

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

25 FEBRUARY 2020

**PAUL BENNETT
GENERAL MANAGER**

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Council

Meeting Date: 2nd and 4th 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, 11 February 2020, 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**

5.1 ESTABLISHMENT OF THE TAMWORTH UNIVERSITY STRATEGIC WORKING GROUP – FILE NO SF8802

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Col Murray, Mayor

RECOMMENDATION

That in relation to the report “Establishment of the Tamworth University Strategic Working Group”, Council:

- (i) nominate the Mayor, General Manager and one other Councillor to be Council representatives;*
- (ii) invite the Tamworth University Reference Group to nominate two members to participate; and*
- (iii) invite the Vice Chancellor from the University of New England (UNE) to participate along with other relevant staff and or representatives of UNE.*

SUMMARY

This report recommends the establishment of a strategic working group to coordinate the development of a proposal for a University Campus for the City of Tamworth.

COMMENTARY

Following many years of representations by Tamworth Regional Council, the NSW State Government committed capital funding of \$26.6 million towards the establishment of a genuine university presence in the city that delivers face-to-face training across a variety of

subjects in a true university environment. The establishment of a university is a key pillar of the Tamworth Tomorrow Economic Development Strategy and has been identified as a key driver of our Blueprint 100 vision.

The University of New England (UNE) has engaged consultants to develop a detailed business case for the establishment of a university campus in Tamworth. Council has previously agreed to support the business case through the in principle commitment of the old velodrome site in the CBD as an 'in-kind' contribution of approximately \$4M towards the project. While funding from the Federal Government has yet to be secured, a commitment to funding is a critical final hurdle because it is the only way to justify a Benefit Cost Ratio (BCR) above 1:1 under the State Government assessment framework as it is considered external funding by the State Government.

Council's enthusiasm for this project has been matched by an energetic group of prominent community and business leaders who have formed the Tamworth University Reference Group. This group has met with Council on a number of occasions, held discussions with representatives from the UNE, and has personally funded their own delegation to Canberra to meet with our local Federal Member and relevant Ministers in order to advocate for Federal Government support.

There is a clear need for all of these efforts to be aligned so that a consistent message and approach can be delivered to our Federal and State representatives and our community. The establishment of the Tamworth University Strategic Working Group will provide a mechanism to bring representatives from the three stakeholder groups together to agree on the underlying principles and objectives for the new campus, consider and address business and community expectations, and to coordinate appropriate representations to other tiers of government.

(a) Policy Implications

Nil

(b) Financial Implications

In kind contributions of approximately \$4,000,000 through CBD old velodrome site.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Prosperous Region – P31 Provide quality and choice in education and vocation pathways including university options.

5.2 THE HOUSE THAT DROUGHT BUILT – FILE NO SF10069

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Col Murray, Mayor

RECOMMENDATION

That in relation to the report “The House that Drought Built”, Council:

- (i) receive and note the information; and*
- (ii) approve Council to provide support to the project and waive the associated planning fees.*

SUMMARY

In late 2019, Natalie and Daniel Urquhart from G.J. Gardner Homes Tamworth approached Council with an opportunity to become involved in an exciting community project, ‘The House that Drought Built’. This project intends to raise funds for the farming families and businesses in the Tamworth local government area hit hardest by the ongoing drought.

COMMENTARY

The ongoing drought which is being felt across regional NSW has impacted the Tamworth region in a number of ways. All town water supplies in the Tamworth Local Government Area are now on some level of water restrictions and despite welcomed rainfall in our region there is still a long way to go for our farming families and businesses to return to business as usual.

Noticing the increasing level of devastation the ongoing drought was causing, Natalie and Daniel Urquhart from G.J. Gardner Homes Tamworth considered how they could help farmers and agricultural businesses in the Tamworth region that have been significantly impacted by the drought.

And so was born “The House that Drought Built”, a project involving a group of partners, with big hearts, giving their time and products for a common cause.

This project is designed to showcase both the quality and generosity of Tamworth’s leading building suppliers and tradies, as well as many other businesses, as they commit to build a quality home at a minimum cost and to pass on the proceeds to The Salvation Army for direct distribution to drought affected farming families and businesses in the Tamworth local government area.

Natalie and Daniel Urquhart approached Council in late 2019, with the opportunity to be involved by supporting this community project alongside Tier 1 sponsors Lampada, G.J. Gardner Homes Tamworth, PRD Real Estate, and The Salvation Army.

Each Tier 1 sponsor has a unique set of skills and contacts that they bring to the project. Lampada, a McCloy Group development, has provided a premium lot in the Lorikeet release at a substantially reduced price. This is a crucial piece of the puzzle for a project of this nature with the purchase of land being a significant contributor to the total cost.

G.J. Gardner Homes Tamworth have removed fees and lowered overheads where possible on all aspects of the build and PRD Real Estate is ensuring there are no agent fees involved in the sale of the home. At Council, we have the ability to waive associated planning fees and have also offered the support and guidance from staff in the events and communications fields.

Meanwhile The Salvation Army have agreed to ensure 100% of the funds raised will go to farming families and businesses in the Tamworth local government area.

To date a number a successful events and meetings have been held including:

- “Tradies and Suppliers Information Evening” – this received an overwhelmingly positive response from our local trades and suppliers with many registering their interest to be involved in the project on the evening;
- “Ground Break” – held in conjunction with the community open day, ground break was a great opportunity for all Tier 1 sponsors to officially launch and raise the profile of the project; and
- “Community Open Day” – held in conjunction with ground break, the community open day provided an opportunity for members of the public to learn more about the project and ways that they can be involved.

As we look forward there are a number of milestones to reach as the project continues including construction, landscaping, open homes and auction day which is scheduled for 25 July 2020.

This project provides a great opportunity for Council to partner with like-minded Tamworth businesses and provide practical assistance for a number of families and businesses who give so much to our region. I would encourage Councillors, staff and community members alike to get involved with this project in whichever way they can.

(a) Policy Implications

Nil

(b) Financial Implications

Waiving of the associated planning approval fees.

(c) Legal Implications

Nil - Tamworth Regional Council is not included in or involved in any legal agreements in relation to The House that Drought Built.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Spirit of Community – C14 Meet social justice principles through the provision of accessible and inclusive high-quality, integrated community services that meet current and emerging needs.

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 DRAFT SPORT EVENT SUBSIDISATION POLICY – FILE NO SF8788

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager Sports and Recreation
Reference: Item 8.2 to Ordinary Council 27 February 2018 - Minute No 56/18
Item 8.3 to Ordinary Council 28 November 2017 - Minute No 401/17

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Sport Event Subsidisation Policy”, Council:

- (i) approve the draft Sport Event Subsidisation Policy to be placed on public exhibition for 28 days;*
- (ii) request a further report to Council following the public exhibition period to finalise and approve the Policy; and*
- (iii) maintain the allocation of \$40,000 toward the funding of this program annually, from within existing budget allocations.*

SUMMARY

Sport plays a significant role within the Tamworth Regional Council (TRC) area. In an effort to recognise the contribution that sport makes to the Tamworth regional economy, the Sport Event Subsidisation Policy – a revision of the Significant Sport Event Subsidisation Policy – ensures a consistent and transparent framework for sporting organisations to apply for a Council fee subsidy when hosting major events in the region.

COMMENTARY

TRC considers its sporting facilities to be a bench mark in Northern NSW, with the capacity to accommodate a wide breadth of traditional and non traditional sport. As a result, the region is able to host a range of significant sporting events each year which benefits many sectors of the community including tourism and hospitality.

While the community greatly benefits from hosting significant state and regional sporting events, local sports can unfortunately often suffer due to the strain on volunteers and the charges associated with large/multiple venues.

Council currently supports significant sport events via the Significant Sport Event Subsidisation Policy, introduced in November 2017. This policy provides a financial subsidisation to events based on scoring criteria.

Sports and Recreational technical staff have recently reviewed this policy as follows:

Significant Sport Event Fee Subsidisation Policy Review

Objective:

- review the Significant Sport Event Subsidisation Policy.

Review Findings:

- the methodology does not have a base score that applications must first reach to initially obtain a subsidy;
- the methodology for capturing the number of spectators does not meet industry standards;
- the economic benefit of the event is not considered in the assessment;
- feedback from users of the policy is the availability of three subsidised events per financial year is not sufficient;
- consideration is not given to events that are held for consecutive years; and
- the policy name is unnecessarily lengthy and cumbersome.

Conclusions / Recommendations

Conclusion	Recommendation
The current policy methodology indicates all applicants will receive a level of subsidisation regardless of the event.	A minimum score is recommended to benchmark a base level of subsidy for an event.
The methodology for capturing the number of spectators for the event is broad and does not meet current industry standards.	Remove the spectator parameter as part of the methodology. .idProfile software automatically calculates this in the back end of the software based on the number of participants.
The economic benefit of an event is a significant component when justifying a level of subsidy and should be considered as part of the policy.	Include economic benefit as part of the methodology. Use .idProfile software to calculate this.
Monitoring of the allocated budget for this program indicates there is scope to increase the number of subsidised events per sport/association per financial year.	Increase the number of subsidised events per financial year for each sport/association from three to four.
Events that occur over consecutive years are not rewarded for guaranteed investment into the local economy.	Include an incentive, further subsidisation, to events that are guaranteed to run for two or more consecutive years.
The policy name is unnecessarily lengthy and cumbersome.	Rename the reviewed policy.

Considering the above conclusions and recommendations Sports and Recreation technical staff have developed a draft updated version of the policy in question which is **ATTACHED**, refer **ANNEXURE 1**. This draft updated policy incorporates the six recommendations identified in the review ensuring the policy is inline with current industry standards and considers input from the community.

(a) Policy Implications

The Sport Event Subsidisation Policy will replace the Significant Sport Event Subsidisation Policy in the General Policy Register.

(b) Financial Implications

The \$40,000 allocated for this budget will remain unchanged. This total will be funded from within existing budget allocations, being \$25,000 from Sports and Recreation and \$15,000 from Business and Community.

