



# 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

**26 NOVEMBER 2019**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

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

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

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

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

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

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

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

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

## AGENDA

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

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 12 November 2019, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.*

### 4 **DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

### 5 **MAYORAL MINUTE**

Nil

### 6 **NOTICE OF MOTION**

Nil

## **OPEN COUNCIL REPORTS**

### 7 **ENVIRONMENT AND PLANNING**

#### **7.1 TAMWORTH REGIONAL COUNCIL COMMUNITY PARTICIPATION PLAN 2019 – FILE NO SF9703**

**DIRECTORATE: PLANNING AND COMPLIANCE**

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

**3 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council Community Participation Plan (CPP) 2019”, Council:*

- (i) approve and adopt the Tamworth Regional Council Community Participation Plan 2019 (CPP);*
- (ii) approve and adopt the amendment to the Tamworth Regional Council Development Control Plan 2010, specifically, the removal of the Advertising/Notification table; and*
- (iii) in accordance with Section 2.24(1) of the Environmental Planning and*

**Assessment Act 1979 (EP&A Act) approve the finalised CPP for publication on the NSW ePlanning portal.**

**SUMMARY**

In accordance with Section 2.23(2) of the *Environmental Planning and Assessment Act 1979* planning authorities are required to prepare, exhibit and adopt a Community Participation Plan (CPP) and publish the document on the NSW ePlanning portal by 1 December 2019. The CPP is intended to outline Councils' approach to community engagement specifically in relation to planning functions.

The draft Tamworth Regional CPP and the amended Tamworth Regional Development Control Plan 2010 (TRDCP) have been on public exhibition for the required period of 28 days.

The purpose of this report is to obtain Council's endorsement of the Tamworth Regional CPP and revised TRDCP and to acknowledge the submission made during the public exhibition period.

**COMMENTARY**

The purpose of a CPP is to provide a single document that clearly states how the Tamworth Regional community can participate in planning matters. The document combines Council's existing community engagement approach and the minimum public exhibition timeframes legislated for planning functions. Moreover, the document promotes transparency in decision making, rights of access to information, inclusivity and opportunities for community participation in planning matters. A copy of the Final version of the Tamworth Regional CPP is **ATTACHED**, refer **ANNEXURE 1**.

Historically, information regarding public exhibition timeframes and advertising and neighbour notification requirements has been contained in a table located within the body of the TRDCP. For the sake of consistency and the planned introduction of a standard template DCP in 2020, this table has been removed and is now located in the CPP. A copy of the deleted DCP table is **ATTACHED**, refer **ANNEXURE 2**.

As part of this process the DCP table was revised slightly to reinforce Council's position in relation to dual occupancy development in the East/West Tamworth Character Areas. In addition, the wording of the table, particularly in relation to Notified Development Applications has been revised to ensure it is grammatically correct and easier to understand.

One submission was received during the exhibition period of the CPP and revised TRDCP. The submission was received from the Tamworth Regional Residents and Ratepayers Association (TRRRA). The Director of Planning and Compliance is meeting with TRRRA representatives to clarify aspects of the changes. The key comments from the submission are summarised in the following paragraphs, a copy of the submission in its entirety is provided in the **ATTACHED**, refer **ANNEXURE 3**.

**TRRRA comment:** The revised TRDCP Advertising/Notification table contained changes in relation to dual occupancy development. Specifically, dual occupancy developments located in the East/West Tamworth Character areas which require notification and/or advertisement.

**Council response:** In accordance with current provisions and in consideration of the imminent implementation of the Low Rise Medium Density Housing Code, Council is cognisant that many forms of medium density development (including dual occupancies) which satisfy the requirements of the Code may be carried out under the fast track complying development approval process. It is Council's position that development of this type in

Tamworth's character areas, which retain particular historical and aesthetic value to this community, should be subject to the existing development assessment process. This may include notification and/or advertising. It is considered that retaining the existing assessment requirements will place no additional burden on developers or residents.

**TRRRA comment:** An additional clause has been inserted in to the TRDCP notification/advertising table which states that the discretion of Council's Senior staff may be utilised in circumstances whereby the public interest, impact on adjoining properties, local amenity and/or character may be compromised by a development. The TRRRA state that comments such as this provide Council with too much scope for variance "at the whim of Council staff".

**Council response:** The types and form of development applications received and processed by Council staff are substantial and vary greatly. No two development applications are the same and each application has the potential to generate distinct and unique impacts and implications for neighbours, communities, public spaces and businesses. Council retains the right, as the planning authority, to advertise and/or notify any development should the circumstances be considered appropriate, regardless of development type or definition. The 'senior staff' reference is in the current DCP and the CPP isn't changing anything in that regard.

**TRRRA comment:** The wording of the TRDCP table under "Notified Development Applications" has been changed. Plus a number of drafting errors were identified.

**Council response:** The original wording under this heading is grammatically illegible and not readily understood. The table lists a number of development types that **will not** automatically be notified. We consider this wording to be unnecessarily confusing. It is Council's position that the change improves the wording by utilising plain English to avoid confusion by listing developments which **will** require notification rather than developments that will not. The drafting errors were as a result of a table being developed in one computer program and not translating through to the word document.

**(a) Policy Implications**

The TRDCP 2010 has been amended as a consequence of the legislated introduction of the CPP. The Advertising and Notification table has been removed from the TRDCP 2010. The table has been revised in order to improve legibility and clarify Council's position in relation to dual occupancy development in the urban core. The table is now located in the body of the CPP.

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The CPP and amended TRDCP 2010 have been publicly exhibited for a period of 28 days. One submission was received.



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

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

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## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 TAMWORTH REGIONAL ATHLETIC CENTRE AND TAMWORTH REGIONAL CYCLING CENTRE – FILE NO SF8134**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Peter Watling, Strategic Sports and Recreation Coordinator  
**Reference:** Item 8.4 to 24 September 2019 Ordinary Council - Minute No 314/19

#### **RECOMMENDATION**

*That in relation to the report “Proposed Fees for Tamworth Regional Athletic Centre and Tamworth Regional Cycling Centre”, Council:*

- (i) acknowledge the results of the public exhibition; and*
- (ii) approve the proposed fee structure for the athletics and cycling centres at the Northern Inland Centre of Sporting Excellence with the addition of an hourly fee for the Criterium track.*

#### **SUMMARY**

Following Council’s recommendation on 24 September 2019, to place the proposed fees and charges for the new Tamworth Regional Athletics Centre and the Tamworth Regional Cycling Centre on public exhibition for 28 days, this report presents a summary of community submissions received and the proposed fees for adoption by Council, including one amendment to the suggested fees.

#### **COMMENTARY**

Over recent months, Council staff have researched and developed an affordable and contemporary fee-for-use charging structure for the new sporting facilities at the Tamworth Regional Athletics Centre and the Tamworth Regional Cycling Centre. These fees have been designed to maximise community use of the new facilities, encourage growth within the respective sports as well as generate modest revenue to offset operational and asset renewal costs.

The draft fees were presented to Council at the Ordinary Council Meeting on 24 September 2019. At this Meeting, Council recommended the fees be placed on public exhibition, which subsequently occurred on 25 September 2019, for a period of 28 days closing on 24 October 2019.

During this period only one written submission was received, enquiring as to the process to access the Athletics Centre and its hours of operation. This submission raised no objection to the proposed fee structure.

While no further submissions were received, Council staff have continued to have regular operational meetings with the Tamworth Cycling Club and Tamworth Little Athletics Clubs

during which fees have been an ongoing discussion. While the Tamworth Little Athletics Club have no objections to the proposed fees for the Tamworth Regional Athletics Centre, the Tamworth Regional Cycle Club have raised a number of issues as detailed in Table 1 below:

*Table 1: Issues raised by Tamworth Cycle Club through Operational Meetings*

Issue	Council Staff Response
Proposed hourly hire rate for the criterium track.	<p>The original proposed fees for the Tamworth Regional Cycling Centre did not include an hourly hire rate due to the logistics of closing the criterium track to the general public for relatively short periods.</p> <p>The Tamworth Cycling Association contends that the early morning timeframe of most criterium events; the regularity of these events; and the presence of event marshals would enable the staging of an event for one to two hours rather than requiring a minimum half-day booking and additional cost to the Association.</p> <p>The proposed fees for the velodrome track and athletics facility do include respective hourly rates.</p> <p>Therefore to create consistency and convenience, it is proposed to now include an hourly rate in the fee structure for the criterium track as shown in Table 3 below.</p>
Proposed seasonal fee for Tamworth Cycle Club rather than hourly hire fees.	<p>The Tamworth Cycle Club has expressed concern that the introduction of the proposed fee model will result in an increase in costs associated with the hire of the velodrome and criterium track for exclusive events. They would prefer to have a set season fee like other cycle clubs throughout regional NSW.</p> <p>In recent years Council has moved away from seasonal fees to a model that charges sports equitably for the level of exclusive use they require. It is therefore recommended that Council not offer the Tamworth Cycle Club a seasonal fee rate and instead charge the Club hourly/day rates.</p>
Reduced Hourly Hire Fees	<p>In an email received on 30 October 2019 (after the public exhibition had closed), The Tamworth Cycle Club proposed a reduction in the hourly hire fees for Council to consider for the velodrome. Their proposal requested:</p> <ul style="list-style-type: none"> <li>• \$20 per hour reduction in hourly rate to \$40 per hour;</li> <li>• \$200 reduction in half day hire rate to \$150 per half day; and</li> </ul>

