



TAMWORTH REGIONAL COUNCIL

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

ORDINARY COUNCIL AGENDA

25 JANUARY 2022

**PAUL BENNETT
GENERAL MANAGER**

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

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

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 Wednesday, 5 January 2022, 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

- 6.1 **NOTICE OF MOTION – CR MARK RODDA - BIENNIAL BULKY WASTE PICK UP SERVICE – FILE NO**

MOTION

That Tamworth Regional Council support to consider reinstating the biennial bulky waste pick up service to residents.

On Tuesday 25 January 2022, I intend to give notice of a Notice of Motion to seek Council support to consider reinstating the biennial bulky waste pickup service to residents that previously enjoyed the biennial waste service.

SUPPORTING INFORMATION

This request is subject to, but not limited to the following considerations to be discussed at a workshop:

- the impact, if any on fees and charges paid by the community if it was reinstated;

- How many residents would utilise the service compared to how many residents pay for it. Other issues presently being considered in the waste area which may also have an impact on fees and charges paid by residents.
- issues and the cost(s) associated with increased compliance activities if the service is reinstated, including compliance of current unauthorised dumping hotspots such as the former Rosary College site and other vacant and remote areas throughout our LGA;
- consider options to maximise recycling opportunities and reduce duplication of services that may currently be provided by other agencies and organisations or work with other agencies and organisations to deliver recycling opportunities;
- consider waste types and quantities and how to manage recycling and disposal with an emphasis on limiting the use of the Forest Road landfill waste facility and a scheme that is environmentally friendly;
- Council to retain the Free Waste Voucher system for those residents who were not included in the previous bulky waste service areas should the biannual bulky waste service be reinstated, specifically rural residents; and
- Council to agree to a workshop to be held within 6-8 weeks to consider all options identified for a biannual bulky waste pickup or other opportunities being investigated to address those impacted by the loss of the bulky goods service.

Background

The residents of Tamworth Regional Council, specifically Tamworth city and some of the smaller towns enjoyed a biannual waste pickup service for a number of years, conducted in July and November annually. The service was popular with residents, particularly those that did not have access to a utility or trailer or the resources to pay for bulk rubbish removal.

The service was discontinued in 2021.

This Notice of Motion commences the process for Council to consider reinstating a service that was popular with our residents, reduced unauthorised dumping and I appeal to my fellow Councillors to consider supporting this motion to consider options for the reinstatement of this service.

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 PROPOSED ROAD NAMES FOR APPROVED WINDMILL DOWNS MOORE CREEK SUBDIVISION (LOT 498 DP 1217588)

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Kathleen See-Kee, Development and Approvals Support Officer

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed Road Names for Approved Windmill Downs Moore Creek Subdivision (Lot 498 DP 1217588)”, Council:

- (i) approve in principle the road names: ‘Dunphy’ Drive, ‘Callcott’ Way, ‘Burlinson’ Street, ‘Riordan’ Avenue, ‘Balkin’ Drive, ‘Potts’ Parade, and ‘Hellyer’ Close;***

- (ii) advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads Regulation 2018 Part 2 Division 1 Section 7 to enable interested parties the opportunity to make comment; and***

- (iii) provided no submissions are made which object to the proposed road names, proceed to publish the adopted names in the Government Gazette.***

SUMMARY

The purpose of this report is to nominate new road names for an approved Windmill Downs Moore Creek subdivision, identified as Lot 498 DP 1217588, Windmill Drive, Moore Creek. Council has approval from the Geographical Names Board to name these newly created roads ‘Dunphy’ Drive, ‘Callcott’ Way, ‘Burlinson’ Street, ‘Riordan’ Avenue, ‘Balkin’ Drive, ‘Potts’ Parade, and ‘Hellyer’ Close.

COMMENTARY

Windmill Downs Moore Creek Subdivision

Proposed Names: ‘Dunphy’ Drive, ‘Callcott’ Way, ‘Burlinson’ Street, ‘Riordan’ Avenue, ‘Balkin’ Drive, ‘Potts’ Parade, and ‘Hellyer’ Close.

Development (DA0416/2007) Consent granted: 26 August 2006.

The proposed road names in honour of World War One veterans have already been used in previous stages of this subdivision. The theme is intended to continue for all stages within this area using a name bank of proposed servicemen names from the Tamworth District who did not return from the war and are listed on the Tamworth ANZAC Park Memorial Gates.

Geographical Names Board Approval (RN2021-0011) Date: 10 January 2022.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The proposed road names will be exhibited for public comment in accordance with the *Roads Act 1993* Section 162, *Roads Regulation 2018* Part 2 Division 1 Section 7.

Should no submissions be lodged in objection to the proposed road names, Council will proceed to publish the adopted names in the Government Gazette. In the instance that

one or more objections are received in respect of the proposed road names, the matter will be reported to a subsequent Council meeting for Council's further consideration.