(c) Legal Implications

Nil

(d) Community Consultation

Sport organisations/representatives meet monthly with TRC in sport operational meetings. These meetings act as another channel in which sport executives and administrators can meet regularly with TRC to discuss operational matters that affect the day to day operation of their respective sports. Within these meetings, sport user groups have applauded the implementation of the Significant Sport Event Subsidisation Policy and acknowledged the assistance it has provided. User groups have requested the policy be revised to ensure it continues to align with current industry standards.

Community consultation will occur through public exhibition of the Policy for a period of 28 days.

(e) Delivery Program Objective/Strategy

A Spirit of Community – C11 Provide high-quality open spaces, parks and reserves suitable and accessible to all.

8.2 DRAFT TAMWORTH CBD PARKING STRATEGY 2020-2030 – FILE NO PROJ2019-0029

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

Reference: Item 8.8 to Ordinary Council 22 February 2011 - Minute No 49/2011

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Tamworth CBD Parking Strategy 2020-2030” Council resolve to adopt the strategy as a guiding document for the provision of parking infrastructure and parking operational management for the next 10 years.

SUMMARY

Council has completed a long term strategy for the expansion and management of parking infrastructure in the Tamworth CBD to support the vibrancy, growth and liveability of the city into the future.

The recommendations in the strategy are supported by the findings of previously adopted

technical reports, two Councillor workshops, recent occupancy audits, public consultation outcomes, knowledge of best practice parking management, in-the-field experience of Council staff, and Council's strategic planning framework.

Whilst there is currently adequate parking in the CBD (based on observed utilisation rates) Council will need to increase the number of long stay parking spaces in the coming years to keep pace with the growth anticipated in the city. As part of this expansion program Council will further investigate options to build a multistorey car parking facility within the CBD precinct, as well as seek appropriate sites for the addition of new "on grade" parking facilities.

In addition to the expansion of parking facilities, it is expected that ongoing adjustments will be made to parking pricing and time restrictions, supported by user friendly payment and enforcement technology. The adjustments will add to the efficiency of the network, influence driver behaviour in line with the long term strategic parking goals for the city, reduce the perception of parking shortages, and address traffic congestion in the busy Peel Street zone.

The strategy formally recognises three distinct parking management zones within the CBD – premium, inner and outer zones – to facilitate responsive, timely adjustments to parking operations.

COMMENTARY

Background

As the population of our region grows, and we strive towards a population of 100,000 over the coming decades (determined from Council's strategic planning process Blueprint 100), the Tamworth CBD will continue to develop as the economic, cultural and tourism centre of the region. Along with this intensification of commercial activity the demand for both short stay and long stay parking will increase.

Based on previous investigations, the city will need to continue to expand the long term parking network by at least 40 car spaces each year to meet future demand. Should the growth of the city increase in line with Blueprint 100, Council will need to continually monitor and adjust short term parking management to ensure the needs of all stakeholders are met.

The Draft Tamworth CBD Parking Strategy, which is **ATTACHED**, refer **ANNEXURE 1**, provides a 10 year strategic plan for the management of parking in the region's heart, and will guide decisions on parking investment, pricing and operations to continually improve the liveability of the city.

Snapshot of Existing TRC Parking Network in 2020

Council currently manages 3,744 parking spaces, both on street and off street, within the CBD zone (refer map on page 13 of the Draft Tamworth CBD Parking Strategy). There are approximately 3,600 additional privately managed car spaces across the CBD.

Of these Council parking spaces:

- 760 (20%) are metered utilising 47 ticket machines and the EasyPark app;
- 1,429 are off street parking spaces, across 15 sites;
- 2,315 are on street parking spaces;
- 54 are disabled access parking; and
- 366 spaces are monitored by parking sensors to assist enforcement of short stay parking spaces.

In addition to the CBD parking network, Council manages an additional 2,000 car spaces across more than 20 sites across the Council area.

Current Utilisation Rates – Off Street Parking

Utilisation rates across the 15 Council off-street car park sites in the CBD vary greatly depending on location. On average, 61% of car spaces are occupied during the peak period each weekday (10am-4pm). The most popular car parks (Hill Street, Town Hall, Griffin Avenue, RSL and Ray Walsh House South car parks) are near maximum occupancy, while others are underutilised.

Specifically, the Gipps Street, Solander Drive, Community Centre and Hands of Fame car parks (representing 50% of the Council owned off-street car parking in the CBD) have an average occupancy of just 34%. In other words, there are over 400 vacant car spaces across these four sites during the peak weekday period.

This low occupancy rate can be attributed to the perceived distance from destination, perceived security concerns, as well as the provision of closer and/or cheaper available spaces.

The cost to the community of providing and managing car spaces is significant. New car parks require the purchase of valuable commercial land, which then becomes unavailable for private development within the CBD.

In addition, construction costs (inclusive of land purchase costs) for a basic on-grade car park is approximately \$11,000, and continues to cost Council via operational, maintenance and renewal activities over the life of the car park.

If utilisation rates of existing car parks can be increased by adjusting pricing and time restrictions, or by addressing the reasons for underutilisation, Council is able to delay the investment in further car parks yet still meet growing demands.

Previous Parking Strategy

In February 2011, Council adopted the Tamworth CBD Parking Study Final Report (prepared by consultants ARUP Pty Ltd), and resolved to implement the 12 key recommendations proposed in the report and subsequently adopted by Council.

The key finding of the report confirmed the long term requirement to provide, on average, 40 additional car spaces per year to meet the expected increase in demand for long stay parking. In the eight financial years since the adoption of the 2011 strategy, an additional 315 long stay car spaces across five locations have been added to the CBD network, satisfying the requirement to meet long term growth in the city. It should be noted that if the growth of the city increases to match the growth predicted in Blueprint 100, it is reasonable to assume that the need to develop additional car parking capacity will also increase.

Key achievements and changes since the 2011 report include:

Achievements and Changes	Year
Construction of car park at Griffin Avenue	2014
Increase in parking fees from \$0.70 per hour/\$2.00 per day to \$1.00 per hour/\$2.50 per day	2014
Expansion of car park at Solander Drive	2015
Upgrade of parking meters to "Paywave" capability	2016

Construction of car park at Tamworth Regional Playground	2015-16
Upgrade works to Hill Street car park	2016-17
Provision for long vehicle parking at the old Visitors Information Centre car park	2017
Expansion of car park at Community Centre	2017-18
Expansion of car park at No. 1 Oval	2019
Upgrade works to Gipps Street car park	2019
Introduction of “Easy Park” app for remote ticketless and cashless parking payment	2019
Increase in parking fees from \$1.00 per hour/\$2.50 per day to \$1.20 per hour/\$3.00 per day	2019
Addition of 49 disabled car parking spaces across the CBD (previously only 5)	Ongoing
Changes to parking restrictions to support the evolving needs of users	Ongoing

The requirement for an updated strategy for parking in the Tamworth CBD was triggered by:

- the implementation of all possible short, medium and long term recommendations;
- the requirement for an updated long term plan for the investment of parking revenue;
- the requirement for strategic alignment with Blueprint 100, a Local Strategic Planning Statement for the long term growth of the Tamworth region;
- changes in best practice for the management of parking, particularly with respect to evolving technology; and
- evolving stakeholder expectations regarding security, pricing, technology and demand.

Current Approach and Implications

Parking is an essential element in the transportation network of Tamworth. The way parking is managed can have a significant impact on the economic vibrancy and liveability of the city.

Council utilises a number of tools to influence the parking behaviour of shoppers, workers and tourists visiting the CBD. These include:

- pricing – used to influence the decisions of drivers to maximise the efficiency of the network;
- time restrictions – used to encourage turnover of short and medium stay users during business hours;
- location – locating the long stay car spaces further away from the heart of the city, and placing short stay spaces close to destinations supports economic health in the CBD;
- enforcement – encouraging equitable turnover of vehicles, which in turn increases access; and
- restricted parking locations – spaces have been reserved for disabled permit holders, delivery vehicles, long vehicles, emergency vehicles, and motorcycles to ensure all users have access to appropriate parking spaces.

Recent Parking Fee increase

In September 2019, Council increased parking fees across the CBD from \$1.00 per hour/\$2.50 per day to \$1.20 per hour/\$3.00 per day. The higher fees were endorsed by Council when the Tamworth Regional Council Annual Operation Plan 2019-2020 was adopted in late June.

It is anticipated the 20% increase in fees will encourage higher vehicle turnover in short stay locations, as well as increase available funding for network expansion and ongoing parking asset management activities.

Revenue and Funding

All revenue from collected parking fees and enforcement activities is reserved for the operation, maintenance and upgrade of parking services across Tamworth Regional Council.

Over the past 12 years, Council has spent approximately \$4.85 million of Parking Reserve income on non-recurrent projects, at an average of \$404,000 per annum.

The following table shows the Parking Reserve balance over the last two financial years.

Parking Reserve	2018-2019	2019-2020*
Opening Balance	\$777,345	\$719,615
Income – recurrent and non recurrent	\$695,798	\$764,430
Recurrent expenditure	-\$511,189	-\$533,222
Non recurrent expenditure	-\$242,339	-\$733,170
Closing balance	\$719,615	\$217,653

**current year budget figures as at 31 December Quarterly Budget Review*

Council Workshops

Two technical workshops have been presented to Councillors, the first in May 2018, and the second in August 2019.

During the first workshop Council staff presented the current state of parking in the CBD, along with a series of possible actions for strategic and operational improvements.

Feedback received from Council at the first workshop was used to develop the Draft Strategy, and a second Workshop was held 20 August 2019, to present the document to Councillors. The updated draft incorporated the objectives from the Blueprint 100 charrette process conducted between the two workshops.

Community Consultation

In April 2018, Council conducted a period of public consultation to determine how, when and why users access the CBD zone. The survey also sought to collect data on the users' decision making process when choosing where to park.

The survey had a reach of almost 64,000 people, via radio, newsprint social and TV media.

In summary, the key findings were:

- the most important factors when selecting a car park are whether the car park is free, and its proximity to the desired destination. This exceeds the importance of lighting, security and time to walk;

- around 50% of respondents are only willing to walk 1-2 blocks to reach their destination from a car park;
- around 45% of respondents stay longer than two hours when visiting the CBD on a weekday.

The findings from the survey were incorporated into the draft strategy, and informed the prioritisation of projects for the management of CBD parking.

