



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, Lands Building, Nemingha Room, 25-27 Fitzroy Street, Tamworth**, commencing at **6.30pm**.

LATE ITEMS ORDINARY COUNCIL AGENDA

14 MARCH 2023

**PAUL BENNETT
GENERAL MANAGER**

Order of Business

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day prior to 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).

LATE AGENDA

L GOVERNANCE, STRATEGY AND FINANCE

L.1 2023 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - MOTIONS FOR SUBMISSION

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tracey Carr, Coordinator - Governance and Executive Services

Reference: Item 9.2 to Ordinary Council 14 February 2023 - Minute No 7/23
Documents Tabled

RECOMMENDATION

That in relation to the report “2023 National General Assembly of Local Government - Motions for Submission”, Council:

- (i) authorise the motion; that the National General Assembly calls on the Australian Government to;*
 - a. fund, in conjunction with state government community education of direct and in direct reuse of effluent;*
 - b. work with State Governments to improve regulation of indirect and direct potable reuse and recycled water for industrial uses, including across jurisdictions;*
 - c. fund investigation of methods to better dispose of the waste stream generated by current reverse osmosis water treatment technologies in inland areas;*
- (ii) authorise the motion; that the National General Assembly calls on the Australian Government to urgently address the critical shortfall in Financial Assistance Grants to Local Government, with a particular focus on a significant increase in road funding following the intense climatic and weather events of the past two years; and*
- (iii) authorise the motion; that the National General Assembly calls on the Federal Government to recognise the significant contribution made by volunteers across Australia in all spheres of life and the value this contribution makes to local communities. In recognising this contribution the National General Assembly acknowledges that volunteers are a significant unpaid resource that delivers services that smaller councils and communities would struggle to replace with paid labour.*

SUMMARY

The purpose of this report is to present to Council the motion to be submitted on behalf of Tamworth Regional Council to the 2023 National General Assembly for Local Government.

COMMENTARY

Council at its Ordinary Meeting held 14 February 2023, authorised Mayor, Russell Webb, with a further five Councillors to be nominated outside of the Meeting, to attend the 2023 National General Assembly of Local Government (NGA) to be held over 13 - 15 June 2023. Councillor Phil Betts has since withdrawn from attending due to being unavailable on those dates.

Following this Meeting, four topics were suggested by Councillors as the basis for Motions to be submitted for the NGA. Final wording for one of the Motions is below for approval:

- (i) The National General Assembly calls on the Australian Government to;
- fund, in conjunction with state government community education of direct and in direct reuse of effluent;
 - work with State Governments to improve regulation of indirect and direct potable reuse and recycled water for industrial uses, including across jurisdictions; and
 - fund investigation of methods to better dispose of the waste stream generated by current reverse osmosis water treatment technologies in inland areas.

National Objective:

The impact of climate change is being felt across the country. One of these forecast impacts is the reduction in water security for regional noncoastal communities Australia wide. Non coastal communities do not have access to seawater for use in desalination, which limits the number of viable options for increasing water security.

One such option is recycling of effluent water for industrial and /or potable uses.

There is no technical reason why effluent water cannot be recycled for potable purposes, however three critical issues need to be addressed.

1. Better community acceptance of water recycling, particularly for potable use. Governments need to invest in community education programs to educate the wider community of the benefits of direct or indirect potable reuse and the risks.
 2. Regulation. State governments are not ready to regulate recycling effluent water for industrial and/or potable use.
 3. Waste Streams. The most common recycling process at present is reverse osmosis. This process produces a waste stream that is high in salt. In coastal areas this waste stream can be directed to the sea but in inland areas the most common disposal option is evaporation ponds, which tie up considerable land area and present a long term waste issue. More research needs to be undertaken in this area to improve the disposal of the waste streams from Reverse Osmosis processes.
- (ii) That the National General Assembly calls on the Australian Government to urgently address the critical shortfall in Financial Assistance Grants to Local Government, with a particular focus on a significant increase in road funding following the intense climatic and weather events of the past two years.

National Objective:

Australia's road network has been in decline for many years and has been devastated by the severe storm and flooding events of the past two years. Councils are currently having to spend double or triple their usual road maintenance budgets just to address emergency repairs and address road safety issues, and this is resulting in a diversion of funds from other vital community programs and a reduction in service levels.

Emergency grant funding from both the State and Federal governments have been welcome, but Local Government needs a permanent, reliable source of funding over many years to address the current backlog. ALGA's policy position to pursue FAGS at 1% of national tax revenues has never been more important given the current road crisis.

- (iii) The National General Assembly calls on the Federal Government to recognise the significant contribution made by volunteers across Australia in all spheres of life and the value this contribution makes to local communities. In recognising this contribution, the National General Assembly acknowledges that volunteers are a significant unpaid resource that delivers services that smaller councils and communities would struggle to replace with paid labour.

National Objective:

Volunteering Australia is the national peak body for volunteering, working to advance volunteering in the Australian community. In accordance with Volunteering Australia's vision of "A strong, connected, and resilient Australian community through volunteering" and its purpose, "to lead, strengthen, and celebrate volunteering in Australia", we call on the Australian Government to commit to a more strategic, whole-of-government and national approach to volunteering, recognising the crucial role that volunteering plays in enhancing social cohesion and the wellbeing of Australians. In delivering this commitment we believe that the Government must enhance its support of the volunteer sector and partner with state, territory, and local governments to reinvigorate volunteering as Australia adapts to living with COVID-19 into the future.

Councillors had also identified additional funding for tourism in regional areas given the importance of Tourism to regional communities and economies. Further research has identified that ALGA already has a Policy relating to Tourism, negating the need for this motion.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership.