(e) Delivery Program Objective/Strategy

A Region for the Future – F11 Sound asset management planning

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING MINUTES - 3 NOVEMBER 2021

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Operations and Construction

5 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Tamworth Regional Local Traffic Committee Meeting Minutes - 3 November 2021", Council:

- (i) approve the installation of a disability parking bay within the Westdale Public School carpark, on Gunnedah Road, subject to available funding;*
- (ii) approve the installation of signs and line marking as per the attached plans for Westdale TGGP Stage 3;*
- (iii) approve the installation of:*
 - a 15 metre loading zone on Macquarie Street, between Peel Street and Marius Street, Tamworth; and*
 - no stopping restrictions between the proposed loading zone and the roundabout.*
- (iv) approve the installation of 60 degree rear angle parking signs and line marking on the northern side of East Street between Byrnes Avenue and Peel Street.*

SUMMARY

The purpose of this report is to advise Tamworth Regional Council of four recommendations made by the Tamworth Regional Local Traffic Committee at the email meeting held via email correspondence on 3 November 2021.

COMMENTARY

The draft minutes from the Tamworth Regional Local Traffic Committee (the Committee) meeting held 3 November 2021, are **ATTACHED**, refer **ANNEXURE 1**.

99/2021 – Disability parking space request – Westdale Public School – Gunnedah Road and Marathon Street Westdale

A request has been made by a parent for disability parking spaces to be made available at Westdale Public School. The location recommended is adjacent to Gunnedah Road at the western end of the existing carpark close to the pedestrian entry to the school, see Figure 1 below. This parking space would be constructed in conjunction with the Infrastructure Around Schools works.

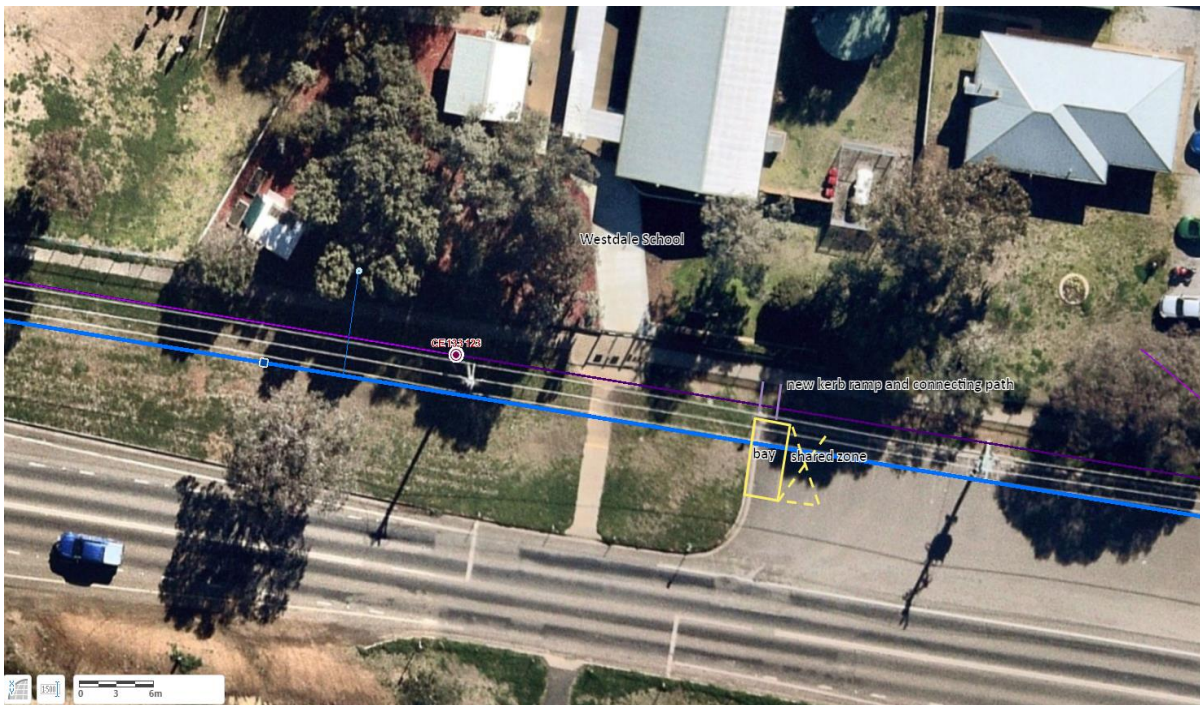


Figure 1: Gunnedah Road – Westdale School carpark

COMMITTEE RECOMMENDATION: the Committee support the installation of a disability parking bay within the Westdale Public School carpark, on Gunnedah Road, subject to available funding.

100/2021 – Westdale TGGP Stage 3 signs and line marking plan

The Tamworth Global Gateway Park (TGGP) Stage 3 signs and line marking plan is **ATTACHED**, refer **ANNEXURE 2**. This stage is immediately north of the Country Road roundabout, off the Oxley Highway. These drawings assume that the 50 kilometres per hour speed limit for the internal TGGP roads have been assigned by Transport for NSW (TfNSW). TfNSW have advised that similar developments are usually speed limited at 60 kilometres per hour, which was also the in-principal advice for streets relating to the Intermodal.