	<ul style="list-style-type: none"> <li>\$350 reduction in full day hire rate to \$250 per day.</li> </ul> <p>The Tamworth Cycle Club's reasoning is that the above rates would result in the Club paying similar to what other Clubs pay throughout regional NSW on a seasonal basis.</p> <p>While this is understandable, the fees proposed by Council are equivalent to what other sports in Tamworth are paying for hourly/day hire and have been set to achieve a mix of encouraging growth in the sport, while providing high quality infrastructure that can be adequately maintained and renewed. Therefore it is recommended to not amend the proposed fees as requested by Tamworth Cycle Club.</p>
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In light of the above feedback presented, Table 2 and Table 3 below are the recommended fees for the Tamworth Regional Athletics Centre and Tamworth Regional Cycling Centre respectively, including the addition of an hourly hire fee for the criterium track.

Table 2 displays the recommended fees for the Tamworth Regional Athletics Centre, which will be a restricted facility requiring admission fee for entry via a casual visit, seasonal/annual pass or an hourly hire rate for exclusive use.

*Table 2: Proposed charges for Tamworth Regional Athletics Centre*

Fee Description	Pricing Category	CSO	GST	Total
Hourly Venue Hire (exclusive use of entire facility)	C	Y	Y	\$100.00
Full Day Venue Hire (exclusive use of entire facility)	C	Y	Y	\$700.00
Half Day Venue Hire (exclusive use of entire facility)	C	Y	Y	\$400.00
Individual Day Entry Pass	C	Y	Y	\$4.00
Annual Pass - Adult	C	Y	Y	\$110.00
Annual Pass - Child	C	Y	Y	\$75.00
Annual Pass - Family	C	Y	Y	\$250.00
6-month Pass - Adult	C	Y	Y	\$70.00
6-month Pass - Child	C	Y	Y	\$45.00
6-month Pass - Family	C	Y	Y	\$170.00
Coaching Pass (Annual)	C	Y	Y	\$110.00
Spectator			N	\$0.00

The Tamworth Regional Cycling Centre will be open for free public use at all times and will only be closed to the public when a specific event is being held on the Velodrome or Criterium track, for safety and event purposes. The proposed fee structure therefore only charges users when the facility is being exclusively used. Refer to Table 3 below:

*Table 3: Proposed charges for Tamworth Regional Cycling Centre*

Fee Description	Pricing Category	CSO	GST	Total
Velodrome Track and Facilities - Hourly Venue Hire (exclusive use of Velodrome track and facilities)	E	Y	Y	\$60.00
Velodrome Track and Facilities - Full Day Venue Hire (exclusive use of Velodrome track and facilities)	E	Y	Y	\$600.00
Velodrome Track and Facilities - Half Day Venue Hire (exclusive use of Velodrome track and facilities)	E	Y	Y	\$350.00
Criterium Track – Hourly Track Hire (exclusive use of Criterium Track)	E	Y	Y	\$60.00
Criterium Track - Full Day Venue Hire (Exclusive use of Criterium Track)	E	Y	Y	\$250.00
Criterium Track Half Day Venue Hire (Exclusive use of Criterium Track)	E	Y	Y	\$150.00

**(a) Policy Implications**

The proposed fees have been on public exhibition for 28 days in accordance with the Local Government Act 1993. If approved by Council the new fees will be added to the 2019-2020 adopted Schedule of Fees and Charges

**(b) Financial Implications**

Revenue generated from the new fees will assist to offset routine maintenance and longer term asset renewal and improvement works. A Community Service Obligation (CSO) has been factored into the proposed fee structure.

**(c) Legal Implications**

Council will have met its legal obligations by placing the proposed fees on public exhibition and considering community submissions received.

**(d) Community Consultation**

Extensive consultation was held with respective sporting associations in Tamworth and Little Athletics NSW as well as placing the proposed fees on public exhibition.

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

A Spirit of Community – C12 Provide high-quality sporting facilities to meet the diverse needs of the community.

## 8.2 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY – FILE NO SF9442

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Ian Lobban, Water Sustainability Officer  
**Reference:** Item 8.2 to Ordinary Council 13 August 2019 - Minute No 254/19  
 Item 8.3 to Ordinary Council 8 October 2019 - Minute No 348/19  
 Item 8.1 to Ordinary Council 8 October 2019 - Minute No 346/19

### RECOMMENDATION

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

- (i) receive and note the water sustainability projects and activities listed in the report;*
- (ii) allocate \$10,261 from the Water Reserve for the purchase of additional shower timers and accommodation provider waterwise messaging collateral; and*
- (iii) maintain the VMS messaging boards deployed in their current locations for a further three months beyond 23 December 2019, at a cost of \$28,080 to be funded from the Water Reserve.*

### SUMMARY

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

### COMMENTARY

#### Current regional water supply situation

The latest update is provided below:

Area	Restrictions	Water Supply	Situation
Barraba	Permanent, moving to Level 3 on 2 December 2019	Split Rock Dam	Split Rock Dam level is currently sitting at 1.30%.
Bendemeer	Level 3	MacDonald River	Monthly flow in the Macdonald River is currently zero Megalitres. Airlie Road bore is now operational.
Nundle	Level 4	Peel River/Nundle Bore/Crawney Road Bore	Monthly flow in the Peel River is currently zero megalitres. Crawney Road Bore is currently

			operational.
Manilla	Level 3	Namoi River/Manilla River	Monthly flow in the Namoi River is currently zero megalitres. Manilla River source is being fully utilised.
Attunga	Level 1	Attunga Bores	Bore levels are stable. Potential for ground water to dry up quickly once the river stops flowing.
Tamworth/Moonbi-Kootingal	Level 5	Chaffey Dam/Dungowan Dam – Moonbi-Kootingal via Nemingha Pipeline	Chaffey Dam level is currently at 16.61%.

### Water restrictions in Barraba and Manilla

As of 2 December 2019, Barraba will move to Level 3 water restrictions in alignment with Level 3 restrictions currently in place at Manilla. Council recently applied to combine the entitlements for Barraba and Manilla from Split Rock Dam. This means the two towns are now sharing a yearly allocation of 515ML. With this combination of entitlements, Council has agreed to consider the allocation as one town water supply and therefore all connections utilising the supply should sit on the same level of restrictions. A Temporary Water Restriction issued under Section 324 of the Water Management Act 2000, will be placed on Split Rock Dam effective on or about December 1, moving the dam's restriction level to 'severe'. This will result in releases from Split Rock Dam being made only for Barraba and Manilla. As per Council's Drought Management Plan, when Split Rock Dam moves to 'severe level' Barraba should be moved to Level 3 water restrictions.

### Closure of Attunga bulk refill station

General access to the Attunga Bulk Water Filling Station will cease on 1 December 2019. The filling station is being closed to ensure water security for the residents and businesses of Attunga. Attunga will remain on Level 1 water restrictions. Licensed domestic water carters may still access the filling station in order to provide potable water for domestic use on properties that are not connected to a town water supply. Drought assistance card holders will no longer be able to access the filling station. To access water for outdoor use residents and water caters will need to access an alternative filling station in an area that is on Level 3 water restrictions or below. Residents and water caters will be able to access water from the Attunga filling station for outdoor use once Tamworth, Moonbi and Kootingal returns to Level 3 water restrictions.

### Communications Engagement Plan Level 5

At current rates of fall it is estimated that Chaffey Dam will reach 15% of its capacity between early and mid December 2019. As part of the implementation of Council's Communications Engagement Plan the following media/public relations, advertising and social media actions will be taken:

- continue pop up information and community awareness displays in prominent public areas;

- water cycle and sustainability training to preschools and kindergarten age students;
- request all schools to included water sustainability messaging in their communications with students, parents and teachers;
- Task Force activity will continue;
- celebrating residential and business water saving successes through media;
- implement ‘pulse’ advertising spend to alert residents to new level of dam;
- boost general advertising spending;
- continue to display VMS boards with changed messaging;
- increase spend on boosted social media posts; and
- Communications team to engage online with social media and Council webpage commenters.