Action Plan for Parking Management in the CBD

The strategy builds on the community's vision of "a region of opportunity and prosperity", and includes the following strategic objectives:

- 1) to make the best use of our existing parking resources;
- 2) to provide a variety of parking choices to the users of the CBD;
- 3) to continue providing appropriate parking infrastructure in response to the needs of a growing and diverse community; and
- 4) to utilise parking options to support economic activity and commercial investment within the CBD.

The cornerstone of the strategy is a toolbox of actions and initiatives, to be implemented over the next ten years. All recommendations in the strategy are organised into short, medium and long term actions, and have been developed by:

- consulting with our community to better understand the needs and concerns of all stakeholders;
- considering financial sustainability requirements;
- understanding and recognising the real cost of parking to the community;
- anticipating possible private development opportunities;
- consulting with Council operational staff;
- undertaking utilisation and overstay surveys to better understand how parking is utilised in Tamworth; and
- incorporating Community Strategic plan objectives.

The Actions Plan for parking management can be found on page 25 of the draft strategy.

Parking Management Zones

Underpinning the Action Plan for CBD parking infrastructure management and operations are the three Parking Management Zones (refer map on page 24 of the draft strategy).

Tamworth CBD has three distinct parking zones: the premium Peel Street parking precinct, the inner short stay zone, and the outer long stay zone.

Each area has a unique set of challenges for parking management, and the three zones are managed to maximise the quality of service required to meet the needs of the community. Every decision with regards to CBD parking will lean on this guiding structure, particularly for pricing, time restrictions and future investment.

Public exhibition of Draft Strategy

The Draft Tamworth CBD Parking Strategy was placed on public exhibition from 2 December 2019 to 3 February 2020 for a period of nine weeks. As the exhibition period included the Christmas holiday period as well as the Country Music Festival, the longer exhibition period allowed as many people as possible to provide feedback.

A comprehensive Communications Plan was prepared by TRC staff, including:

- MYTRC access for comments and feedback;
- promotion via social media;
- pop up stand outside Ray Walsh House;
- media call for TV, radio and print media; and
- print media advertisements.

The launch of the public exhibition period was coordinated with the promotion of the upgraded Gipps Street car park, where a free breakfast was offered to anyone utilising the newly renovated site.

The total number of responses to the draft strategy was six. The lack of engagement can be attributed to the extreme weather conditions, the extended bush fire disaster, and the Country Music Festival, which have all competed for people's attention over the past few months. It is also possible that interested residents had already communicated their concerns or support during the previous consultation on parking fee increases and the parking survey.

The Council website site was viewed 915 times during the exhibition period, and six contributors left feedback for Council's consideration.

Issues raised by the contributors include the size of parking bays (two), the cost of parking (one), the requirement for a multistorey car park (two), the requirement for a centrally located disabled bus parking bay (one).

(a) Policy Implications

Nil

(b) Financial Implications

As the Parking Reserve is self funded, it is not expected that planned works will impact Council's budget. Should additional funding be required at any time a separate business case will be prepared and presented to Council.

(c) Legal Implications

Nil

(d) Community Consultation

Extensive Community Consultation has been undertaken as part of the preparation of this Strategy. The full extent of the consultation is presented in the commentary for this report.

(e) Delivery Program Objective/Strategy

An Accessible Region - A11 To maintain the current levels of service across the regions transport infrastructure.

8.3 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING 5 FEBRUARY 2020 – FILE NO SF1387

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Infrastructure and Works

1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee 5 February 2020”, Council:

- (i) approve the installation of stop signs and line marking on Wellington Street, either side of the intersection of Wellington Street and New England Highway Moonbi;*
- (ii) approve the installation of a 12 metre BB (double) line marking on Nurraba Street, at the intersection with Brisbane Street, East Tamworth; and*
- (iii) approve the closure of Manilla Street, between Court Street and Market Street, and Court Street between Rowan Street and Manilla Street, Manilla for the ANZAC Day Parade and Service on Thursday 25 April 2020.*

SUMMARY

The purpose of this report is to advise Council of three recommendations made by the Tamworth Regional Local Traffic Committee at the meeting held 5 February 2020.

COMMENTARY

Three formal items reached consensus at the meeting held 5 February 2020. The Minutes are **ATTACHED**, refer **ANNEXURE 1**.

3/2020 - Request for a stop sign at intersection of Wellington Street and New England Highway Moonbi

A request was received from a member of the public, for a stop sign on the intersection of Wellington Street and New England Highway Moonbi.

Sight distance to the east of Wellington Street is limited by a crest. The sight distance available to the east of the intersection is approximately 170 metres. The longitudinal grade in this area is approximately 6%. Based on a 80km/h operating speed, the required safe intersection sight distance (SISD) is 195 metres.

A stop sign at this location meets the warrant for safe intersection sight distance, as 195 metres cannot be achieved.



Figure 1.

Stop signs would be either side of the highway, and linemarking on sealed northern side, on Wellington Street.

COMMITTEE RECOMMENDATION: the Committee support the installation of stop signs and line marking on Wellington Street, either side of the intersection of Wellington Street and New England Highway Moonbi.

4/2020 – install a 12 metre dividing line marking at intersection Nurraba Street East Tamworth

A resident has raised concerns regarding sight distance, and vehicles crossing to the wrong side of the road, when entering the intersection of Nurraba Street at Brisbane Street.

The intersection does not meet the warrant for a stop sign. BB (double) line marking would delineate the intersection to mitigate vehicles crossing to the wrong side of the road when entering the intersection from Brisbane Street.



Figure 2.

COMMITTEE RECOMMENDATION: the Committee support the installation of a 12 metre BB linemarking on Nurraba Street, at the intersection with Brisbane Street, East Tamworth.

6/2020 – ANZAC Day Manilla – road closures 25 April 2020

Assembling at 10:00am, the procession will commence at 10:45am and proceed down Court Street, between Rowan and Manilla Streets, travel north along Manilla Street, and finish at the Town Hall for a service, which will conclude at approximately 12:15pm.

Road closures will be undertaken by Council staff.



Figure 3.

COMMITTEE RECOMMENDATION: the Committee support the closure of Manilla Street, between Court Street and Market Street, and Court Street between Rowan Street and Manilla Street, Manilla, for the ANZAC Day Parade and Service, Thursday 25 April 2020.

(a) Policy Implications

Nil

(b) Financial Implications

3/2020 – will be funded from the Infrastructure and Works signs and line marking budgets.

4/2020 – will be funded from the Infrastructure and Works signs and line marking budgets.

6/2020 – Road closures for the event will be funded from the Infrastructure and works budget. The event organiser shall fund all other aspects of the event.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

An Accessible Region – A23 Traffic management and traffic safety planning.

8.4 MAXIMUM CAPACITY OF THE NEW DUNGOWAN PIPELINE BETWEEN THE DUNGOWAN RECREATION GROUND AND CALALA WATER TREATMENT PLANT – FILE NO SF9695

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste

RECOMMENDATION

That in relation to the report “Maximum Capacity of the new Dungowan Pipeline between the Dungowan Recreation Ground and Calala Water Treatment Plant”, Council advise the Project Managers of this project, Water NSW, that Council requires a maximum capacity of the section of the new Dungowan Pipeline from the Dungowan Recreation Ground, downstream of the junction with the new pipeline from Chaffey Dam to the Calala Water Treatment Plant of between 85 and 90 Megalitres per day under gravity flow.

SUMMARY

Work is underway on preconstruction activities for the new Dungowan Dam. This project includes the construction of a new Dungowan Pipeline from Dungowan Dam to the Dungowan Recreation Ground, where it will intersect with the new pipeline from Chaffey Dam, and from there to the Calala Water Treatment Plant.

Council is requested to nominate its required maximum capacity for the section of pipeline from the Dungowan Recreation Ground to the Calala Water Treatment Plant so that this capacity can be accommodated during the design process.

COMMENTARY

Water NSW has advised it is project managing the delivery of the new Dungowan Dam project. Councillors may recall part of the announcement of funding for this project includes funding for the construction of a new pipeline from the new dam to Council's Calala Water Treatment Plant. With the completion of the new pipeline from Chaffey Dam to the existing Dungowan Pipeline at the Dungowan Recreation Ground, scheduled for March/April 2020, Water NSW has advised it is looking to bring forward the construction of the section of the new Dungowan Dam pipeline, from the intersection of the new Chaffey Dam pipeline to the Calala Water Treatment Plant, with construction work scheduled to commence at this stage as soon as October 2020.

This would be a great outcome for Council as the existing Dungowan Pipeline in this location, which the new pipeline would replace, has limited capacity and because of its age, is prone to breaks.

Preconstruction activities for the new pipeline are underway and one of the first key decisions to be made is the maximum capacity of the new pipeline in this section. Once this capacity is known then future design work, including route selection and pipeline diameter will be made to meet this requirement.

There are a number of factors to be considered when selecting the maximum capacity in this section of the pipeline:

1. capacity of the Chaffey Dam pipeline;
2. planning Horizon;
3. capital cost;
4. operating considerations;
5. population growth in Tamworth Moonbi Kootingal over the planning horizon;
6. allowance for growth in water demand due to increased industrial water use over the planning horizon;
7. delivery of Peak Day Demands; and
8. average and Peak Day demand for water at the end of the planning horizon.

These factors are considered in more detail below:

Capacity of the Chaffey Dam pipeline

Obviously it would not make sense to provide a maximum capacity of the new pipeline downstream of the junction with the new Chaffey Dam pipeline which has a maximum capacity less than the Chaffey Dam pipeline which feeds into it. Advice from Water NSW is that the new Chaffey Dam pipeline has an initial capacity of 45 Megalitres per day with the option of increasing that capacity to 60 Megalitres per day through additional pumping capacity.

Therefore the minimum capacity of the downstream section of the new Dungowan Pipeline should be 60 ML per day.

Planning Horizon

The planning horizon relates to how far into the future should Council plan for the new pipeline to have capacity to supply the required demands which may materialise over that

period. Council can select any planning horizon but 50 years is recommended for the following reasons:

- 50 years is usually considered the design life of large capacity pipelines;
- economic analysis will indicate it is better, from a whole of life cost perspective, to build a parallel main in 30-50 years, if demand warrants at that time, rather than build a larger capacity pipeline now;
- what happens to water consumption over the next 50 years is unknown;
- effluent reuse and other technologies may reduce demand; and
- other options to supply Tamworth in the future may be more attractive in the future.