COMMITTEE RECOMMENDATION: the Committee support the installation of signs and line marking as per the attached plans for Westdale TGGP Stage 3, noting TfNSW advice that the expected speed zone will be 60 kilometres per hour.

101/2021 – Skatepark Café - loading zone, Macquarie Street Tamworth

A proposal is **ATTACHED**, refer **ANNEXURE 3**, for a loading zone to suit a rigid truck (12.5 metres), north of the existing access layback adjacent to the skatepark café. Development Application conditions for the café are also **ATTACHED**, refer **ANNEXURE 4**, and item 23 relates to the loading zone.

COMMITTEE RECOMMENDATION: the Committee support the installation of:

- a 15 metre loading zone on Macquarie Street, between Peel Street and Marius Street, Tamworth; and
- no stopping restrictions between the proposed loading zone and the roundabout.

102/2021 - East Street Childcare parking changes

The developer is proposing the installation of 60 degree rear angle parking on the northern side of East Street between Byrnes Avenue and Peel Street. This parking would be consistent with the parking on the other half of the road between Byrnes Avenue and Armidale Road.

The design drawings are **ATTACHED**, refer **ANNEXURE 5**. The location of the works is shown in Figure 2 below.



Figure 2: Proposed parking on East Street

COMMITTEE RECCOMMENDATION: the Committee support the installation of 60 degree rear angle parking signs and line marking on the northern side of East Street between Byrnes Avenue and Peel Street.

(a) Policy Implications

Nil

(b) Financial Implications

99/2021 – Will be funded from the existing Operations and Construction signage and Linemarking budget.

100/2021 – Will be funded under the project budget for TGGP.

101/2021 – Will be under the project budget.

102/2021 - Will be funded from the existing Operations and Construction Signage and Linemarking budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

An Accessible Region – A23 Traffic Management and traffic safety planning

8.2 NATURAL RESOURCES COMMISSION - REVIEW OF THE NAMOI AND PEEL UNREGULATED RIVERS WATER SHARING PLAN 2012 – FILE NO

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

Reference:

RECOMMENDATION

That in relation to the report “Natural Resources Commission – Review of the Namoi and Peel Unregulated Rivers Water Sharing Plan 2012”, Council receive and note the report and not prepare a submission.

SUMMARY

The NSW Natural Resource Commission is undertaking a review of the Water Sharing Plan for the Namoi and Peel Valley Unregulated Rivers Water Sources 2012, which is due to expire on 30 June 2023.

The Commission is seeking submissions from stakeholders identifying issues relating to the water sharing plan.

COMMENTARY

The NSW Natural Resource Commission (NRC) has a statutory role under Section 43A of the Water Management Act 2000, to undertake independent reviews of water sharing plans approaching expiry and report its findings to the NSW Minister for Water. These reviews help to identify opportunities to improve water sharing provisions and associated outcomes. The Minister considers the Commission’s report before deciding to extend or make a new water sharing plan, but the Minister is not bound to accept recommendations made by the Commission.

The purpose of a water sharing plan is to:

- provide water users with a clear picture of when and how water will be available for extraction;
- protect the fundamental environmental health of the water source; and
- ensure the water source is sustainable in the long-term.

A water sharing plan:

- provides water for the environment by protecting a proportion of the water available for fundamental ecosystem health and/or including specific environmental rules – this is called planned environmental water;

- provides rules around adaptive environmental water and held environmental water. Adaptive Environmental Water (EWA accounts) is water that can be used at the direction of the environmental water manager within the plan rules. Held environmental water (HEW) is entitlement which can arise from water recovery projects or by buying water licences. This water can be used at the discretion of the environmental water manager;
- protects the water required to meet basic landholder rights;
- sets annual limits on water extractions to ensure that water extractions do not increase and therefore erode the water for the environment and also the security of supply to water users;
- determines what type of additional licences can be granted such as local water utility access licences (for town water supplies) and Aboriginal cultural access licences;
- determines how water is to be shared among the different types of licensed users by setting the priorities of supply. For example, in dry periods water for domestic purposes has priority over commercial uses;
- provides flexibility for licence holders in the way they can manage their water accounts through aspects such as the ability to carry-over some unused account water or through group rostering;
- specifies rules in groundwater plans to minimise impacts on other groundwater users, dependent ecosystems, water quality and the stability of the aquifer;
- specifies the rules for water trading or dealings;
- sets out the mandatory conditions that apply to licence holders;
- specifies which parts of the plan can be changed without triggering the compensation provisions of the Act; and
- sets out the monitoring and reporting requirements, including indicators against which the performance of the plans is to be monitored.

The NRC is currently reviewing the Water Sharing Plan (WSP) for the Namoi and Peel Valley Unregulated Rivers Water Sources 2012. This WSP is due to expire 30 June 2023. Tamworth Regional Council has a number of licenses that source water from unregulated streams including those that supply water to the following towns and villages.