### **Shower timers and replacement accommodation provider supplies**

Council has distributed close to 5,000 shower timers to residents across the region, along with waterwise kits to accommodation providers. Given the ongoing success on the take up of shower timers by residents, Council may like to consider the purchase of another 5,000 units for distribution during Level 5 water restrictions. Council may also consider the purchase of more waterproof shower hangers and A6 information table cards to be made available to smaller accommodation providers such as bed and breakfasts or very short term rental properties. These stocks could also be used to replenish lost, damaged or stolen items in all accommodation providers. The breakdown for estimated costs of these items is as follows:

<b>Product</b>	<b>Number</b>	<b>Total cost</b>
Shower timers	5,000	\$8,331
Waterproof shower hangers	500	\$1798
A6 table cards	500	\$132
-	-	<b>\$10,261</b>

## Extending deployment of VMS boards



At the Ordinary Council Meeting of 13 August 2019, Council agreed, as part of its Drought Communications Engagement Plan (CEP), six variable message signs would be deployed at various points in the Tamworth/Moonbi-Kootingal area for a period of three months. The exact locations were determined and the signs placed to achieve the most effective coverage:

- Viaduct, Manilla Road;
- Scott Road;
- Goonoo Goonoo Road;
- Marius Street;
- Bridge Street; and
- Moonbi, New England Highway.

Through consultation with Regional Services it was been determined that VMS boards could be hired at a cost of \$52 per day each. This means a monthly cost (30 days) of around \$9,360. Approval has already been received from RMS for placement of VMSs in general locations for the duration of Level 5 water restrictions.

This initial three month period began from the implementation of Level 5 water restrictions on 23 September 2019, and is scheduled to end 23 December 2019. It is recommended that these VMS messaging boards remain deployed in their current locations for another three months at a cost of \$28,080.



## Chamber of commerce water usage workshops



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

## Primary schools water saving competition

A promotional graphic for a water saving competition. At the top left, the slogan 'Let's Work Together' is written in a blue, cursive font. Below it, the text 'Mission: Target 150' is displayed in a bold, orange font. Underneath, the text 'Save water to win an afternoon at the movies thanks to Forum6 Cinemas!' is written in a grey font. In the center, there is a logo for 'FORUM 6 CINEMAS' featuring a yellow building icon on a blue background. At the bottom, there are two logos: 'Ta worth REGIONAL COUNCIL' on the left and 'Tamworth The waterwise region' on the right, both on a dark blue background.

Council has launched a Primary schools competition encouraging students to save water in their homes. Students conduct an audit of their home water use across a number of weeks and seek to make reductions over that time. The whole class with the greatest cumulative savings will win an afternoon at the movies with drinks and snacks. This competition has been offered in cooperation with Forum 6 Cinemas, Tamworth.

### **Water saving rebates to business and industry**

At the Ordinary Meeting of 8 October 2019, Council resolved to extend the current Residential Water Saving Rebate scheme to business and commercial water users connected to a reticulated water supply operated by Council, effective immediately. At this same Meeting Council also requested a further report on other measures of providing assistance to the commercial and industrial community on water savings. A separate report on this matter will be submitted to the Ordinary Council Meeting of 17 December 2019, for Council to consider which products and appliances might further assist business and commercial operations.

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

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

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

Funds have been set aside in the Water and Waste Directorate budget for identified water sustainability projects.

Should Council agree to purchase more shower timers and accommodation provider collateral an additional \$10,261 will be required from the Water Reserve to fund this work.

Should Council agree to the VMS messaging boards remaining deployed in their current locations for another three months, this will be at a cost of \$28,080 and this funding will be required from the Water Reserve.

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

Nil

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

Nil

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

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

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### **8.3 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - GENERAL - 6 NOVEMBER 2019 – FILE No SF1387**

**DIRECTORATE: REGIONAL SERVICES**

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

**2 ANNEXURES ATTACHED**

## **RECOMMENDATION**

***That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General – 6 November 2019”, Council:***

- (i) approve the changes to the carpark and bus infrastructure within the road reserve adjacent to Tintinhull Public School as per the attached design plans;***
- (ii) approve the installation of no stopping between the two driveways at 30-32 Cook Street Taminda;***
- (iii) approve the installation of a stop sign and associated linemarking, at the Porcupine Lane/Tintinhull Road intersection;***
- (iv) approve the removal of the 1/4 hour parking signs from Jenkins Street and relocate to 37 Oakenville Street Nundle, adjacent to the new Post Office; and***
- (v) approve the removal of BB linemarking from Oaklands Drive Nemingha, except for the 12m length from the intersection with Nundle Road.***

## **SUMMARY**

The purpose of this report is to advise Council of five recommendations made by the Tamworth Regional Local Traffic Committee at the meeting held 6 November 2019.

## **COMMENTARY**

Five formal items reached consensus at the meeting held 6 November 2019. The Minutes are **ATTACHED**, refer **ANNEXURE 1**.

### **204/2017 – Tintinhull Public School carpark and bus bay improvements**

The Department of Education propose to undertake work in the road reserve to upgrade the carpark and bus bay facilities at Tintinhull Public School, Tintinhull Road, Tintinhull.

Council's Infrastructure and Works division has provided 'in principle' approval for the proposed design.

The design plans are **ATTACHED**, refer **ANNEXURE 2**. The Department of Education will manage the construction works under public tender. The works will be funded through the Department of Education from Roads and Maritime Services funding.

**COMMITTEE RECOMMENDATION:** the Committee support the changes to the carpark and bus infrastructure within the road reserve adjacent to Tintinhull Public School as per the attached design plans.

### **118/2019 - Request no stopping at driveways 30-32 Cook Street, Taminda**

Parry Logistics has reported cars parking so close to the entrance to their driveway on Cook Street, that B-Double trucks cannot get in or out. They are requesting signage or a parking exclusion around the driveway to stop this happening and interrupting their business activities.



Image 2 – Parry Logistics driveway accesses

**COMMITTEE RECOMMENDATION:** the Committee do not support the installation of no stopping signs either side of the driveways at 30-32 Cook Street Taminda, however support installation of no stopping between the two driveways.

#### **119/2019 – Stop sign Porcupine Lane Tintinhull Road intersection**

Council has received a request from a resident who was almost involved in an accident with a car not giving way at the Porcupine Lane/Tintinhull Road intersection. She requested an investigation be undertaken into the intersection to investigate what can be done to reduce the chance of this happening again.

Crash history shows that there have been two of this type of crash occur since 2006.

Inspection of the intersection for safe intersection sight distance revealed that a Stop sign is warranted, due to the curve approaching the intersection from the north at Porcupine Lane for cars joining Tintinhull Road.

Infrastructure and Works are also investigating the possibility of a future upgrade to this intersection for improved turning movements.



Image 3 – Tintinhull Road Porcupine Lane intersection and safe intersection stopping sight distance to the north

**COMMITTEE RECOMMENDATION:** the Committee support the installation of a stop sign and associated linemarking, at the Porcupine Lane/Tintinhull Road intersection.

**120/2019 – Relocation of 1/4hr parking from Jenkins Street to 37 Oakenville Street, Nundle**

The Nundle Post Office is being relocated to 37 Oakenville Street, on 11 November 2019, and the 1/4 hour parking signs which are currently in front of the post office at 91 Jenkins Street, will no longer be necessary. Council recommend the signs be removed from in front of the current post office building at Jenkins Street, and be relocated to in front of the new post office building at 37 Oakenville Street.



Image 4 – existing post office parking and proposed relocation of the parking to the new post office in Nundle

**COMMITTEE RECOMMENDATION:** the Committee support the removal of the 1/4 hour parking signs from Jenkins Street and relocated at 37 Oakenville Street Nundle, adjacent to the new post office location.

**121/2019 – Oaklands Drive, Nemingha – request the removal of BB lines**

An inspection of Oaklands Drive Nemingha was undertaken on 30 October 2019 by Council engineers.

There is existing BB linemarking for the length of Oaklands Drive, from Nundle Road to the cul-de-sac. This road is approximately 7.6 metres wide and is a no through road, carrying mainly local traffic and school buses. The line marking is not considered necessary on this road, except for the 12 metres from the intersection with Nundle Road. The BB line marking may also impede the functionality of the existing bus pull off areas.



Image 5 – red linemarking extent, green bus pullover area, Oaklands Drive.