Capital Cost

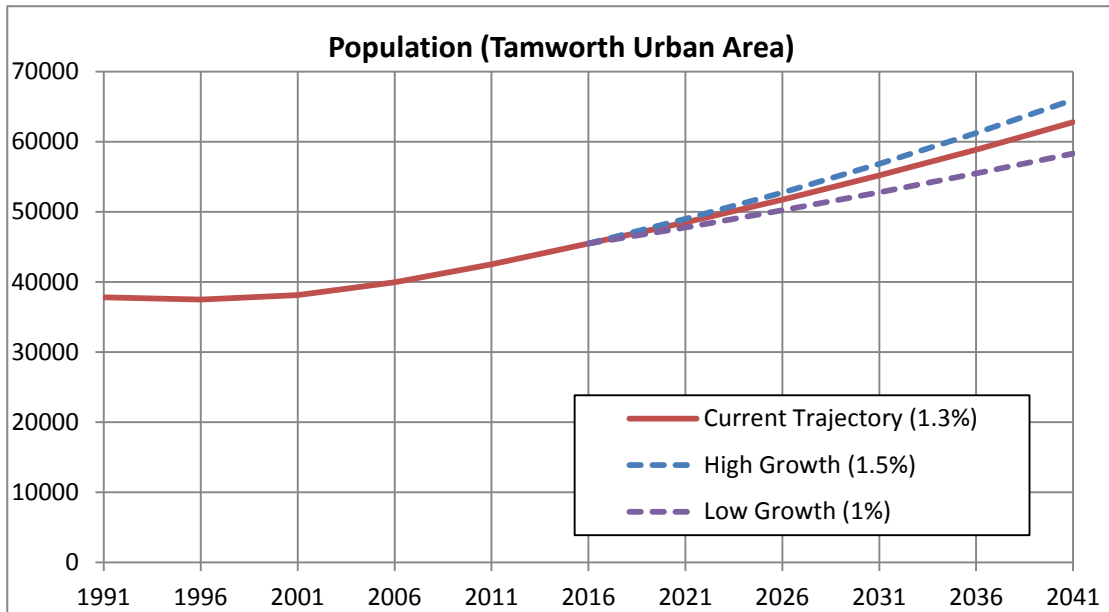
It is considered the goal should not be to build the pipeline with the largest capacity possible for the budget available, but rather build a pipeline with a maximum capacity that is appropriate given the most up to date information. Whilst it could be argued that there is relatively small increase in the cost of construction between a pipeline with a nominated diameter compared to the same pipeline with a larger diameter, the following is provided in support of this approach:

- economic analysis will indicate it is better, from a whole of life cost perspective, to consider other solutions in the later part of the pipeline's design life, if demand projections are met or exceeded, rather than build a larger capacity pipeline now;
- constructing a pipeline where the full capacity is utilised on very few days, or is never used because the growth projections are never realised, should be considered a waste of public money; and
- constructing a pipeline where the full capacity is only utilised on relatively few days may lead to treatment issues and/or operating issues due to things like slime build up inside the pipeline.

Operating considerations

There a number of operating considerations which will impact on the maximum capacity of the pipeline – including:

- how water for Tamworth is shared between Chaffey and the new Dungowan Dam;
- who controls the Dam and the pipelines and any rules that may be put in place to control access to the pipeline/s or dams;
- technical issues including the difference in pressure between water supplied from Chaffey Dam compared to Dungowan Dam and what impact this has on the ability of water from each source to be combined in the one pipeline downstream of the junction of the Dungowan and Chaffey Pipelines;
- the more water that can be supplied via the pipeline under gravity before pumping is required (relates only to Chaffey Dam supply, the supply from Dungowan will be all gravity) will have an impact on the operation of the pipeline and particularly operating costs;
- the future role if any of the existing Peel River Pump Station and delivery of water via the Peel River from Chaffey Dam to meet Tamworth's demand;



- if the pipeline is sized to meet Peak Day demand into the future then for most of the time the pipeline will not be operating at capacity – this may lead to slow flowing raw water in the pipeline which may lead to treatment issues and/or operating issues due to things like slime build up inside the pipeline; and
- if the pipeline is shut down for any period of time there is the likelihood the quality of the raw water stored in the pipeline will deteriorate during the shut downs period to the extent that water will have to be dumped and fresh water sourced into the pipeline.

The answers to almost all of these issues are not available at the present. As a result, it is recommended Council adopt an approach which reflects - if Council was funding and building the dam and the pipelines, with no operating constraints at all, what would the most appropriate maximum capacity of the pipeline.

Population growth in Tamworth and Moonbi Kootingal over the planning horizon

Council uses a specialist demographic resource to assist with community, economic and population profiling including population forecasting. Population forecasts have been developed for the 25 years beyond the most recent Census (2016), giving projections through to 2041. Projections are formulated in smaller suburban subsections and projected in line with previous growth, demographic knowledge and other factors such as the availability of developable land and consistency with overall regional population growth projections. In formulating the population projections for the Dungowan Pipeline sizing, the suburban subsections which are connected to the Tamworth Water Supply System were selected and projected for each year, agglomerated, and then, as a group, the population growth was averaged over the years, resulting in a population growth rate of 1.3%. This growth rate is slightly lower than the growth of the Tamworth Urban Area growth between the Censuses of 2011 and 2016.

As well as adopting an average growth figure of 1.3% for the next 50 years, a low growth figure of 1% and a high growth figure of 1.5% has also been used to examine future water demand over the planning horizon.

The following graphs show the three different population growth rates which have been considered (1%, 1.3% and 1.5%).

Allowances for water demands for non-residential growth

Included in the projections are the following allowances:

- commercial – current usage indexed by 1.3% per annum in line with residential growth;
- industrial – current usage increased by 1.64ML/day every ten years;
- parks and gardens – static – no increase in water usage; and
- other (e.g. institutions) - current usage indexed by 1.3% per annum in line with residential growth.

Delivery of Peak Day Demands

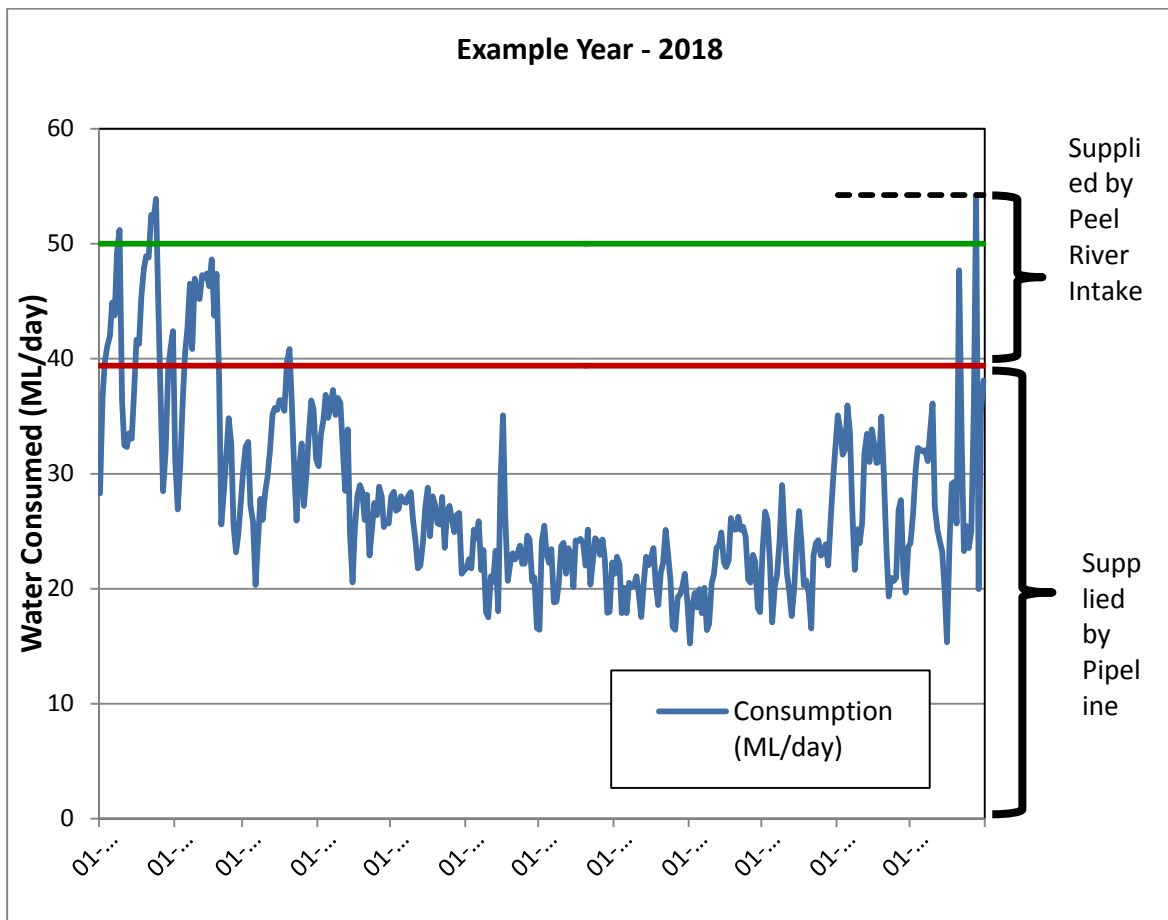
Council should consider how sufficient raw water is delivered to the Calala Water Treatment Plant to meet Peak Day Demand. It is possible to provide a pipeline that provides Peak Day Demand with one of the advantages being no further in steam losses experienced over the life of the pipeline, however the following is provided in support of a pipeline that delivers less than Peak Day Demand over the planning horizon:

- Council has an existing asset in the Peel River Pump Station which has capacity to supply up to 80 ML/day from the Peel River to the Calala Water Treatment Plant. If Peak Day supply was provided through the pipeline this asset could be considered a stranded asset;
- maintaining the Peel River Pump Station as a back up to supply demand, in case of problems with the pipeline is considered appropriate;
- it will be cheaper to pump high flows from the Peel River Pump station then to deliver those same flows through the new pipeline, if that delivery includes pumping from the new Chaffey Dam pump station;
- peak days occur during summer when water is already being released from Chaffey Dam into the river for other users – this will mean, should Council order water to be released from Chaffey Dam and withdrawn from the river at the Peel River pump station, in stream losses will be minimised;
- capital cost of a larger capacity pipeline; and
- depending on growth rate, a smaller capacity pipeline will be able to meet Peak Day Demand in the short to medium term of the planning horizon.