Town/Village	Source	Details
Bendemeer	Namoi Unregulated	Macdonald River – primary supply
Manilla	Namoi Unregulated	Namoi River – primary supply
Nundle	Peel Unregulated	Peel River – primary supply
Tamworth	Peel Unregulated	Dungowan Dam on Dungowan Creek – secondary source

With the exception of the Dungowan Dam on the unregulated Dungowan Creek, which supplies water for Tamworth, Moonbi and Kootingal, the other supplies are relatively small and are therefore relatively unaffected by the unregulated WSP. In relation to the Dungowan Dam Council's access to water is governed by Council's current Dungowan Dam license which sits to one side of the WSP and, in the main, is not affected by terms in the unregulated WSP.

Furthermore, unregulated streams tend to be smaller than regulated streams, and therefore, access to water within those streams is not as highly controlled as water within regulated streams. Given the experience of staff over the life of the current unregulated WSP and the relatively minor impact the WSP has on Council's supplies, there are no changes to the WSP recommended by staff and therefore it is not proposed to prepare a submission to the NRC in relation to this matter.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.3 NEW DUNGOWAN PIPELINE - INTERFACE AGREEMENT

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

RECOMMENDATION

That in relation to the report "New Dungowan Pipeline - Interface Agreement", Council authorise the General Manager to sign the Agreement as discussed in this report on behalf of Council.

SUMMARY

Work is expected to commence shortly on the construction of a new section of the Dungowan Pipeline between Council's Calala Water Treatment Plant and the connection point between the new Chaffey Dam pipeline and the old Dungowan Pipeline adjacent to the Dungowan Recreation Ground.

To ensure all parties, those being, Tamworth Regional Council and the Crown in the right of the State of New South Wales acting through the Department of Planning, Industry and Environment, are fully aware of the scope of works and each parties' requirements, particularly in relation to access to Council owned infrastructure such as the Water Treatment

Plant during construction, an Interface Agreement has been prepared.

The purpose of this report is to recommend Council sign the Agreement.

COMMENTARY

Work is expected to commence shortly on the construction of a new section of the Dungowan Pipeline between Council’s Calala Water Treatment Plant and the connection point between the new Chaffey Dam pipeline and the old Dungowan Pipeline adjacent to the Dungowan Recreation Ground.

To ensure all parties, those being, Tamworth Regional Council and the Crown in the right of the State of New South Wales acting through the Department of Planning, Industry and Environment, are fully aware of the scope of works and each parties’ requirements, particularly in relation to access to Council owned infrastructure such as the Water Treatment Plant during construction, an Interface Agreement has been prepared.

An Agreement has been prepared by the NSW Government and covers the following matters:

General	Specific
Definitions and Interpretation	
Interface Works	Design Documentation
	Approvals and compliance with Law
	Safety
	Construction
	Right to Inspect
Interface Area	Access to Interface area
	Contamination
	Baseline Survey
	Completion Survey
	Rectification of damage
Completion	Notice of completion
	Minor Defects
	Rectification of Defects
Information Reporting and Meetings	
Media and Communications	

Funding of Interface Works	
Insurance	
Termination	
Exclusion of Loss	
Dispute Resolution	
General	

The Agreement has been reviewed by staff including Council’s Manager Legal Services on a number of occasions and it is now at a point where it is recommended Council sign the Agreement.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Should Council agree to sign the Agreement then it will cover the work being undertaken within and on Council owned land and infrastructure as part of the construction of the new Dungowan Pipeline, between Calala Water Treatment Plant and the Dungowan Recreation Ground.

Should Council not agree to sign, then work on the Pipeline may be delayed until an Agreement has been signed or work on the pipeline could continue with no agreement which would leave Council at increased risk.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.4 REVIEW OF RESIDENTIAL, BUSINESS AND COMMERCIAL WATER SAVING REBATE SCHEME

DIRECTORATE: WATER AND WASTE
AUTHOR: Louise Cadell, Sustainability Officer - Water
Reference: Item 8.2 to Ordinary Council 17 December 2019 - Minute No. 455/19
 Item 8.3 to Ordinary Council 8 October 2019 - Minute No. 348/19
 Item 7.1 to Ordinary Council 24 March 2020 - Minute No. 71/20
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Review of Residential, Business and Commercial Water Saving Rebate Scheme”, Council extend the current list of 22 residential, business and commercial rebates and the current list of seven business and commercial only rebate items for a further five years until 28 February 2027.

SUMMARY

Since February 2007, Council has offered rebates to customers, connected to one of Council’s reticulated water supplies, who purchase certain goods and/or some services that will lead to reduced water consumption. The scheme has been highly effective in increasing the number of water saving products installed in homes across the Tamworth region. The last time Council considered the benefits of continuing with this scheme, Council resolved the scheme should continue until 28 February 2022.