Image 6 – Existing linemarking and bus pull over area on Oaklands Drive

**COMMITTEE RECOMMENDATION:** the Committee support the removal of BB linemarking from Oaklands Drive Nemingha, except for the 12 metre length from the intersection with Nundle Road.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

204/2017 - Funded by the Department of Education's project budget;

118/2019 - Funded by Infrastructure and Works signs and linemarking;

119/2019 - Funded by Infrastructure and Works signs and linemarking;

120/2019 - Funded by Infrastructure and Works signs and linemarking; and

121/2019 - Funded by Infrastructure and Works signs and linemarking.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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**8.4 GREASE TRAP WASTE MANAGEMENT – FILE NO SF1226**

**DIRECTORATE:**

**WATER AND WASTE**

**AUTHOR:**

**Daniel Coe, Manager Water and Waste**

**Reference:**

**Item No 8.4 to Ordinary Council 12 June 2018 - Minute No 191/18**

## **RECOMMENDATION**

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

- (i) approve expansion and continuation of the operation of the Grease Trap Waste Treatment Facility at the Westdale Waste Water Treatment Plant until the Organics Recycling Facility is operational in July 2021;*
- (ii) allocate \$130,000 from the Wastewater Reserve to allow for required capacity increases and operational improvements to the Grease Trap Waste Treatment Facility at the Westdale Waste Water Treatment Plant;*
- (iii) refuse the acceptance of Grease Trap Waste generated from business activities outside of the Tamworth Regional Council area at the Grease Trap Waste Treatment Facility at the Westdale Waste Water Treatment Plant; and*
- (iv) write to all customers still utilising the Forest Road Landfill liquid waste ponds advising they will be closed and Council will not accept further waste to the ponds from 1 February 2020.*

## **SUMMARY**

The purpose of this report is to inform Council of the successful outcome of the grease trap waste (GTW) treatment facility trial conducted at the Westdale Wastewater Treatment Plant (WWTP) and recommend that a semi-permanent GTW facility be constructed and operated by Council at the Westdale WWTP site.

## **COMMENTARY**

As reported to Council at its Meeting of 12 June 2018, historically all Grease Trap Waste (GTW) from the Tamworth Regional Council area is disposed of via utilisation of liquid waste ponds at the Tamworth Forest Road Landfill. Tamworth appears to be the only major regional centre in NSW which is still allowed to utilise this disposal method.

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

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

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

Following approval by Council in June 2018, a trial GTW facility was constructed at the Westdale WWTP and commenced operation in April 2019. The facility consists of four x 16,000L above ground full drain high density polyethylene tanks with associated pump and pipework systems.



The trial has been broadly successful and has demonstrated that GTW can be successfully collected and treated. The treatment system enables 50-75% of the volume of GTW that is brought to the site to be removed as a liquid that can be treated at the Westdale WWTP. The remaining consolidated GTW is transported offsite by a third party contractor for further processing and reuse in agriculture.

The facility accepted its first delivery of GTW on 10 April 2019.

During the period 10 April 2019 to 31 October 2019 there has been:

- 80 tanker loads delivered consisting of 365 separate GTW collections; and
- a total of 561,180 litres of GTW delivered to the facility.

As part of the GTW trial, the NSW EPA has approved and subsequently amended Council's Environmental Protection Licence for the installation of a semi-permanent GTW system at Westdale to accept GTW, until the proposed Organics Recycling Facility (ORF) is online and operational. The ORF is scheduled for completion in July 2021.

The initial trial GTW system was based on four x 16,000 litre tanks. To allow continuation during the next 18 months, additional works will be required to ensure adequate capacity, compliance with environmental conditions and to address operational improvements identified during the trial. The improvements/modification to the GTW system;

- an additional four x 16,000 litre tanks;
- improved pumping and offloading arrangements; and
- integration of the system into the Westdale WWTP Supervisory Control and Data Acquisition System (SCADA) for system and data monitoring.

The system will require ongoing input from the Westdale Operations Team as the receipt and out loading are largely manual operations and it is not practical to automate given the expected operational lifetime of the GTW facility.

Similarly, automation of the screening system and associated odour control systems will not be included in the GTW upgrade as this would require a large capital investment and the current manual system has proved adequate thus far and should be sufficient for the expected 18 month full time operational life of the system.

In respect to the above the additional works are estimated to cost \$130,000. Funding for which will be required from the Wastewater reserve. It is believed operational costs of the system can be incorporated within the current wastewater operating budget.

### **Long Term Future of Westdale GTW system**

The Westdale GTW system will be retained as a backup GTW once the ORF is operational.

This will provide flexibility and ensure there is a proven and cost effective GTW disposal option for local businesses in the event there are any difficulties with the ORF.

### **GTW from outside the Tamworth Region**

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

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

The overall capital investment that Council will make if it proceeds with establishing the semi-permanent GTW facility at Westdale WWTP is in the order of \$250,000 (including the cost of the previous trial).

The semi-permanent GTW facility is likely to have some capacity to accept GTW from outside the Tamworth Regional Council area and Council may therefore wish to provide this service and realise the potential to generate some income from the acceptance of “out of area” GTW when and if there is sufficient capacity to accept additional GTW.

The acceptance of GTW from “out of area” presents an additional risk to Council as Council does not have Trade Waste controls in place for these “out of area” businesses including trade waste agreements and inspection of premises.

In this respect it is considered Council has the following two options:

1. refuse to accept GTW generated from outside the Tamworth Regional Council area. Council has in place a liquid waste tracking system for all trade waste (GTW) producers within the Council area. This system could be utilised to ensure that only GTW generated from Tamworth Regional Council business is accepted at the facility; and
2. have increased charges for GTW generated outside of the Tamworth Regional Council area. The current disposal cost of \$135 per kilolitre is based on recovery of the operational costs of the GTW but does not include and capital cost recovery or “profit”.

If Council wishes to offer this “out of area” GTW treatment service it is recommended Council has a higher fee for this waste disposal. The following table provides pricing options to Council:

Cost per kilolitre	Percentage increase on base charge
\$135	Nil
\$162	20%
\$189	40%
\$216	60%
\$243	80%
\$270	100%

In respect to the options presented above, it is recommended that Council refuse outside waste deliveries due to the potential unknown risk of material being delivered. Tamworth Regional Council manages grease trap monitoring and cleaning with its customers. It is unknown what systems other Councils have in place.

Should Council decide to accept “out of area” GTW at an increased charge, this new charge would need to be placed on public display for comment. An alternative recommendation for Council would be:

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

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

### **Closure of Forest Road Landfill Liquid Waste Ponds**

While the majority of GTW during the trial period has been delivered to the Westdale WWTP, some material has been delivered to the liquid ponds located at the Forest Road Landfill. To allow for the permanent closure of the liquid ponds at the Forest Road Landfill it is proposed to write to all customers advising of formal closure and no further acceptance of liquid waste from 1 February 2020.

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

Nil

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

Should Council agree with the recommendations as detailed in the report \$130,000 will need to be allocated from the wastewater reserve for GTW collection and treatment system to ensure adequate capacity, compliance with environmental conditions and to address operational improvements.

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

Nil

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

Consultation will be undertaken with Tamworth based liquid waste contractors to confirm the new arrangements for GTW acceptance at Westdale WWTP.

Users of the Forest Road Waste Management Facility Liquid Waste system in 2019 will be informed that no liquid waste will be accepted from 1 February 2020.

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

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

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## 9 GOVERNANCE, STRATEGY AND FINANCE

### 9.1 COUNCIL INVESTMENTS OCTOBER 2019 – FILE No SF9655

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

**1 ANNEXURES ATTACHED**

#### RECOMMENDATION

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

#### SUMMARY

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

#### COMMENTARY

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

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

Institution	On Call	Term Deposit	Floating Rate	Total	% of Total
NAB	2,951,311	50,000,000	0	52,951,311	33.99%
ANZ	0	18,000,000	0	18,000,000	11.55%
BOQ	0	5,000,000	0	5,000,000	3.21%
CBA	0	7,000,000	3,000,000	10,000,000	6.42%
St George	0	26,000,000	0	26,000,000	16.69%
TCorp	9,828,345	0	0	9,828,345	6.31%
Westpac	0	22,000,000	12,000,000	34,000,000	21.83%
<b>TOTAL</b>	<b>12,779,656</b>	<b>128,000,000</b>	<b>15,000,000</b>	<b>155,779,656</b>	

The amount invested at 31 October 2019, has decreased by \$5,972,464.32 since the previous month, with no significant cash receipts or payments occurring during the month of October.