Based on the above, it is considered Council should size the maximum capacity of the pipeline to reflect that the pipeline is used to deliver all but peak demands and water is released from Chaffey Dam to augment the pipeline flows to meet Peak Day Demands.

Should Council agree with this approach then the question becomes what percentage of the projected Peak Day Demand should the pipeline be sized to deliver. Any figure could be adopted – the lower the percentage the lower the capital cost of construction and the greater the number of days water is released into the Peel River from Chaffey Dam to meet demand, thereby incurring losses.

The graph below shows the daily demand for Tamworth and Moonbi Kootingal in 2018, when no water restrictions were in place and shows if a figure of 90% of Peak Day Demand was adopted how often water would have to be released into the Peel River.



Peak Day and Average Day Demand over the planning horizon

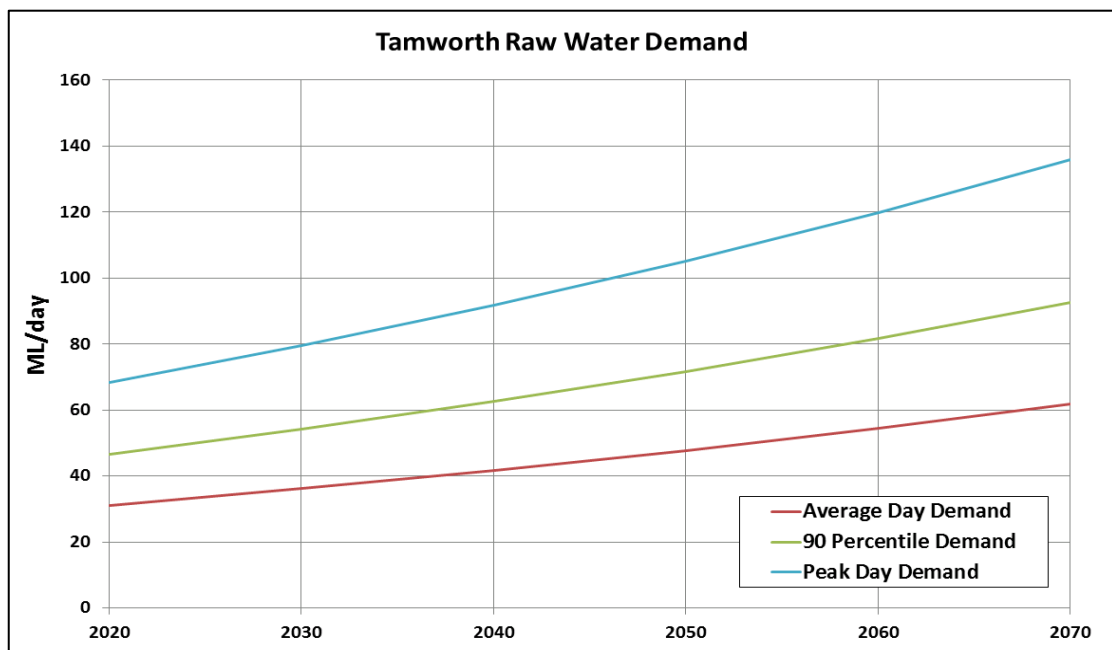
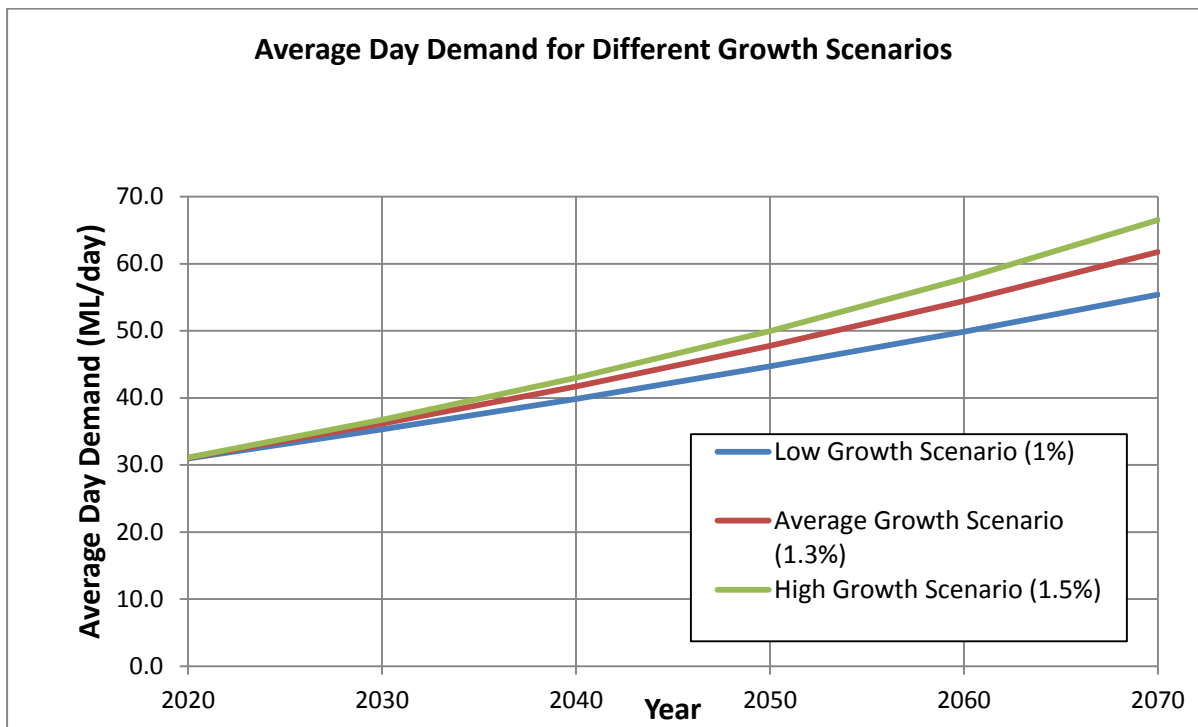
In designing water treatment systems, it is usual to design to provide water on all days, including the “peak day”.

To calculate average day demand, daily consumption for Tamworth for the last 25 years has been looked at and the average daily demand calculated. For the same period the Peak Day Demand was identified and then compared to the Average Day Demand. A peaking factor, which is the Peak Day Demand/Average Day Demand, is then calculated.

The raw water requirements in 50 years time at the end of the suggested planning horizon are then calculated by applying the growth rate to the Average Day Demand. The Peak Day Demand is then calculated by applying the peaking factor to the average daily demand at the end of the planning horizon.

The table and graphs below show, for growth rate of 1.3% the population, Average Day Demand, Peak Day Demand and 90th percentile Peak Day Demand

	2020	2070
Population	50,872	97,041
Average Day Demand (ML/day)	31	62
90 Percentile Demand (ML/day)	47	93
Peak Day Demand (ML/day)	68	136



Given the factors considered it is recommended Council adopt the following approach to the maximum capacity of the new Dungowan Pipeline between the junction with the Chaffey Dam pipeline and Calala Water Treatment Plant:

- planning horizon of 50 years;
- average population growth rate of 1.3%;

- allowance for industrial growth included in the population growth rate; and
- the pipeline to deliver 90% of the peak day demand over the planning horizon.

Should Council agree with this approach then the recommended maximum capacity of the pipeline is between 85 and 90 Megalitres per day under gravity conditions.

(a) Policy Implications

Nil

(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.

8.5 MANILLA AND BARRABA TOWN WATER SUPPLY UPDATE – FILE NO SF9795

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager Water and Waste
Reference: Item 8.4 to Ordinary Council 22 October 2019 - Minute No 377/19
Item 8.8 to Ordinary Council 12 November 2019 - Minute No 404/19
Item 8.7 to Ordinary Council 17 December 2019 - Minute No 460/19

RECOMMENDATION

That in relation to the report “Manilla and Barraba Town Water Supply Update”, Council:

- receive and note the report; and*
- approve the return to managing the Manilla and Barraba Water Supplies as separate supplies and in accordance with Council’s Drought Management Plan when general security water releases resume from Split Rock Dam.*

SUMMARY

The following report provides an update to Council on the drought related issues for the water supplies of Manilla and Barraba and associated recommended actions.

COMMENTARY

Further to the reports presented to Council at its Meetings of 22 October, 12 November 2019 and 17 December 2019, regarding the water supply for Manilla and Barraba, the following update is provided.

Water releases from Split Rock Dam during December 2019, became severely restricted for the primary purpose of ensuring the town water supplies for Manilla and Barraba. WaterNSW subsequently implemented the following for surface water users in the Upper Namoi Catchment area, in relation to water releases from Split Rock Dam:

- for General Security Licence holders, final water orders for general security water were to be placed by 1 December 2019. A formal restriction prohibiting extraction for general security licences came into effect in early December 2019;
- following these restrictions being placed on general security water entitlements, releases from Split Rock Dam have been primarily for Manilla's town water supply. These releases have been limited to intermittent pulse releases to maximise the water delivery efficiency to supply Manilla. Releases from Split Rock Dam has ceased at other times;
- for holders of High Security and Stock & Domestic licences up-stream of Manilla, access to water has become intermittently available when releases for Manilla's town water supply have been occurring, but supply has not been guaranteed for these water users; and
- for holders of High Security and Stock & Domestic licences downstream of Manilla, limited access to water has been available from river pools.

As Council is aware, to improve the water delivery and storage efficiency associated with the above restriction imposed by WaterNSW on water releases from Split Rock Dam, Council constructed 2.4 kilometres of 200 millimetre diameter water main from the Manilla River to the Namoi River Weir. This water main forms part of the new Manilla Water Treatment Plan Project and was brought forward to improve water transfer efficiency from the Manilla River to the Namoi River i.e. water storage behind the Namoi Weir. The pipeline was utilised during December 2019, for bulk water transfers. Since then flows have returned to the Namoi River in Manilla and the pipeline has not been utilised with water for Manilla being extracted from the Namoi River.