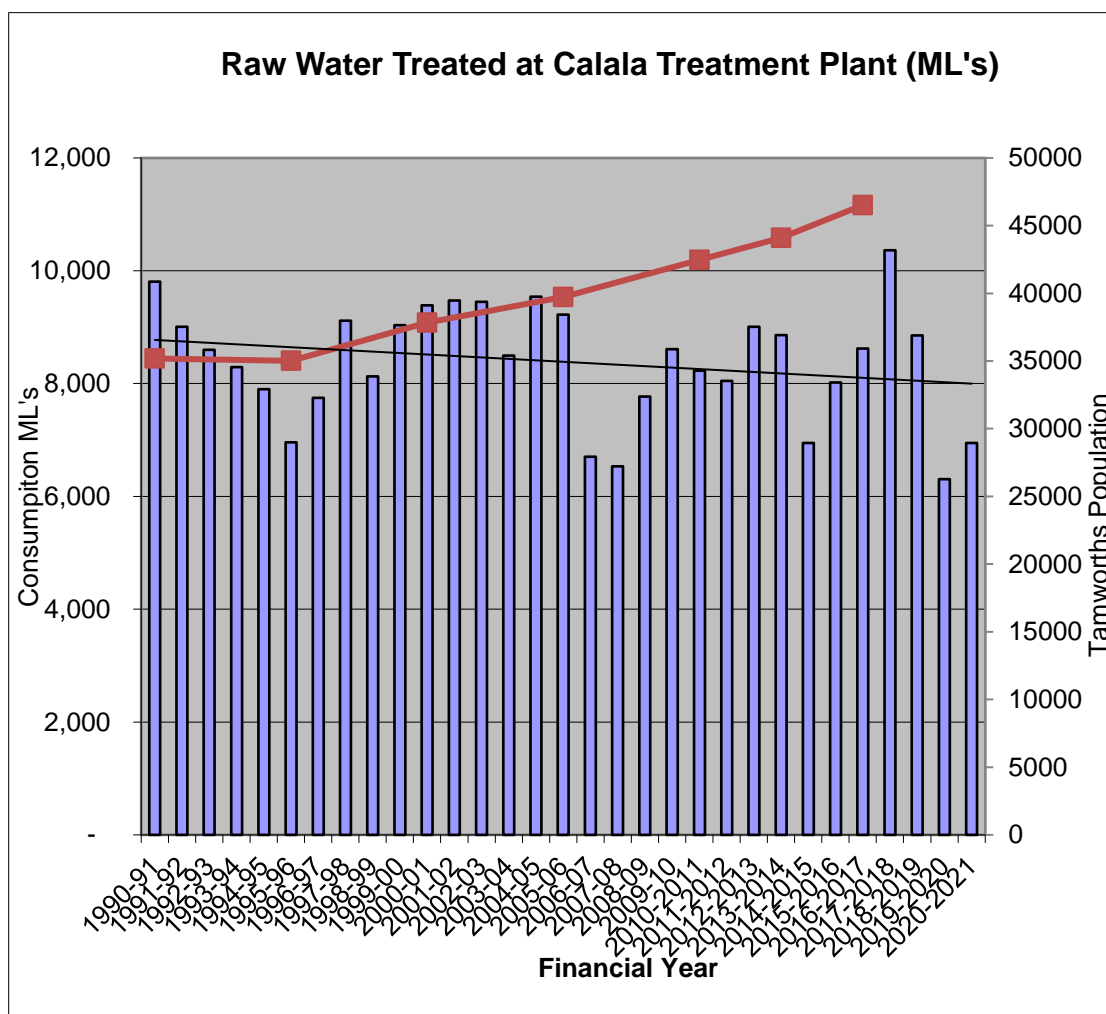
The purpose of this report is to seek direction from Council in relation to continuing the present scheme, and if so, any changes Council may like to make.

COMMENTARY

The purpose of Councils Residential, Business and Commercial Water Saving Rebate Scheme is to reduce the use of Council’s treated town water supply. Under the scheme, residents, businesses and commercial operators purchase and install water-efficient products, and/or some services, such as maintenance of evaporative air-conditioners, and claim a percentage of the cost of the products or service back. For new homes, residents may claim a water saving item if it is not a requirement under the NSW Building Sustainability Index (BASIX). To be eligible for the Council rebate, the products that are installed must be certified as being water-saving. Indoor products need to be Water Efficiency Labelling and Standards scheme (WELS) rated, and outdoor products have a Smart Approved WaterMark.

The water saving rebate scheme is a key element of Councils action list under the Demand Management Plan (2016) and also plays a vital role in actioning the Drought Management Plan (2015) and the Communications and Engagement Plan (CEP) (2019)

The scheme has been in place since 2007 and has been a key component, together with an extensive education program, in seeing the annual treated water production in Tamworth remaining relatively static over the last 20 years despite an increase in population and water connections.



Council periodically considers the continuation of the rebate scheme with the last occasion being at the Council meeting of Tuesday 17 December 2019. At this meeting, following consideration of the report, Council resolved to continue the scheme to the 28 February 2022. As this date is fast approaching Council now has to decide if it would like to continue the scheme and if so, make any changes.

At the Ordinary Council meeting on 8 October 2019, Council resolved that rebates for other measures also be investigated and considered for inclusion under the scheme. Following this, at the 17 December 2019 meeting, Council agreed to increase the list of rebates from the original five to a total of 22 residential, business and commercial water saving products and an additional seven business and commercial only rebate items. In addition, Council also amended the Tamworth Regional Development Control Plan 2010 to encourage more residents to investigate and install greywater treatment and diversion systems, and a number of other water saving products. The full list of current rebate items is **ATTACHED**, refer **ANNEXURE 1**.