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	3.95%
General	Internally Restricted	30,051,739	19.29%
General	Externally Restricted	12,621,369	8.10%
<b>General Fund Total</b>		<b>48,817,480</b>	<b>31.34%</b>
Water	Unrestricted	2,040,303	1.31%
Water	Internally Restricted	26,783,993	17.19%
Water	Externally Restricted	20,944,902	13.45%
<b>Water Fund Total</b>		<b>49,769,198</b>	<b>31.95%</b>
Sewer	Unrestricted	2,081,979	1.34%
Sewer	Internally Restricted	40,305,944	25.87%
Sewer	Externally Restricted	14,805,055	9.50%
<b>Sewer Fund Total</b>		<b>57,192,978</b>	<b>36.71%</b>
<b>Total Investments</b>		<b>155,779,656</b>	

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 Council’s 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 one term deposit that is now below the minimum rating level due to a recent down grade.

**(b) Financial Implications**

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

**(c) Legal Implications**

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

- Local Government Act 1993 – Section 625;

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

**(d) Community Consultation**

Nil

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

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

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**9.2 2019-2020 FACILITY IMPROVEMENT FUND – FILE No SF9543**

**DIRECTORATE: PLANNING AND COMPLIANCE**

**AUTHOR: Kay Burnes, Senior Place Manager**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

**RECOMMENDATION**

*That in relation to the report “2019-2020 Facility Improvement Fund”, Council approve the following funding allocation to the total of \$50,000:*

<i>(i) Attunga Recreation Ground Committee AED for Attunga Recreation Ground</i>	<i>\$767.00</i>
<i>Barraba Showground Management Committee Repair and Replace Pavilion Flooring, Piers and Guttering</i>	<i>\$10,000.00</i>
<i>Duri Progress Association Duri Sportsground Seating</i>	<i>\$6,000.00</i>
<i>Gowrie Progress Association Improved Water Supply and Makeover Inside Community Hall</i>	<i>\$5,140.00</i>
<i>Grey Fergie Tractor Muster Committee Historic Hay Press Shelter</i>	<i>\$2,000.00</i>
<i>Hanging Rock Community Hall Hanging Rock Hall North Annex - Concreting Outside Area</i>	<i>\$3,939.00</i>
<i>Kootingal Recreational Reserve Committee Kootingal Tennis Court LED Lighting Renewal</i>	<i>\$8,007.05</i>
<i>Manilla Showground Committee A new ticket box for Manilla Showground</i>	<i>\$4,545.00</i>
<i>Somerton War Memorial Hall and Recreation Grounds Committee Hall BBQ Area Development – BBQ and Lighting</i>	<i>\$2,000.00</i>
<i>Tamworth and District Model Engineers Inc.</i>	

<i>AED for Victoria Park Precinct</i>	<b>\$1,925.00</b>
<i>Tamworth Regional Film and Sound Archive Committee Data Projector</i>	<b>\$300.00</b>
<b>(ii) Retain the reserve balance for future projects</b>	<b>\$5,376.95</b>

## **SUMMARY**

The purpose of this report is to seek Council's determination of funding allocations to Section 355 Management Committees under the 2019-2020 Facility Improvement Fund Program.

## **COMMENTARY**

Council has supported its Section 355 Committees for more than ten years with the annual Village Improvement Fund Program, now known as the Facility Improvement Fund Program.

This program is an opportunity for Section 355 Committees to improve community facilities under their control by applying for matching funding and/or in kind contributions from Council for each capital project. Please see full project guidelines within attachment.

Council has again allocated \$50,000 to the fund in the 2019-2020 financial year.

Information packages containing a covering letter, guidelines and application form were distributed to all Section 355 Facility Management Committees in September 2019, inviting submissions to Council. Applications were received up until 5:00pm on Friday, 18 October 2019.

All applications were assessed for their suitability by a team of staff representing asset management, property and building management, sports and recreation and place management. Projects were evaluated against current project plans for the various committees and the needs of those communities. The assessment team also considered each committee's ability to deliver projects to a high standard and within this financial year.

A total of 16 applications were received in the 2019-2020 round, refer **CONFIDENTIAL ENCLOSURE 1**. This enclosure also includes the funding guidelines. All were eligible applications that met the essential criteria. Eight projects were supported, three projects partly funded to a total sum of \$44,623.05.

The funding submission from Loomberah Hall Committee was for the replacement of the existing gas oven in the hall kitchen. The need for replacement was identified as a work health and safety matter at the time of receiving the funding program application and required to be immediately addressed which could not wait for the program assessment process to be completed. Hence the application was withdrawn and this was funded by the Hall Committee with part funding from Council's maintenance fund.

Four projects were not supported through Strategic Plans or community justification. Further details are provided on the Summary sheet included in the attachment.

With consideration to Council's approval of the supported projects the balance of \$5,376.95 be retained in the reserve for future projects, bringing the total funding allocation to \$50,000.00.

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

No formal policy has been adopted for the management and operation of the Facility Improvement Fund Program. Funding is provided in each year's Annual Operational Plan and Budget, with Council making a decision on the distribution of funds following submissions from Section 355 Committees.

**(b) Financial Implications**

Funding allocated in the Annual Operational Plan for the 2019-2020 Facility Improvement Fund Program is \$50,000.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

All eligible Section 355 Committees were invited to make submissions and were offered assistance in the preparation of their applications.

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

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

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**9.3 CORPORATE PARTNERSHIP AGREEMENT BETWEEN TAMWORTH REGIONAL COUNCIL AND THE TAMWORTH BUSINESS CHAMBER – FILE NO SF1046**

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

**2 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Corporate Partnership Agreement between Tamworth Regional Council and the Tamworth Business Chamber”, Council:*

- (i) authorise the Mayor and General Manager to enter into an agreement as outlined in the report; and*
- (ii) authorise provision be made in the next three Council annual budgets to cover the financial cost of the partnership agreement.*

**SUMMARY**

The Tamworth Business Chamber (the Chamber) is seeking a three year corporate partnership with Tamworth Regional Council, commencing in the 2020/2021 financial year. The request is for \$60,000 annually made up of \$30,000 in-kind for use of the Tamworth Regional Entertainment and Conference Centre for the annual Quality Business Awards and the balance of \$30,000 in cash to be paid on invoice. The new agreement would replace a sponsorship partnership with the Chamber which will expire at the end of the current financial year. The current agreement with the Chamber allows for \$20,000 in cash and \$25,000 in-kind support.

**COMMENTARY**

The Tamworth Business Chamber is recognised as one of the largest and progressive chambers in NSW. With over 400 financial members, the Chamber represents small and medium sized businesses plus a growing number of larger corporations.

The Chamber has strong engagement with the business sector and continues to focus on providing quality service that meets the business needs of its members and continues to foster an effective relationship with all three tiers of government.

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Tamworth Regional Council is a key stakeholder of the Chamber. The relationship is positive and productive, and the Chamber continually shows a keen interest in Council affairs and regularly provides input through Council's engagement process.

Council has provided financial support of the Chamber for a number of years, including being the presenting and naming rights sponsor of the annual Quality Business Awards, which are popular and well supported by the business community.

The Tamworth Business Chamber has formally requested a new three year corporate partnership with Tamworth Regional Council. The current sponsorship agreement expires on 30 June 2020. The previous three year agreement with the Chamber allowed for \$20,000 in cash and \$25,000 in-kind per annum. Given the existing agreement is due to expire on 30 June 2020, there is no budget provision from 1 July 2020 for this expense, therefore, there would need to be a budget provision made for these costs in the next financial year. The funding of this partnership agreement will come from budget savings to be identified by the Executive Management Team. It is proposed the budget expense would sit within the Economic Development unit, as it has in the past.

The increase of \$15,000 is due to the Chamber offering additional benefits and inclusions in its new proposal, including partnership in the Chamber's successful Shop Local campaign held annually leading up to Christmas. This initiative is currently underway, however, Council is not involved this year, but has been previously.

The current three year agreement with the Chamber which will expire on 30 June 2020 had attached to it, Council purchasing the rights of the annual Country Music Festival Cavalcade. This property is now wholly-owned by Council.

The benefits of partnering with the Tamworth Business Chamber, as outlined in the proposal **ATTACHED**, refer **ANNEXURE 1**, include:

- Chamber is a trusted voice of the business community from which Council can leverage;
- membership database of over 400, plus an engagement database of over 3,000;
- commitment to assisting to achieve the objectives of Tamworth Tomorrow, Blueprint 100 and the Community Strategic Plan;
- shared communication – reduction in duplication of services;
- strategic alignment with valued business events; and
- engagement with business community to help advocate for major projects to assist in driving regional growth.

The Chamber is acknowledged as a key partner in all five objectives of the Tamworth Tomorrow Economic Development Strategy. The objectives compliment the 'purpose' of the Chamber as outlined in their Strategic Plan **ATTACHED**, refer to **ANNEXURE 2**.