As reported previously to Council, Manilla and Barraba share one entitlement from the Manilla River (Split Rock Dam) of 515 Megalitres/year. It was previously reported to Council that this entitlement would not be sufficient to supply both towns if no inflow was received in the Namoi River at Manilla and Council remained reliant on the Split Rock Dam water source for both water supplies. Since that time and with water restrictions being introduced to both centres, water use in total from Split Rock Dam for both Manilla and Barraba to date is approximately 400ML. On the basis of flows within the Namoi River at Manilla continuing for the remainder of the financial year it is estimated that a further 60ML of water from Split Rock Dam will be required to supply Barraba for the remainder of 2019/20. As such, a total water extraction of 460ML is expected for the 2019/20 year which will be within Council's water allocation of 515 Megalitres/year.

Council may recall that at its Meeting of 22 October 2019, Council resolved to approve the allocation of \$30,000 from the Water Reserve for the temporary purchase of water from the Upper Namoi Regulated River Water Source. This approval was on the basis that water for Manilla was required to be sourced from Split Rock Dam for the remainder of 2019/20. Whilst funding has been made available, no water has been purchased to date. Based on the revised water usage forecasted from Split Rock Dam this water will not be required to be purchased for the 2019/20 year.

In respect to water restrictions at both Manilla and Barraba, at its Meeting of 12 November 2019, and due to restrictions being placed on the water releases from Split Rock Dam by WaterNSW, Council resolved to consider Manilla and Barraba as one centre for the purposes

of setting restrictions and placed both centres on level 3 restrictions. Since this time both centres have moved to level 4 restrictions.

At present and in accordance with Council’s Drought Management Plan, with ongoing flows in the Namoi River at Manilla greater than 20ML/day, water restrictions should return to permanent water conservation measures. However the Drought Management Plan, in relation to Manilla assumes that water releases from Split Rock Dam are not restricted. On this basis, it is recommended that Council maintain current water restrictions in both Manilla and Barraba (level 4 restrictions) until WaterNSW allow general security water releases from Split Rock Dam. At this time, the two centres would again be separated for the purposes of setting restrictions and the applicable criteria in Council’s Drought Management plan would apply to set restrictions in each centre.

(a) Policy Implications

Nil

(b) Financial Implications

The allocated \$30,000 funding for purchasing addition water allocation from the Upper Namoi will not be required during 2019/20

(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.

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 GORE STUDENT EXCHANGE FOR ANZAC DAY – FILE NO SF997

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

RECOMMENDATION

That in relation to the report “Gore Student Exchange for ANZAC Day”, Council:

- (i) receive and note the report;*
- (ii) agree to host the Gore representative in Tamworth from 24 April – 27 April 2020; and*
- (iii) authorise Mitchell Brady Encouragement Awardee Bailey Wolrige, to visit Gore for the ANZAC Services from 24 April – 27 April 2020.*

SUMMARY

The purpose of this report is to inform Council of the Student Exchange occurring on ANZAC Day between Tamworth and Gore and to authorise the Mitchell Brady Encouragement Awardee to participate in the exchange.

COMMENTARY

Gore District Council established an Essay Competition in 2006, where the prize is a trip to Tamworth to recognise the importance of our Sister City relationship. In 2012, Tamworth established our own Essay Competition under the former Tamworth Sister City Committee. However, the competition was discontinued after one year due to a lack of entries. Gore District Council has reinvigorated the exchange program and decided to request the two local high schools to each send three nominees through an interview process to select a representative to experience ANZAC Day in Tamworth.

It was recommended that Tamworth send our Mitchell Brady Encouragement Awardee from Australia Day to reciprocate the initiative. In the past the Tamworth Young Citizen of the Year and the Mitchell Brady Awardee were offered the opportunity to attend the youth program of the National Sister City Conference. However, given the Conference can be held anywhere in Australia (Tamworth hosted in 2009), the cost of attendance was sometimes in excess of \$5000 each which was outside the realm of the Sister City Committee to support and it was determined that Gore would be a more suitable and less expensive option.

The representative from Gore this year will be selected at the end of March, however, it is anticipated that they will visit from 24 April to 27 April 2020, and will participate in ANZAC activities in Tamworth. A suitable home host for the student will be found, in Tamworth.

This year the Mitchell Brady Awardee, Bailey Wolrige, will make an excellent representative to Gore and will report back to Council on his visit to Gore when he returns.

The continuation of this program is important to the Sister City relationship between Tamworth and Gore and provides an opportunity for these young role models to gain a greater understanding of the relationship between Australia and New Zealand and experience ANZAC day in a special way.

(a) Policy Implications

The ANZAC Day Student Exchange is included in the Tamworth and Gore Sister City Protocol.

(b) Financial Implications

Funding is available through the Governance Division budget. Costs include airfares from Tamworth to Queenstown \$1,500.

(c) Legal Implications

The current directive from the Office of Local Government provides that any Council decision for delegates to undertake overseas travel must be determined at an Ordinary meeting of Council in Open Session. Details of overseas travel by official Council representatives will also to be recorded in Council's Annual Report for the respective financial year.

(d) Community Consultation

Nil

(e) Delivery Program Strategy/Objective

A Region of Progressive Leadership – L13 Provide inclusive opportunities for the community to get actively involved in decision-making.

9.2 ANNUAL OPERATIONAL PLAN 2019/2020 BUDGET VARIATION REPORT - DECEMBER 2019, JANUARY 2020 – FILE NO SF9146

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

Reference: Item 9.1 to Ordinary Council 25 June 2019 - Minute No 204/19
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2019/2020 Budget Variation Report – December 2019, January 2020”, Council note and approve the variations to the existing budget included in the attached Annexure.

SUMMARY

Council adopted the original budget included in the Annual Operational Plan for 2019/2020 at the Ordinary Council Meeting held 25 June 2019. Any changes to the budget must be approved by Council at a later Ordinary Meeting. This report seeks Council approval for any required budget variations identified during the month of December 2019 and January 2020 for which there has been no previous specific report or approval.

The Quarterly Budget Review Statements will provide Council with a full review of revised budget forecasts and actual year to date results following the completion of the September, December and March quarterly budget reviews.

COMMENTARY

The annual budget provides Council with the means to control resource allocation and revenues per objectives set in the Annual Operational Plan. It also forms the basis for future forecasts and the legal authority for staff to commit expenditures. Constant monitoring and update of the budget is therefore important for sound financial management.

This report aims to provide a timely endorsement of any variations identified during December 2019 and January 2020, and for the reporting of any material differences between budgets and actuals identified by the Responsible Accounting Officer.

A summary of the budget variations is provided below with a detailed list included as **ATTACHED**, refer **ANNEXURE 1**.

General variations identified during December 2019 & January 2020

<i>Description</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	0	(108,000)	108,000	0	0
Pilot Training Facility	(664,352)	(931,941)	267,589	0	
People, Culture & Safety	240,000		240,000		
Office of the General Manager	148,900		148,900		

Integrated Planning	(380,000)			(380,000)	
Plant, Fleet & Buildings	(1,757,886)	(20,487)	364		(1,737,763)
Sports & Recreation Services	43,766	(4,300)	4,300		43,766
Design & Construction/Infrastructure & Projects	30,000	0	30,000	(900,000)	900,000
Waste Management	(1,009,500)				(1,009,500)
Water & Wastewater	(1,420,000)			(1,450,000)	30,000
W&W - General Fund Activities	38,341		38,341		
Grand Total	(4,730,731)	(1,064,728)	837,494	(2,730,000)	(1,773,497)

Material differences between budget and actual income or expenditure

Nil

(a) Policy Implications

Nil

(b) Financial Implications

The variations included in the report have the following impact on forecast results for 2019/2020:

<i>Description</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
General	(3,349,072)	(1,064,728)	799,153	(1,280,000)	(1,807,047)
Water	(1,411,659)	0	38,341	(1,450,000)	3,550
Sewer	30,000	0	0	0	30,000
Grand Total	(4,730,731)	(1,064,728)	837,494	(2,730,000)	(1,773,497)

(c) Legal Implications

This report is in compliance with the following sections of the Local Government (General) Regulation 2005;

211 Authorisation of expenditure; and

202 Responsible Accounting Officer to maintain system for budgetary control.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.3 COUNCIL INVESTMENTS JANUARY 2020 – 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 January 2020”, Council receive and note the report.

SUMMARY

This report provides an overview of Council Investments for the month of January 2020.

COMMENTARY

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 31 January 2020, 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	8,375,712		46,000,000	0	54,375,712	37.83%
ANZ	0		15,000,000	0	15,000,000	10.42%
BOQ	0		5,000,000	0	5,000,000	3.48%
CBA	0		10,000,000		10,000,000	6.96%
St George	0		23,000,000	0	23,000,000	16.00%
TCorp	0		0	340,147	340,147	0.24%
Westpac	0		36,036,303	0	36,036,303	25.07%
TOTAL	8,375,712		135,036,303	340,147	143,752,162	

The amount invested at 31 January 2020, has decreased by \$4,716,493 compared to funds held at 31 December 2019. Cash payments for January include loan repayments and property settlements.

The second quarterly budget review is showing that the return on investments will be down \$200,000.00 on the budgeted amount; this is due to a decrease in the amount invested and a reduced rate of return. By way of comparison January last year Council was getting 2.64% on a \$4 million term deposit, in February this year it could only achieve 1.58% on a four million dollar investment.

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:

Fund	Restriction	Amount	%
General	Unrestricted	6,144,372	4.27%
General	Internally Restricted	18,024,245	12.54%
General	Externally Restricted	12,621,369	8.78%
General Fund Total		36,789,986	25.59%
Water	Unrestricted	2,040,303	1.42%
Water	Internally Restricted	26,783,993	18.63%
Water	Externally Restricted	20,944,902	14.57%
Water Fund Total		49,769,198	34.62%
Sewer	Unrestricted	2,081,979	1.45%
Sewer	Internally Restricted	40,305,944	28.04%
Sewer	Externally Restricted	14,805,055	10.30%
Sewer Fund Total		57,192,978	39.79%

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

The second quarterly budget review indicates Council’s return on investments will be below budget by \$200,000.00, this is due to a combination of reduced investments and declining interest rates.