Since the commencement of the extended list of 22 rebates in December 2019, rebates have been paid on the following products:

Amounts paid under water saving rebate scheme since 18 December 2019 – Residential, Business and Commercial Rebates					
Product	Rebate rate	Total number of products	Cost of rebates	Projected water savings (kL)	Cost per kL saved per annum
Ceiling fan	50% up to \$50ea	218	\$10,432.50		
Dual flush toilet *	50% up to \$150	102	\$13,528.90	3,978	\$3.40
Evaporative Air Conditioner Servicing / Maintenance	50% up to \$200	1271	\$100,442.10		
Greywater Diversion System *	50% up to \$150	4	\$417.00	80	\$5.21
Greywater Treatment System *	50% up to \$800	1	\$800.00	80	\$10.00
Hot Water System Diverter (Return)	50% up to \$100	0	0		
Large Rainwater Tank*	50% up to \$1000	42	\$52,187.50	10,200	\$5.11
Medium Rainwater Tank *	50% up to \$800	26			
Small Rainwater Tank *	50% up to \$200	17	\$2,990.00	1,487.5	\$2.01
Low Flow or Sensor Tap *	50% up to \$50ea	40	\$760.45	440	\$1.73
Oxijet *	50% up to \$20 ea	7	\$124.00	591.5	\$0.21

Plumbers Audit	50% up to \$100	70	\$3,846.50		
Large Standalone Rainwater Tank	50% up to \$500	56	\$28,400.00		
Medium Standalone Rainwater Tank	50% up to \$400	57	\$24,175.00		
Small Standalone Rainwater Tank	50% up to \$100	51	\$5,750.00		
Shower controller device	50% up to \$50	4	\$243.50		
Showerhead *	50% up to \$20ea	60	\$1,102.80	3,900	\$0.28
Swimming Pool Cover *	50% up to \$100	59	\$5,838.00	2,832	
Swimming Pool Backwash Recycling system *	50% up to \$250	0	0		
Toilet with Cistern Sink	50% up to \$200ea	5	\$560.00		
Waterblade tap*	50% up to \$10ea	5	\$50.00	87.5	
Tree Well Water Saver	50% up to \$2 ea	0	0		
	TOTAL	2095	\$251,648	13,238.5kL	\$3.49 (Average cost per kilolitre saved) **

* Water savings projected on these items only

** Average cost calculated on the above * rebate items only

Throughout the most recent drought and ongoing, Council embarked on two effective communication campaigns called Let's Work Together and Let's Thrive.

Let's Work Together was established during the most recent drought as part of the CEP. In this time, residents were encouraged to replace inefficient products and take advantage of the water saving rebate scheme in a bid to help reduce water consumption to the targets of 200L per person per day and 150L per person per day under Level 4 and 5 water restrictions respectively. This proved effective in increasing the uptake of water saving devices installed inside and outside the home.

Post drought, Let's Thrive aims to turn some of the water saving attention to decreasing the consumption of the town water outdoors, with around 40% of the average household's water use being outdoors.

Councillors would be aware the Drought Management Plan (2015) and the associated Demand Management Plan (2016) are presently under review. As part of that review a community survey has been undertaken which has some valuable information in relation to the rebates scheme. The survey, which saw 500 residents from across the Council area and connected to a Council water supply surveyed found the water saving rebate scheme has a much broader impact than providing money back and reducing consumption, with 58% of residents saying they were aware the scheme existed.



53% of residents said that the main reason they try and limit their water usage on a daily basis is to avoid further water restrictions. The secondary reason for them to willingly reduce consumption is a social responsibility to support the environment.

Items such as showerheads, standalone rainwater tanks and connected rainwater tanks, and dual flush toilets were the top four answers to the question *what types of items are you aware of that are offered under the water saver rebate scheme?*

Post-drought, the focus has shifted to rebate items that will see changes made outside the house through the Let's Thrive initiative and also to using Evaporative Air Conditioner (EAC) units more efficiently. The uptake on items such as connected and standalone tanks has been impressive, however it is the Evaporative EAC unit servicing and maintenance rebate that has seen the most significant increase. This can largely be attributed to a Spring/Summer targeted media and communications campaign.

**Do you have an evaporative air conditioner?
Not sure if you are using it efficiently?**

Here are some helpful tips to help save water and money;

- **Get your system checked** and maintained regularly by a qualified professional
- **Open doors and windows** in rooms being cooled for air to flow freely outside. Insufficient air flow will reduce cooling and put backpressure on the fan
- **Adjust for humidity.** Units don't work well in humid conditions. Turn off the water and run the fan only on days of high humidity
- **Use the timer** to control use of the system only when it's required
- **Use an electric fan** to stay cool, without using water

Check out Council's rebates at www.tamworth.nsw.gov.au/waterrebates and together Let's Thrive!

Let's Thrive!
Ta worth REGIONAL COUNCIL

Finally, Council has been fortunate to work closely with qualified tradespeople across the Tamworth region in delivering the rebate scheme, particularly during the most recent drought. These service providers have been instrumental in promoting the scheme and providing useful feedback to Council staff on certain rebate types.