A strategic Partnership Agreement between Council and the Tamworth Business Chamber will enhance these priorities and assist both organisations to achieve stronger and more regionally beneficial outcomes over the next three years.

In return for the three year sponsorship support, from July 2020 to June 2022, Council will receive the following benefits:

### **Quality Business Awards**

This annual awards celebration attracts over 800 attendees and in 2019 received 434 nominations from across the region. It is a significant event on Tamworth's calendar and one of the largest and most prestigious awards ceremonies in regional Australia.

Tamworth Regional Council will be the exclusive presenting and hosting naming rights sponsor for the awards. Benefits include:

- presentation by the Mayor for an agreed award category;
- presentation by the General Manager for an agreed award category;
- prime position of tables;
- logo on all promotions for the awards build-up campaign (approximately three months);
  - posters
  - nomination forms
  - emails
  - website
  - media (including Social)
  - the media spend is \$20,000;
- opening presentation at the awards (eight minutes);
- 20 complimentary VIP tickets;
- prime location of signage at the awards;
- logo on all trophies;
- logo on all business window stickers;
- prime advertising banner on Chamber website in the lead up to awards;
- all media releases;
- logo on all Table Talkers;
- naming rights to sponsors function;
- opportunity for Council representatives to be involved in presentations to nominees and finalists (window stickers, certificates etc); and
- opportunity for Council facilities to be a nomination drop-off point (focus on outer towns and villages).

### **Shop Local, Support Local**

The Shop Local, Support Local Campaign was introduced in 2018 with the aim to run an engaging shopping loyalty program to support local retailers in the lead up to Christmas. The campaign received an outstanding response with over 5,500 entries and a trackable spend of over \$1million.

Council will receive recognition as a major sponsor for the campaign, including:

- 12 x weeks of high visibility promotion;
- logo on all in-store displays (footpath decals, window posters etc);
- name inclusion in TV or radio advertising;
- inclusion in all The Northern Daily Leader advertising;
- recognition in dedicated Shop Local E-News campaigns;
- invitation to conduct live draws of weekly winners;
- inclusion in all media releases;
- invitation to speak at the official media launch;
- invitation to draw the winner of the car at the Lighting of the Christmas Tree; and
- opportunity for Council representatives to be involved in the roll-out of the promotion to the outer towns and villages

### **Additional Corporate Sponsorship includes;**

- prominent logo placement on eNewsletters distributed monthly to data base of over 3,000;

- dedicated Council feature every month in the eNewsletter;
- premier placement of logo on the sponsors banner at all Chamber events;
- two complimentary tickets to every Chamber networking event;
- prominent hyperlink from Chamber website to Council website;
- opportunity to display material at Chamber office; and
- an opportunity at the Annual Business Summit to provide a Council representative on the Growing Regional Cities panel.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Budget provision will need to be made for \$60,000 in total each year, made up of \$30,000 in-kind and \$30,000 in cash. The agreement is for three years and will cover the next three financial years commencing from 1 July 2020. The funding of this partnership agreement will come from budget savings to be identified by the Executive Management Team.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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**9.4 2019/2020 QUARTERLY BUDGET REVIEW STATEMENTS TO 30 SEPTEMBER 2019 – FILE NO SF9146**

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

**Reference:**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

***That in relation to the report “2019/2020 Quarterly Budget Review Statements to 30 September 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 30 September 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:

<b>Budget Results</b>	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Expenses	96,190,209	2,373,802	3,718,957	102,282,968
Operating Income	(94,170,586)	(436,067)	(3,097,699)	(97,704,352)
<b>Operating Result</b>	<b>2,019,623</b>	<b>1,937,735</b>	<b>621,258</b>	<b>4,578,616</b>
Capital Income	(22,057,389)	(3,537,942)	(5,938,339)	(31,533,670)
Cash Adjustments	(19,960,630)	0	36,475	(19,924,155)
Capital Expenses	47,363,351	17,857,115	5,444,671	70,665,137
<b>Cash Results</b>	<b>7,364,955</b>	<b>16,256,908</b>	<b>164,065</b>	<b>23,785,928</b>
Unrestricted Cash	(152,180)	0	145,601	(6,579)
Reserves	8,015,546	12,157,874	(859,241)	19,314,179
Developer Cont.	(1,206,827)	986,678	9,342	(210,807)
Loans	0	513,619	0	513,619
Prior Year Grants	708,416	2,598,737	868,363	4,175,516
<b>Total Cash Funding</b>	<b>7,364,955</b>	<b>16,256,908</b>	<b>164,065</b>	<b>23,785,928</b>

The increases to operating expenses and income for the quarter mainly relate to new contract works with the Roads and Maritime Services. Works carried over from 2018-19, included a number of pre-funded non-capital projects which caused a decline in the operating result by \$2.6M. The recurrent result analysis below adjusts for these distortions of actual performance. The adjustments to capital income and capital expenses were mainly due to new and carried over grant funded works.

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	6,579	6,150,951	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	(15,156,584)	18,209,703	3,053,119	3,174,997
Fleet Operations	(4,353,842)	2,734,849	(1,618,993)	0
Airport Operations	(1,822,833)	1,081,613	(741,220)	158,282
Waste Services	(1,870,715)	1,248,971	(621,744)	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 in excess of the minimum required indicating a satisfactory position in the short term. This would be impacted by any unfunded budget variations in the remaining quarters.

The recurrent result for the General Activities of the General Fund operations (\$3.1M deficit) indicates the current commitment to operational services is well in excess of the 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:

<b>BUDGET RESULTS</b>	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Expenses	19,394,263	280,286	395,740	20,070,289
Operating Income	(20,160,162)	0	(87,437)	(20,247,599)
<b>Operating Result</b>	<b>(765,899)</b>	<b>280,286</b>	<b>308,303</b>	<b>(177,310)</b>
Capital Income	(1,428,048)	0	0	(1,428,048)
Cash Adjustments	(14,799,177)	0	0	(14,799,177)
Capital Expenses	27,040,853	1,787,018	(1,118,015)	27,709,856
<b>Cash Results</b>	<b>10,047,729</b>	<b>2,067,304</b>	<b>(809,712)</b>	<b>11,305,321</b>
Unrestricted Cash	(291,623)	0	(74,337)	(365,960)
Reserves	4,713,745	2,161,071	1,431,733	8,306,549
Developer Cont.	5,133,482	(93,767)	(1,674,983)	3,364,732
Loans	492,125	0	(492,125)	0
Prior Year Grants	0	0	0	0
<b>Total Cash Funding</b>	<b>10,047,729</b>	<b>2,067,304</b>	<b>(809,712)</b>	<b>11,305,321</b>

The operating surplus was reduced by \$590k mainly due to carried over pre-funded non-capital works including Drought Management initiatives. Capital expenses increased due to carried over 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	2,040,303	365,960	2,406,263	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	(6,079,470)	5,016,361	(1,063,109)	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 (\$1.1M surplus) indicates an ongoing capacity to meet existing operational and asset renewal needs, as well as future capital upgrades.

**Sewer Fund**

Summary of budget variations year to date:

BUDGET RESULTS	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Expenses	17,138,172	0	136,729	17,274,901
Operating Income	(23,282,231)	0	(285,898)	(23,568,129)
<b>Operating Result</b>	<b>(6,144,059)</b>	<b>0</b>	<b>(149,169)</b>	<b>(6,293,228)</b>
Capital Income	(613,001)	0	0	(613,001)
Cash Adjustments	(3,187,665)	0	0	(3,187,665)
Capital Expenses	6,372,908	2,897,931	(1,750,408)	7,520,431
<b>Cash Results</b>	<b>(3,571,817)</b>	<b>2,897,931</b>	<b>(1,899,577)</b>	<b>(2,573,463)</b>
Unrestricted Cash	(234,724)	0	(285,898)	(520,622)
Reserves	(4,107,092)	2,197,305	(1,438,679)	(3,348,466)
Developer Cont.	769,999	700,626	(175,000)	1,295,625

Loans	0	0	0	0
Prior Year Grants	0	0	0	0
<b>Total Cash Funding</b>	<b>(3,571,817)</b>	<b>2,897,931</b>	<b>(1,899,577)</b>	<b>(2,573,463)</b>

The operating surplus increased by \$149k due to increased income from annual charges and trade waste user charges offset by new non-recurrent operating works. 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	520,622	2,602,601	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	(12,154,833)	5,772,247	(6,382,586)	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 (\$5.0M 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.

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**9.5 ANNUAL OPERATIONAL PLAN 2019/2020 BUDGET VARIATION REPORT - OCTOBER 2019 – 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 – October 2019”, Council note and approve the variations to the existing budget included in the attached Annexures.*

**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 October 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 monthly report provides a timely endorsement of any variations identified during the previous month 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 in **ANNEXURE 1**.