(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.

9.4 2019/2020 QUARTERLY BUDGET REVIEW STATEMENTS TO 31 DECEMBER 2019 – FILE NO SF9146

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Sherrill Young, Manager Financial Services
Reference: SF9146

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “2019/2020 Quarterly Budget Review Statements to 31 December 2019”, Council receive and note the report and related statements.

SUMMARY

The purpose of this report is to present to Council the Quarterly Budget Review Statements for Tamworth Regional Council for the period ended 31 December 2019, in accordance with Clause 203 of the Local Government (General) Regulation 2005.

COMMENTARY

The Quarterly Budget Review Statements **ATTACHED**, refer **ANNEXURE 1**, provide a summary of budget movements since the adopted original budget, along with revised budget forecasts for the 2019-2020 financial year, and comparisons to actual transactions year to date. Each statement includes a review of the main budget variances for the quarter.

Budget variances that require Council approval have been submitted to Council either by a specific Council report or through the monthly Budget Variance report included in the second Ordinary Meeting of Council each month.

The following tables provide a summary and commentary of the budget variations for the quarter and the projected year end results for the General, Water and Sewer funds.

Details of *operating expenses* and *income* are shown in the attached statements.

Capital Income includes grants and contributions received specifically for new capital works and are excluded from the operating results provided in the following tables.

Cash Adjustments include the reversal of non-cash accruals contained in operating expenses such as depreciation and leave entitlements and the addition of non-operating cash receipts and payments such as those associated with loans, deferred debtors and property sales.

Capital Expenses include the acquisition, upgrade or renewal of assets.

General Fund

Summary of budget variations year to date:

Budget Results	Original Budget	Previous Quarters	December Qtr. Review	Projected Result
Operating Expenses	96,190,209	6,092,759	1,243,413	103,526,381
Operating Income	(94,170,586)	(3,533,766)	(2,463,953)	(100,168,305)
Operating Result	2,019,623	2,558,993	(1,220,540)	3,358,076
Capital Income	(22,057,389)	(9,476,281)	(4,707,476)	(36,241,146)
Cash Adjustments	(19,960,630)	36,475	(13,285,602)	(33,209,757)
Capital Expenses	47,363,351	23,301,786	(7,517,040)	63,148,097
Cash Results	7,364,955	16,420,973	(26,730,658)	(2,944,730)
Unrestricted Cash	(152,180)	145,601	176,933	170,354
Reserves	8,015,546	11,298,633	(26,609,422)	(7,295,243)
Developer Cont.	(1,206,827)	996,020	(304,265)	(515,072)
Loans	0	513,619	0	513,619
Prior Year Grants	708,416	3,467,100	6,096	4,181,612
Total Cash Funding	7,364,955	16,420,973	(26,730,658)	(2,944,730)

With regard to changes in the General Fund Operational Performance for the quarter the largest contributor to the increased income was a significant injection of funds in the area of grants and contributions under the Roads to Recovery Program, this was offset by a reduction in investment income. Investment income has declined for two reasons, firstly due to a drop in interest rates the second contributing factor is a decrease in funds invested due to General Fund temporarily subsidising the purchase of the Pilot Training Facility. Increases to operating expenses are due to increased expenditure incurred as a result of new and additional grant funded projects as well as revised budgets for the Pilot Training Facility.

It should be noted that no adjustment has been made to the budget for the annual income for FAGS. While \$5.4M of the 2019-20 allocation, was received and accounted for in 2018-19, it is considered that forecast results should reflect the full annual allocation regardless of any future

decision on the timing of payments by the Federal and State governments.

Key Financial Results

Unrestricted Cash	Opening Balance	Projected Result	Projected Balance	Minimum Balance
Unrestricted Cash	6,144,372	(170,354)	5,974,018	6,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency.

Recurrent Result	Operating Cash Result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
General Activities	(16,835,630)	18,577,320	1,741,690	3,186,912
Fleet Operations	(4,232,646)	2,734,849	(1,497,797)	0
Airport Operations	(1,830,606)	1,085,511	(745,095)	158,282
Waste Services	(1,874,966)	1,499,825	(375,141)	0

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals (as measured by annual depreciation). A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity. The table breaks the General Fund down into the main activities that are expected to be self-funding, providing a clear picture of the general activities that must be funded by general purpose revenues.

Financial Services Manager's comment in relation to the financial position of the Council's General Fund:

The projected unrestricted cash balance is below the minimum required indicating Council needs to be mindful of this when authorising any unfunded discretionary expenditure in the remaining quarters.

The recurrent result for the General Activities of the General Fund operations (\$1.7M deficit) indicates the current commitment to operational services is in excess of available revenues. This implies an ongoing inability to fully fund existing asset renewals or commit to increasing operational services or new loan funded works.

The recurrent results for the other General Fund activities are satisfactory with suitable levels of operating surplus.

Water Fund

Summary of budget variations year to date:

BUDGET RESULTS	Original Budget	Previous Quarters	December Qtr. Review	Projected Result
Operating Expenses	19,394,263	676,026	543,772	20,614,061
Operating Income	(20,160,162)	(87,437)	109,539	(20,138,060)
Operating Result	(765,899)	588,589	653,311	476,001
Capital Income	(1,428,048)	0	(1,650,000)	(3,078,048)
Cash Adjustments	(14,799,177)	0	(234,360)	(15,033,537)
Capital Expenses	27,040,853	669,003	2,672,797	30,382,653
Cash Results	10,047,729	1,257,592	1,441,748	12,747,069
Unrestricted Cash	(291,623)	(74,337)	30,409	(335,551)
Reserves	4,713,745	3,592,804	2,978,692	11,285,241
Developer Cont.	5,133,482	(1,768,750)	(1,567,353)	1,797,379
Loans	492,125	(492,125)	0	0
Prior Year Grants	0	0	0	0
Total Cash Funding	10,047,729	1,257,592	1,441,748	12,747,069

The Operating Result for water fund has deteriorated due to a decrease in returns on invested funds which was partly offset by an increase in income from bulk water sales. Operational expenditure increased due to higher than forecast depreciation as well as additional costs in materials and contracts.

Key Financial Results

	Opening balance	Projected result	Projected balance	Minimum balance
Unrestricted Cash	2,040,303	335,551	2,375,854	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works.

	Operating cash result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(5,766,414)	5,250,721	(515,693)	807,184

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals. It relies on depreciation being a reasonable measure of asset renewal requirements. A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity.

Financial Services Manager's comment in relation to the financial position of the Council's Water Fund:

The projected unrestricted cash balance is above the estimated minimum balance indicating a capacity to meet short term commitments.

The recurrent result (\$0.5M surplus) indicates an ongoing capacity to meet existing operational and asset renewal needs, as well as future capital upgrades. Whilst the recurrent result is less than principal loan repayments, the water fund is well placed to meet its future obligations and ensures sufficient reserves to accommodate fluctuations in income from water sales.

Sewer Fund

Summary of budget variations year to date:

BUDGET RESULTS	Original Budget	Previous Quarters	December Qtr. Review	Projected Result
Operating Expenses	17,138,172	136,729	127,908	17,402,809
Operating Income	(23,282,231)	(285,898)	(297,611)	(23,865,740)
Operating Result	(6,144,059)	(149,169)	(169,703)	(6,462,931)
Capital Income	(613,001)	0	(80,439)	(693,440)
Cash Adjustments	(3,187,665)	0	(158,192)	(3,345,857)
Capital Expenses	6,372,908	1,147,523	3,121,575	10,642,006
Cash Results	(3,571,817)	998,354	2,713,241	139,778
Unrestricted Cash	(234,724)	(285,898)	(188,780)	(709,402)
Reserves	(4,107,092)	758,626	3,310,072	(38,394)
Developer Cont.	769,999	525,626	(408,051)	887,574
Loans	0	0	0	0

Prior Year Grants	0	0	0	0
Total Cash Funding	(3,571,817)	998,354	2,713,241	139,778

The operating surplus increased by \$170k for the December quarter due to increased income from annual charges and trade waste user charges offset by a decrease in interest on investments. The Capital Expenses increase was due to pre-funded carried over capital works and new capital projects offset by decreases due to deferred capital projects.

Key Financial Results

	Opening Balance	Projected Result	Projected Balance	Minimum Balance
Unrestricted Cash	2,081,979	709,402	2,791,391	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works.

	Operating Cash Result (Surplus)/Deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(12,306,664)	5,930,439	(6,376,225)	2,584,582

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals. It relies on depreciation being a reasonable measure of asset renewal requirements. A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity.

Financial Services Manager's comment in relation to the financial position of the Council's Sewer Fund:

The projected unrestricted cash balance exceeds the estimated minimum balance indicating a capacity to transfer additional funds to reserves for future works.

The recurrent result (\$6.4M surplus) indicates an ongoing capacity to meet existing operational and asset renewal needs, as well as future capital upgrades.

(a) Policy Implications

Nil

(b) Financial Implications

The body and **ATTACHED**, refer **ANNEXURE 1**, of this report provide details of the projected financial results for the 2019/2020 Budget. The variances recorded for the different funds could have implications for the Long Term Financial Plan, and this will be reviewed as part of the ongoing Integrated Planning and Reporting process.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.5 TAMWORTH REGIONAL COUNCIL 2019/20 DELIVERY PROGRAM AND ANNUAL OPERATIONAL PLAN QUARTERLY PROGRESS REPORT 1 OCTOBER 2019 TO 31 DECEMBER 2019 – FILE NO SF7920

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Sonya Vickery, Integrated Planner - IP&R

Reference: Item 9.1 to Ordinary Council 26 June 2018 - Minute No 217/18

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Council 2019/20 Delivery Program and Annual Operational Plan Quarterly Progress Report 1 October to 31 December 2019”, Council receive and note the Quarterly Progress Report.

SUMMARY

Council’s 2018-2022 Delivery Program was adopted at the Ordinary Council Meeting held 26 June 2018. The purpose of this report is to present the Quarterly Progress Report on the program for the period 1 October 2019 to 31 December 2019.

