadium, hotel and club, is also providing financial support to secure the championships over the three year period.

## ECONOMIC IMPACT

Information provided by NSWCRU, **ATTACHED**, refer **CONFIDENTIAL ENCLOSURE 1**, showed players and staff will stay in motel style accommodation during their visit. Average accommodation price in Tamworth is estimated at \$155.00 a night. Average day trip spending is \$128.00. Total expected daily spend being \$283.00. Council's economic development staff have averaged the attendance numbers over three days as it is estimated only half of the teams will stay on the third day. The combination of all direct, indirect effects result in total estimated rise in Output of \$439,187 in Tamworth Regional Council economy.

Utilising the event impact calculator on profile.id overlaid with the information submitted by NSW Country Rugby Union, two scenarios for this event have been considered in order to more accurately measure the economic benefit. One is based on players and staff and the second based on spectators.

### 1. Based on player / staff numbers

Event name: NSWCRU Championships	Type of event: Sports and Recreation Activities	Significance of event: Region	Start date: <input type="text"/>
Length of event (days): 3	Est. attendance per day: 653	Est. avg daily spend (\$): 283	Event total spend: \$554,397

[Submit](#)

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### Event Impact Summary

[export](#) [reset](#)

Tamworth Regional Council - NSWCRU Championships - Modelling the effect of \$554,397 from a Sports and Recreation Activities event with Region significance

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	476,560	207,348	3.8	--
Industrial impact	291,848	118,105	1.1	--
Consumption impact	238,391	106,721	1.2	--
<b>Total impact on Tamworth Regional Council economy</b>	<b>1,007,799</b>	<b>432,174</b>	<b>6.1</b>	<b>--</b>

Source: National Institute of Economic and Industry Research (NIEIR) ©2019. Compiled and presented in economy id by [id](#), the population experts.  
Note: All \$ values are expressed in 2016/17 base year dollar terms.

[Please refer to the specific data notes for more information](#)

## 2. Based on estimated visitor numbers

Event name: NSWCRU Championships	Type of event: Sports and Recreation Activities	Significance of event: Region	Start date: <input type="text"/>
Length of event (days): 2	Est. attendance per day: 800	Est. avg daily spend (\$): 151	Event total spend: \$241,600

**Event Impact Summary** export reset

Tamworth Regional Council - NSWCRU Championships - Modelling the effect of \$241,600 from a Sports and Recreation Activities event with Region significance:

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	207,679	90,360	1.7	--
Industrial impact	127,184	51,469	0.5	--
Consumption impact	104,324	46,508	0.5	--
<b>Total impact on Tamworth Regional Council economy</b>	<b>439,187</b>	<b>188,337</b>	<b>2.7</b>	<b>--</b>

Source: National Institute of Economic and Industry Research (NIEIR) ©2019. Compiled and presented in economy id by [id](#), the population experts.  
Note: All \$ values are expressed in 2016/17 base year dollar terms.

Based on the combined total of the above two scenarios the event hosting model outcome is shown below:

Sector	Economic Impact
Impact from players and staffs	\$1,007,799.00
Impact from visitors	\$439,187.00
<b>Total</b>	<b>\$1,446,986.00</b>

**(a) Policy Implications**

Nil

**(b) Financial Implications**

There will be no financial implications. Funding will be reallocated from existing budgets. A funding source within existing budgets for the 2020 event has been identified. Funding for the event support in future budgets will come from budget savings.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

**(e) Delivery Program Objective/Strategy**

A Spirit of Community - C13 Provide high-quality specialised sporting facilities to drive sporting excellence for the region and state.

## **11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL**

### **RECOMMENDATION**

*That the confidential reports as listed be considered in a Meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993.*

#### **11.1 RENEWAL OF LEASE TO CANCER COUNCIL NSW - 1/218 PEEL STREET TAMWORTH – FILE NO SF9556**

**DIRECTORATE: CORPORATE AND GOVERNANCE**  
**AUTHOR: Kirrilee Ringland, Manager Property and Legal Services**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c)&(d)i of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### **SUMMARY**

The purpose of this report is to authorise Council to enter into negotiations with Cancer Council NSW for a renewal of the Lease of 1/218 Peel Street Tamworth.