While no products have been purchased from the Business and commercial water saving rebate list, these items will still see significant water savings made for any business or commercial premises who installs them.

The items on this list are as follows:

Item	Rebate amount
Commercial paint brush cleaner unit	50% up to \$150
Commercial steam cleaner	50% up to \$200
Commercial chemical cleaner	50% up to \$200
Waterless urinal	50% up to \$150ea
Commercial pre-rinse spray / mixer / nozzle ware	50% up to \$150ea
Commercial dishwasher / glass washer	50% up to \$250
Commercial washing machine	50% up to \$500

Whilst it is noted the average cost per kilolitre saved through the rebate scheme is more than the potable water charge per kilolitre, the cost per kilolitre of water saved is not the only consideration when deliberating the continuation of the scheme. Some of the other considerations include:

- the community education done to date around the current list of rebate items has been extensive. This has taken place through marketing and communication campaigns like Let's Work Together and community and school education programs – ceasing the rebate scheme could be seen as waste of all the previous works and expense;
- feedback from local tradespeople has found that certain rebate types, for example the evaporative air conditioner servicing and maintenance rebate, are necessary to incentivise residents to use these household items efficiently and effectively;

- the recent amendment made to the TRDCP 2010 has placed more focus on sustainability, encouraging new home builders to consider including more water sensitive design related items in their build, in order to fast track their develop applications; and
- the pre-drought management plan review survey found that 82% of residents acknowledge they have a role to play when it comes to water conservation.

Based on the above, given the list of rebates was reviewed as recently as 2019 and notwithstanding some of the rebates are more popular than others, it is recommended Council agree to continue the present scheme, including all current rebates offered, for a further 5 years. A 5-year period would tie in with the recommended period of time between formal reviews of the future Water Management Plan.

Should Council decide to continue the present rebate scheme then the scheme will be included in the review of the Demand and Drought Management Plans, and will be included in the newly named Water Management Plan when placed before Council for adoption.

(a) Policy Implications

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

(b) Financial Implications

The TRC Water Saving Rebate scheme has paid out \$1,058,946.69 in financial assistance to residents in the period February 2009 to December 2021.

If the rebate scheme is extended, the estimated financial cost to Council would be between \$50,000 to \$100,000 per financial year.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCIL INVESTMENTS NOVEMBER 2021

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Acting Chief Financial Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Council Investments November 2021", Council receive

and note the report.

SUMMARY

The purpose of this report is to provide an overview of Council Investments for the month of November 2021. A separate report detailing Council's investments as at December 31, 2021 is also being tabled to ensure compliance with statutory reporting requirements.

COMMENTARY

In accordance with Section 212 of the Local Government (General) Regulation 2021, the details of all money invested by Council as at 30 November 2021, is **ATTACHED**, refer **ANNEXURE 1**.

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

Institution	Cash at Bank	Financial Assets Amortised Cost	Financial Assets at Fair Value	Total	% of Total
NAB	13,739,663.62	17,000,000.00	0	30,739,663.62	15.74%
BOQ	0	16,700,000.00	0	16,700,000.00	8.55%
CBA	0	94,500,000.00	0	94,500,000.00	48.38%
St George	0	4,000,000.00	0	4,000,000.00	2.05%
TCorp	0	0	1,001,273.02	1,001,273.02	0.51%
Westpac	0	48,371,351.24	0	48,371,351.24	24.77%
TOTAL	13,739,663.62	180,571,351.24	1,001,273.02	195,312,287.88	100%

The amount invested at 30 November 2021, has increased by \$5,257,762.01 compared to funds held at 31 October 2021.

Council's investments are mostly comprised of restricted funds that have been received for specific purposes or funds held for future renewal works. The following table provides an indicative summary of investments held by each fund. The figures provided are based on Opening Balances from the last completed and audited financial year. The figures provide a guide on the proportion of total cash that is restricted in use.

Fund	Restriction	Amount	%
General	Unrestricted	6,182,608	3.17%
General	Internally Restricted	61,978,847	31.73%
General	Externally Restricted	21,122,736	10.81%
	General Fund Total	89,284,191	45.71%
Water	Unrestricted	2,007,640	1.03%
Water	Internally Restricted	21,873,921	11.20%
Water	Externally Restricted	20,439,287	10.46%

	Water Fund Total	44,320,848	22.69%
Sewer	Unrestricted	2,215,411	1.14%
Sewer	Internally Restricted	43,325,011	22.18%
Sewer	Externally Restricted	16,166,826	8.28%
	Sewer Fund Total	61,707,248	31.60%
	Total Investments	195,312,287	

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.

(b) Financial Implications

Interest rates on borrowings remain low but conversely returns on investment are negligible.

(c) Legal Implications

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

- Local Government Act 1993 – Section 625;
- Local Government Act 1993 – Order (of Minister) dated 16 November 2000;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A (2), 14C (1) and 2;
- Local Government (General) Regulation 2021 – Clauses 212 and 215; and
- Local Government Code of Accounting Practice & Financial Reporting – Update No 15 dated June 2007.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.2 COUNCIL INVESTMENTS DECEMBER 2021

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Acting Chief Financial Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Council Investments December 2021”, Council receive and note the report.