COMMENTARY

Chapter 13, Part 2 of the Local Government Act 1993, sets out the Strategic Planning provisions for Council, which incorporates the Integrated Planning and Reporting Guidelines.

In relation to progress reporting, Section 404 (5) of the *Local Government Act 1993*, requires that: “the General Manager must ensure that regular progress reports are provided to the Council reporting as to its progress with respect to the principal activities detailed in its delivery program.”

Council this year has continued its commitment to improving the information available to the Tamworth Regional Community with quarterly reporting for the progress report.

The Quarterly Progress Report 1 October 2019 to 31 December 2019 as **ATTACHED**, refer **ANNEXURE 1**, provides a progress summary of all actions included in Council’s current Annual Operational Plan, which supports Council’s delivery of the 2018-2022 Delivery Program.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Section 404 (5) of the *Local Government Act 1993*.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.6 SMOKE-FREE ENVIRONMENT POLICY REVIEW – FILE NO SF597

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Rachel Mann, Environmental Health Officer
Reference: Item 9.2 to Ordinary Council 10 November 2015 - Minute No 328/15

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Smoke-Free Environment Policy Review”, Council:

- (i) endorse the revised draft Smoke-Free Environment Policy for public exhibition for a period of 28 days; and*
- (ii) request a subsequent report be submitted to a future Meeting of Council on the outcomes of the public exhibition prior to adoption of the final Policy.*

SUMMARY

The Smoke-Free Environment Policy was adopted by Council in November 2015. The policy was developed through extensive community engagement and inter-governmental co-operation, both of which informed the drafting processes and final version of the policy. A review of the policy was undertaken during 2018 and 2019. The purpose of this report is to recommend the public exhibition of the revised Policy.

COMMENTARY

The Smoke-Free Environment Policy was adopted at the Ordinary Meeting of Council on 10 November 2015. An independent evaluation of the policy was completed in September 2017, by Olivia Monk who completed an internship with the Cancer Council as a Masters of Social Work student with the University of New England. The evaluation assessed the effectiveness of the policy in its targeted purpose of reducing smoking in the current outdoor smoke-free public areas.

The data for the evaluation came from surveying 165 businesses located within the smoke-free central business areas of Tamworth, Manilla and Barraba. The survey revealed that over 90 percent of participants were already aware the policy existed and supported it as a positive initiative for the community.

Approximately three quarters of those surveyed agreed that smoking has reduced in Tamworth's CBD since the policy was introduced in 2016. Survey participants in Manilla and Barraba reported smoking levels to be largely the same, with only 30 percent agreeing that there is now less smoking in these towns. In addition to these figures, 70 percent of people did not know that electronic cigarettes were included in the policy.

Nundle and Kootingal were not included in the evaluation as they do not currently have smoke-free main streets. The results of the initial community consultation in 2015 revealed that the local residents were strongly opposed to the implementation of smoke-free zones.

The Smoke-Free Environment Policy has reduced smoking in restricted areas mostly in Tamworth. The policy is heavily reliant on community based self-policing, however the evaluation results have indicated that our community members are not likely to approach smokers and address non-compliances in a smoke-free zone. This is a significant challenge that can impact on the policy's effectiveness in reducing smoking levels. To challenge this lack of engagement from community members and increase in education and resources to address this issue on a community level is important. Increased regulatory patrols by Council's Rangers and Compliance Staff will offer a positive presence in our smaller communities of Manilla and Barraba, as well as help to improve compliance with the policy.

The evaluation also indicated that the current signage is often limiting as it isn't in appropriate areas to be visually acknowledged by smokers. An increase in prominent signage may also provide greater encouragement for community members to self-regulate the policy.

Feedback has been received from business owners and operators in the section of Peel Street between Bourke Street and Darling Street requesting for an extension of the smoke-free zone to include this block. This block was considered in the original policy development in 2015, but at the time of the final adoption it was decided that this block would not be defined as a smoke-free zone. It was noted that the inclusion could be reconsidered when the policy is reviewed and Council has the benefit of feedback from the community experience in relation to the initial smoke-free zones. It is now clear that an extension into this area would be successful based on the results achieved to date in other areas of Peel Street.

To incorporate the feedback received from the public, **the following change to the Policy is proposed for consideration:**

- *Extend the restriction on smoking in the Tamworth CBD to include the portion of Peel Street between Bourke Street and Darling Street.*

The revised draft Smoke-Free Environment Policy document is **ATTACHED**, refer **ANNEXURE 1**. The continued implementation of a Smoke-Free Environment Policy is consistent with the Council's Charter of exercising community leadership; promoting, providing and planning for the needs of children; and protecting and enhancing the local environment.

The revised Smoke-Free Environment Policy is recommended to Council for public exhibition for a period of 28 days. The final adoption of the revised policy will be proposed to Council at a subsequent date after the consideration of public feedback.

(a) Policy Implications

The revised Policy aligns with the intent and goals of the existing *Smoke-Free Environment Act 2000*.

(b) Financial Implications

There will be expenses associated with the design and installation of additional signage and the replacement of existing signage. This signage is required to reflect the new smoke-free area of Peel Street and to also include electronic cigarettes on current and new signage.

The square green garbage bin stickers in Peel Street and Fitzroy Street are to be replaced at a cost of \$1200.

New stickers for the round green stand garbage bins in Tamworth and Manilla are to be installed at a cost of \$760.

New footpath stickers are to be installed in the main streets of Tamworth, Manilla and Barraba at a cost of \$1340. This also includes footpath stickers for parts of Fitzroy St and the Tamworth Regional Playground.

The total proposed expenditure for signage is \$3,300. Social media promotion of the revised policy through Facebook and Instagram for a period of twelve months will also incur a cost of \$2,200 if it is utilised. The marketing plan with the details of the proposed signage and social media communication is **ATTACHED**, refer **ANNEXURE 2**.

(c) Legal Implications

Under the provisions of the Local Government Act 1993, Section 632 (1) and (2)(e) Council has the authority to erect notices and enforce their provisions to control specified activities in order to protect the health and wellbeing of its community.

(d) Community Consultation

Details of the evaluation compiled by University of New England Masters student Olivia Monk are **ATTACHED**, refer **ANNEXURE 3**.

(e) Delivery Program Objective/Strategy

A Spirit of Community – C11 Provide high-quality open spaces, parks and reserves suitable and accessible to all.

10 COMMUNITY SERVICES

10.1 SUMMARY OF FEES WAIVED FOR THE PERIOD 1 JULY 2019 TO 31 DECEMBER 2019 – FILE NO SF8773

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: Mickaela Fairall, Senior Business Support Officer

RECOMMENDATION

That in relation to the report ‘Summary of Fees Waived for the Period 1 July 2019 to 31 December 2019’, Council receive and note the report.

SUMMARY

This report outlines the Fee Waiver applications approved by the General Manager for the six month period from 1 July 2019 to 31 December 2019.

COMMENTARY

The objective of Tamworth Regional Council's 'Waiving of Council Fees and Charges' Policy (The Policy) is to provide a means by which community organisations conducting events and activities within the Tamworth Regional Council area may seek Council assistance through the waiving of fees for use of Council facilities.

Eligibility is limited to Non Profit Community Organisations and Sporting and Recreation bodies operating for the direct benefit of the local community. Eligibility does not extend to major fundraising bodies with a parent body outside the Council area.

The Policy allows the General Manager, under delegated authority, to approve requests up to \$500 as a donation by waiving of Council fees.

Organisations may apply for fees to be waived more than once. Approval is limited to fifty per cent of the full rate cost, up to \$500. The maximum amount that can be applied to each organisation is \$500 per financial year.

An amount of \$15,000 is provided in the annual Waiving of Fees Program budget. A further \$720.00 was provided in the 2019/2020 Waiving of Fees Program budget as unexpended funds from the 2018/2019 financial year. Therefore, the total amount available for the 2019/2020 financial year is \$15,720.00.

The following table provides a summary of the applications and amount approved by the General Manager for the six month period from 1 July 2019 to 31 December 2019:

Date Approved by GM	Organisation	Purpose of Funding	Amount Approved
10.07.2019	Tamworth Legacy	Street Banner	\$500.00
10.07.2019	Sahaja Yoga Australia	Tamworth Regional Gallery	\$285.00
22.07.2019	Liverpool Range Harness Club	Manilla Showground	\$312.00
22.07.2019	Liverpool Range Harness Club	Attunga Sports Ground	\$188.00
22.07.2019	Links for Life Disability Committee	Street Banner	500.00
03.10.2019	Spring into Art at Bendemeer Art Show Committee	Bendemeer Town Hall	\$247.50
03.10.2019	Bendemeer P&C Association	Bendemeer Town Hall	\$55.00
03.10.2019	Tamworth Evening View Club	Tamworth Regional Gallery	\$95.00
03.10.2019	Nundle District Lions Club	Bins	\$24.50
03.10.2019	Tamworth Pride Fair Day 2019	Bicentennial Park	\$135.00
12.11.2019	Tamworth New Vogue Dance Group	Tamworth Town Hall	\$500.00
20.12.2019	Tamworth Singers	Tamworth Community Centre	\$287.50
20.12.2019	Kirinari Community Services	Tamworth Community Centre	\$201.25
20.12.2019	Kirinari Community Services	Tamworth Community	\$115.00

		Centre	
20.12.2019	Manilla Minor League	Manilla Showground	\$224.50
Total fees waived for the period 1 July 2019 to 31 December 2020			\$3,670.25

(a) Policy Implications

Nil

(b) Financial Implications

Unexpended funds totalling \$12,049.75 will be utilised for applications received in the second half of 2019/2020 financial year.

(c) Legal Implications

The General Manager has Delegated Authority from Council to approve individual waivers up to \$500.00.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Spirit of Community – C21 Preserve and celebrate the character, heritage and culture of our city, towns and villages.

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 PROPOSED LEASE OF UNIT 2, 218 PEEL STREET, TAMWORTH – FILE NO SF10118

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

Reference: Item 16.1 to Ordinary Council 11 February 2020 - Minute No 23/20

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 inform and request Council to consider two proposals in relation to the proposed new Lease of Unit 2, 218 Peel Street, Tamworth and authorise the Mayor and General Manager to negotiate a new Lease agreement for the premises as outlined in confidence in the body of this report.

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.