**General variations identified during October 2019**

<b>Division</b>	<b>Budget Variation</b>	<b>Operating Income</b>	<b>Operating Expenses</b>	<b>Capital Income</b>	<b>Capital Expenses</b>
Central Northern Regional Library	13,056	294	0	0	12,762
Cultural Services	18,478	(26,320)	44,798	0	0
Economic & Destination Development	44,896	(80,640)	125,536	0	0
AELEC Precinct	(58,186)	0	0	0	(58,186)
Administration and Governance	10,000	75,000	(65,000)	0	0
Financial Services	16,682	0	16,682	0	0
General Purpose Income	(68,471)	(68,471)	0	0	0
Plant, Fleet & Buildings	0	0	0	0	0
Sports & Recreation Services	0	0	0	0	0
Design & Construction/Infrastructure & Projects	(392,499)	(8,000)	39,053	(858,724)	435,172
Waste Management	(25,975)	(575)	4,500	696,181	(726,081)
Water & Wastewater	(32,285)	(50,831)	36,691	0	(18,145)
W&W - General Fund Activities	21,074	(14,000)	25,074	0	10,000
<b>Total</b>	<b>(453,230)</b>	<b>(173,543)</b>	<b>227,334</b>	<b>(162,543)</b>	<b>(344,478)</b>

**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:

<b>Fund</b>	<b>Total Variation</b>	<b>Operating Income</b>	<b>Operating Expenses</b>	<b>Capital Income</b>	<b>Capital Expenses</b>
General	(420,945)	(122,712)	190,643	(162,543)	(326,333)
Water	15,013	476	32,682	0	(18,145)
Sewer	(47,298)	(51,307)	4,009	0	0
<b>Total</b>	<b>(453,230)</b>	<b>(173,543)</b>	<b>227,334</b>	<b>(162,543)</b>	<b>(344,478)</b>

**(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.

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**9.6 TAMWORTH REGIONAL COUNCIL 2019/20 DELIVERY PROGRAM AND ANNUAL OPERATIONAL PLAN QUARTERLY PROGRESS REPORT 1 JULY 2019 TO 30 SEPTEMBER 2019 - FILE SF7920 – 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 July 2019 to 30 September 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 July 2019 to 30 September 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 July 2019 to 30 September 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

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**(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.

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**9.7 TAMWORTH REGIONAL COUNCIL 2018/19 ANNUAL REPORT - FILE NO SF7919 – FILE NO SF7919**

**DIRECTORATE: PLANNING AND COMPLIANCE**  
**AUTHOR: Sonya Vickery, Integrated Planner - IP&R**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council 2018/19 Annual Report”, Council receive and note the Annual Report and make it available to the public.*

**SUMMARY**

Section 428 of the Local Government Act 1993, requires Council to prepare an Annual Report in accordance with the Integrated Planning and Reporting Guidelines within five months of the end of the financial year. The report must outline achievements in implementing Council’s Delivery Program and the effectiveness of activities undertaken.

**COMMENTARY**

The 2018/19 Annual Report for Tamworth Regional Council has now been prepared under section 428 (3) of the Local Government Act 1993 and in accordance with the guidelines provided under section 406. The report highlights achievements and progress in relation to the objectives of the current Delivery Program and includes:

- a) statutory information as prescribed within the provisions of the Local Government Act 1993 and Regulations; and
- b) audited Financial Statements for 2018/19.

A copy of the Annual Report is **ATTACHED**, refer **ANNEXURE 1**, and will also be posted on Council’s website and provided to the Minister for Local Government as required.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

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**(c) Legal Implications**

Council’s 2018/19 Annual Report meets the requirements of annual reporting provisions of the Local Government Act 1993 and the Local Government Regulation 2005.

**(d) Community Consultation**

An electronic copy of the report will be placed on Council’s website. Copies will be distributed to interested parties and schools. A URL link will be forwarded to the Division of Local Government and Minister to facilitate access to the report via Council’s website.

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

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

**9.8 SCHEDULE OF COUNCIL MEETINGS FOR 2020 – FILE NO SF809**

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

**RECOMMENDATION**

*That in relation to the report “Schedule of Council Meetings for 2020” Council fix the dates and times for the Council Meetings for 2020, as follows:*

	TIME	JAN 2020	FEB 2020	MAR 2020	APR 2020	MAY 2020	JUNE 2020	JULY 2020	AUG 2020	SEPT 2020	OCT 2020	NOV 2020	DEC 2020
Ordinary Council	6:30 pm		11 <sup>th</sup>	10 <sup>th</sup>	14 <sup>th</sup>	12 <sup>th</sup>	9 <sup>th</sup>	14 <sup>th</sup>	11 <sup>th</sup>	8 <sup>th</sup>	6 <sup>th</sup>	10 <sup>th</sup>	15 <sup>th</sup>
			25 <sup>th</sup>	24 <sup>th</sup>	28 <sup>th</sup>	26 <sup>th</sup>	23 <sup>rd</sup>	28 <sup>th</sup>	25 <sup>th</sup>		27 <sup>th</sup>	24 <sup>th</sup>	

**SUMMARY**

The purpose of this report is to confirm the dates and times for the Council Meetings for the 2020 calendar year. Council may change the dates by resolution.

**COMMENTARY**

Section 365 Local Government Act 1993, states:

*“The Council is required to meet at least 10 times each year, each time in a different month”.*

Tamworth Regional Council’s Code of Meeting Practice 3.1 allows for changes to dates and times for meetings:

*Council shall, by resolution, set the frequency, time, date and place of its Ordinary Meetings.*

*However, Ordinary Meetings of Council will generally be held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday*

*of each Month, commencing at 6.30pm at the Tamworth Regional Council Chambers, 4<sup>th</sup> Floor Ray Walsh House, 437 Peel Street, NSW Tamworth. There are no Meetings held in January and only one Meeting held in December.*

The month of January is a traditional holiday period and acknowledging the significant work load occurring, coupled with the number of civic activities held during the month of January associated with the annual Tamworth Country Music Festival, Council will not hold an Ordinary Meeting of the Council in January, unless otherwise determined by the Mayor and General Manager that a Meeting is required to attend to Council business of an urgent nature.

Council relies on the statutory role of the Mayor as stated in section 226 (d) of the Local Government Act 1993, “to exercise, in cases of necessity, the policy-making function of the governing body of the council between meetings of the council”, should the exercise of this role of the Mayor be required during the month of January each year.

Council also relies on the statutory role of the General Manager as stated in section 335 (a) of the Local Government Act 1993, “to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council”.

The Easter holiday holidays fall on 10 and 13 April and ANZAC is on Saturday 25 April in 2020. The Council elections are to be held on 12 September, therefore the Meeting to be held on the 22<sup>nd</sup> will not be scheduled as it is unlikely that the poll will be declared and inductions completed by this date. The first October Meeting was to be held on the 13<sup>th</sup> October however this will conflict with LG NSW Annual Conference, therefore the Meeting is scheduled for the first Tuesday in October.

Whilst the report lists one meeting in December on the 15<sup>th</sup>, as Christmas falls later in December, it would be possible to have Meetings scheduled for the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of December (8<sup>th</sup> and 22<sup>nd</sup>) if Council chose to do so.

A copy of the proposed 2020 Schedule of dates, is listed below:

	TIME	JAN 2020	FEB 2020	MAR 2020	APR 2020	MAY 2020	JUNE 2020	JULY 2020	AUG 2020	SEPT 2020	OCT 2020	NOV 2020	DEC 2020
<b>Ordinary Council</b>	6:30 pm		11 <sup>th</sup>	10 <sup>th</sup>	14 <sup>th</sup>	12 <sup>th</sup>	9 <sup>th</sup>	14 <sup>th</sup>	11 <sup>th</sup>	8 <sup>th</sup>	6 <sup>th</sup>	10 <sup>th</sup>	15 <sup>th</sup>
			25 <sup>th</sup>	24 <sup>th</sup>	28 <sup>th</sup>	26 <sup>th</sup>	23 <sup>rd</sup>	28 <sup>th</sup>	25 <sup>th</sup>		27 <sup>th</sup>	24 <sup>th</sup>	

**(a) Policy Implications**

Council may, by resolution, vary the time, date and place of Ordinary Meetings should extenuating circumstances exist which would prevent the Ordinary Meetings of the Council being held.

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Public Notices advising of the dates and times of the Council will be placed in the (and/or Extraordinary) Meetings are placed on our Website and reminders in the local media each month.