#### **11.2 EXPRESSION OF INTEREST FOR LEASE OF "DRUMALBYN" AND "KARA" - DUNGOWAN DAM ROAD OGUNBIL – FILE NO E067/2020**

**DIRECTORATE: WATER AND WASTE**  
**AUTHOR: Bruce Logan, Director Water and Waste**  
**Kirrilee Ringland, Manager Property and Legal Services**  
**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c)&(d)i of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### **SUMMARY**

The purpose of this report is to advise Council of the outcome of an Expression of Interest process in relation to the proposed lease of "Drumalbyn" and "Kara" which closed on 10 December 2019.



### **11.3 PROPOSED SURRENDER AND GRANT OF NEW LEASE OF TELECOMMUNICATION FACILITY - PART LOT 20 IN DP 1010843 COUNTRY ROAD WESTDALE – FILE NO LF5598**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**Reference:** Item 8.2 to Ordinary Council 28 June 2016 - Minute No 177/16  
Item 12.4 to Ordinary Council 12 November 2019 - Minute No 415/19  
Item 16.2 to Ordinary Council 24 September 2019 - Minute No 333/19

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c)&(d)i of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### **SUMMARY**

The purpose of this report is to advise Council of an approach by Vodafone to surrender the balance of their leases of part of the Murroon Reservoir at Country Road Westdale and request to enter into new leases on the terms and conditions as outlined in the body of this report.

### **11.4 TAMWORTH GLOBAL GATEWAY PARK - STATUS AND FUNDING – FILE NO SF10092**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Graeme McKenzie, Manager, Project Management and Engineering Services  
**Reference:** Item 7.3 to Ordinary Council 26 February 2019 - Minute No 33/19

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c) of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

#### **SUMMARY**

This report discusses the status of the proposed development known as the Tamworth Global Gateway Park (TGGP and formerly known as the Glen Artney Enterprise Area). The TGGP is a 246 hectare parcel of land located between Westdale and the Glen Artney Industrial area and is bounded by the Oxley Highway, Goddard Lane, Goonan Street and Marathon Street. The report presents the current status for individual development entities within TGGP and the status relating to funding of those entities.

The report also outlines additional funding required to progress the development of TGGP and the expected timeline for expenditure of those funds to undertake design and construction of the TGGP. The report also outlines the delivery structure that will be used to deliver the range of TGGP projects.

### **11.5 EXPRESSION OF INTEREST FOR THE SALE OF 10-12 DOWE STREET TAMWORTH – FILE NO SF9690**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**Reference:** Item 15.2 to Ordinary Council 28 May 2019 - Minute No 178/19  
Item 16.1 to Ordinary Council 10 September 2019 - Minute No 302/19  
Item 16.2 to Ordinary Council 12 November 2019 - Minute No. 413/19

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c)&(d)i of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### **SUMMARY**

The purpose of this report is to advise Council of the submission received from the Expression of Interest (EOI) process and request Council's authorisation to enter into formal negotiations for the sale of 10-12 Dowe Street Tamworth.

### **11.6 T073/2020 - SUPPLY AND DELIVERY OF RMS R82 AND R83 CONCRETE FOR COUNTRY ROAD ROUNDABOUT – FILE NO T073/2020**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Graeme McKenzie, Manager, Project Management and Engineering Services

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c)&(d)i of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### **SUMMARY**

The purpose of this report is to seek Council's acceptance of a tender for the supply and delivery of subbase and base concrete pavement for the Oxley Highway and Country Road Roundabout in accordance with Roads and Maritime Services (RMS) specifications.

**11.7 PROPOSED ACQUISITION FOR INTERSECTION UPGRADE - NEW WINTON ROAD/OXLEY LANE – FILE NO SF9948**

**DIRECTORATE: REGIONAL SERVICES**  
**AUTHOR: Graeme McKenzie, Manager, Project Management and Engineering Services**

**5 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)i of the Local Government Act 1993, on the grounds that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**SUMMARY**

The purpose of this report is to seek Council's authorisation for the proposed acquisition of land for the purposes of road widening along New Winton Road and Oxley Lane and to authorise Council's acceptance of the land to be dedicated as road.

## **CLOSED COUNCIL**

### **Confidential Reports**

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

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

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

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

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

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

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

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

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

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

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

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

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