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

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

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## **10 COMMUNITY SERVICES**

### **10.1 CENTRAL NORTHERN REGIONAL LIBRARY – FILE NO SF2712**

**DIRECTORATE: BUSINESS AND COMMUNITY**

**AUTHOR: Kay Delahunt, Manager - Cultural and Community Services**

**2 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Central Northern Regional Library”, Council:*

- (i) receive and note the Minutes from the Central Northern Regional Library (CNRL) Annual General Meeting and Ordinary Meeting of 13 November 2019; and*
- (ii) approve the proposed Tamworth Regional Council contribution for 2020-2021.*

#### **SUMMARY**

This report presents the Minutes from the CNRL Annual General Meeting, **ATTACHED**, refer **ANNEXURE 1**, and the Ordinary Meeting held 13 November 2019 **ATTACHED**, refer **ANNEXURE 2**. This report summarises the key issues from the Minutes including the proposed Tamworth Regional Council contribution for 2020-2021.

#### **COMMENTARY**

The CNRL Annual General Meeting (AGM) and Ordinary Meeting were both held on 13 November 2019. Councillor Bill Heazlett from Walcha Council was re-elected as the CNRL Chair and Cr Catherine Redding, Mayor of Narrabri Shire was re-elected as the CNRL Deputy Chair.

The Annual Financial Statements and CNRL Annual Report were presented and accepted at the Meeting. The Annual Report showed 264,230 physical loans and 54,786 electronic loans for the year. Programs were presented at branches by both CNRL staff and branch library staff. In 2018-2019 CNRL branches offered 2,587 library activities with record attendance of 32,610. The highlight for 2018-2019 was the installation of a radio frequency identification (RFID) system across the entire region.

The draft CNRL budget for 2020-2021 was presented and discussed at the Ordinary Meeting. The budget has been prepared on the basis of a member contribution of \$12.95 per capita. This per capita contribution remains the same as the 2018-2019 contribution which was revised after the new State funding formula was announced. CNRL Councils have until 15 January 2020 to consider the draft budget and respond to Tamworth Regional Council.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The proposed CNRL contribution for 2019-2020 remains unchanged at \$12.95 per capita. Based on a population of 62,156 this would total \$814,920

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

A Spirit of Community – C22 Provide accessible, functional, multi-purpose facilities and spaces suitable for cultural, recreational, learning and information services and activities.

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**10.2 CRIME PREVENTION WORKING GROUP MEETING - 13 SEPTEMBER 2019 – FILE NO SF2300**

**DIRECTORATE:** PLANNING AND COMPLIANCE  
**AUTHOR:** Gino Tiberi, Crime Prevention and Development Compliance Officer

**2 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Crime Prevention Working Group Meeting – 13 September 2019”, Council:*

- (i) receive and note the Minutes of the Crime Prevention Working Group Meeting held 13 September 2019; and*
- (ii) amend the Terms of Reference as attached for the Crime Prevention Working Group including Housing North as a member of the group.*

**SUMMARY**

The purpose of this report is to present the Minutes of the Crime Prevention Working Group (CPWG) meeting held 13 September 2019, and provide Council with an overview of the meeting outcomes.

**COMMENTARY**

The following information provides a summary of the main items discussed at the Crime Prevention Working Group Meeting (CPWG) held on 13 September 2019, as reported in the **ATTACHED Minutes, refer ANNEXURE 1.**



- Oxley Police District officers reported that crime rates across most major categories are down when compared to the same period in the previous year. This has been in part, due to a number of key arrests and tighter bail restrictions.

A strong focus on Domestic Violence strategies is proving very effective across the region. The strategies, which include Apprehended Domestic Violence compliance checks, have contributed to a significant reduction in domestic related assaults. Other priority offences such as Break and Enter have also decreased.

There has been an increase in incidents of rural related crime as well as stealing from motor vehicles. Police are implementing strategies to address these crime categories however, community involvement and support is essential to ensuring positive outcomes.

Council's closed-circuit television (CCTV) network continues to provide police with a valuable investigative tool. The current expansion of the network has been welcomed and police acknowledged Council's work in this space.

- Community Corrections reported that they are currently managing 200 clients on supervised orders and 30 clients on supervised work orders. Council assets such as the Botanic Gardens are being utilised to accommodate some of the work orders.

A number of programs are currently being utilised which target detrimental behavioural characteristics in their clients. The programs seek to address the underlying issues which may cause a direct relationship between the client's conduct and criminal conduct. These behavioural issues include problems such as the misuse of substances, specifically drugs and alcohol.

Other programs being implemented are more tangible and include the targeting of 'High Risk' Domestic Violence offenders through the use of 24 hour electronic monitoring. Combined with random home visits, this program has not only proven to be an effective supervision tool, it has also been a deterrent to recidivism in participants.

- A graffiti update was provided which outlined incidence of graffiti between 1 July and 31 August 2019. Throughout this period, five separate incidents were registered costing Council \$935.00 to remove. This result was similar to the same period last year which saw five incidents recorded costing Council \$1,545.00 to remove. These figures have continued to reveal a stable trend which has existed for the past three years.

The Tamworth BMX grounds have been identified as a suitable location to be cleaned during the annual Graffiti Removal Day which has been set for 27 October 2019. Art work by local artist Shane Salvador will be incorporated into the clean-up.

- The CPWG was advised that the Department of Family and Community Services (Housing New South Wales) has transferred the management of approximately 2,000 social housing properties to Homes North. A request was received from Homes North that they be included as a delegate on the CPWG in place of Housing New South Wales. The request was supported by members of the group and recommended that

Council formally agree to amend the CPWG Terms of Reference to reflect this, as reported in the **ATTACHED** Revised Terms of Reference, refer **ANNEXURE 2**.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

A Spirit of Community C31 – Create safe environments to live, work and play.

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## **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 TENDER T047/2020 CATERING SERVICES TO AELEC PRECINCT – FILE NO T047/2020**

**DIRECTORATE: BUSINESS AND COMMUNITY**  
**AUTHOR: Mike Rowland, Manager – AELEC Precinct**

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 recommend to Council acceptance of a Tender for specified categories of catering services across the Sports and Entertainment Precinct including the Australian Equine and Livestock Events Centre (AELEC), the Tamworth Sports Dome (TSD) and the Tamworth Regional Entertainment and Conference Centre (TRECC), for a three year term with a two year option, which can be exercised by Council.

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### **11.2 TENDER T132/2019 - MANILLA WATER SUPPLY UPGRADE – FILE NO T132/2019**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Ian Cross, Senior Project Engineer  
**Reference:** Item 14.3 to Ordinary Council 28 March 2017 - Minute No 78/17  
**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)ii 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 competitor of Council.

#### **SUMMARY**

The purpose of this report is to recommend to Council the acceptance of a tender for the construction of the Manilla Water Supply Upgrade.

### **11.3 T049/2019 - PROVISION OF YOUTH SERVICES – FILE NO T049/2020**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Karen Litchfield, Manager Governance  
**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&(d)ii 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, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

#### **SUMMARY**

The purpose of this report is for Council to consider the Provision of Youth Services Tender.

### **11.4 EXPRESSION OF INTEREST PROCESS - COURT STREET, MANILLA – FILE NO E054/2020**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**Reference:** Item 15.3 Ordinary Council 28 May 2019 - Minute No 179/19  
**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

## **SUMMARY**

The purpose of this report is to seek direction from Council following a further Expression of Interest process for the possible lease of Council owned land described as Lots 14 and 15 DP236844 and being known as Louis Johnson House, Court Street Manilla NSW.

### **11.5 2020 LOCAL GOVERNMENT ELECTION CONTRACT WITH THE NSW ELECTORAL COMMISSION – FILE NO SF9141**

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

**3 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 present to Council the cost estimate provided by the NSW Electoral Commission (NSWEC) to administer the 2020 Local Government Election and the Election Contract.

### **11.6 PROPOSED AGREEMENT FOR LEASE OF THE PILOT TRAINING FACILITY – FILE NO SF9852**

**DIRECTORATE:** BUSINESS AND COMMUNITY  
**AUTHOR:** John Sommerlad, Director Business and Community

**Reference:** Item 12.10 to Ordinary Council 22 October 2019 - Minute No 394/19

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)i&(d)ii of the Local Government Act 1993, on the grounds that the matter and information is personnel matters concerning particular individuals other than Councillors, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

## **SUMMARY**

The purpose of this report is for Council to consider the negotiated terms of leases for part of the Council-owned pilot training facility at Tamworth Regional Airport. The proposed leases are to accommodate Oxford Aviation Academy (Australia) Pty Ltd (trading as CAE Flight Training Australia) to continue to conduct pilot training activities at the airport.

## **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.