SUMMARY

The purpose of this report is to provide an overview of Council Investments for the month of December 2021.

COMMENTARY

While inflation has picked up, it remains low in underlying terms. Inflation pressures are also less than they are in many other countries, not least because of the only modest wages growth in Australia. The Reserve Bank has indicated that it will not increase the cash rate until actual inflation is sustainably within the 2 to 3 per cent target range. This will require the labour market to be tight enough to generate wages growth that is materially higher than it is currently. This is likely to take some time and the Reserve Bank has advised that it is prepared to be patient.

In accordance with Section 212 of the Local Government (General) Regulation 2021, the details of all money invested by Council as at 31 December 2021, is **ATTACHED**, refer **ANNEXURE 1**.

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

Institution	Cash at Bank	Financial Assets Amortised Cost	Financial Assets at Fair Value	Total	% of Total
NAB	14,045,077.83	20,000,000.00	0	34,045,077.83	17.65%
BOQ	0	11,000,000	0	11,000,000.00	5.70%
CBA	0	94,500,000.00	0	94,500,000.00	48.98%
St George	0	4,000,000.00	0	4,000,000.00	2.07%
TCorp	0	0	1,001,435.32	1,001,435.32	0.52%
Westpac	0	48,383,352.03	0	48,383,352.03	25.08%
TOTAL	14,045,077.83	177,883,352.03	1,001,435.32	192,929,865.18	100%

The amount invested at 31 December 2021, has decreased by \$2,382,422.70 compared to funds held at 30 November 2021.

Council's investments are mostly comprised of restricted funds that have been received for specific purposes or funds held for future renewal works. The following table provides an indicative summary of investments held by each fund. The figures provided are based on Opening Balances from the last completed and audited financial year. The figures provide a guide on the proportion of total cash that is restricted in use.

Fund	Restriction	Amount	%
General	Unrestricted	6,182,608	3.20%
General	Internally Restricted	59,596,425	30.89%
General	Externally Restricted	21,122,736	10.95%
	General Fund Total	86,901,769	45.04%
Water	Unrestricted	2,007,640	1.04%
Water	Internally Restricted	21,873,921	11.34%
Water	Externally Restricted	20,439,287	10.59%
	Water Fund Total	44,320,848	22.97%
Sewer	Unrestricted	2,215,411	1.15%
Sewer	Internally Restricted	43,325,011	22.46%
Sewer	Externally Restricted	16,166,826	8.38%
	Sewer Fund Total	61,707,248	31.99%
	Total Investments	192,929,865	

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.

(b) Financial Implications

Interest rates on borrowings remain low but conversely returns on investment are negligible.

(c) Legal Implications

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

- Local Government Act 1993 – Section 625;
- Local Government Act 1993 – Order (of Minister) dated 16 November 2000;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A (2), 14C (1) and 2;
- Local Government (General) Regulation 2021 – Clauses 212 and 215; and
- Local Government Code of Accounting Practice & Financial Reporting – Update No 15 dated June 2007.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.3 ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - NOVEMBER 2021 – FILE NO

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Acting Chief Financial Officer

Reference: Item 9.5 to Ordinary Council 29 June 2021 - Minute No 180/21
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2021/2022 Budget Variation Report – November 2021”, Council note and approve the variations to the existing budget as listed in the attached Annexure.

SUMMARY

This report seeks Council approval for budget variations identified during the month of November 2021 for which there has been no previous specific report or approval.

COMMENTARY

Council adopted the original budget included in the Annual Operational Plan for 2021/2022 at the Ordinary Meeting of Council held 29 June 2021. Any changes to the budget must be

approved by Council at a later Ordinary Meeting. The budget forms the basis for future forecasts and the legal authority for staff to commit expenditures. Constant monitoring and updating of the budget is important for sound financial management.

Readers of this report are reminded that its contents should not be viewed in isolation. Quarterly Budget Review Statements will provide Council with a full review of revised budget forecasts and actual year to date results.

Budget adjustments processed in November were minimal with several small though welcome grants being received for the Nundle Library, the Advanced Tree Nursery and for the production of a register for cultural heritage sites. The other item of interest was Council's \$20k contribution to the Namoi Joint Organisation towards the cost of Vendor Panel. This service will benefit Council by ensuring a more time efficient, compliant and transparent purchasing process when requesting quotes. It simplifies the management of buyer requests and supplier responses using a structured and consistent process and has detailed reports and analytics to provide oversight and easier auditing. The various divisions increased security costs were allocated out amongst the relevant functions of Council, but are shown in aggregate for ease of reporting.

Variations identified November 2021

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Airport & Aviation Dev	25,000	0	25,000	0	0
Cultural Services	3,740	(2,273)	6,013	0	0
Development	50,000	(50,000)	100,000	0	0
Integrated Planning	(50,000)	0	(50,000)	0	0
Plant, Fleet & Buildings	(7,138)	(20,000)	12,862	0	0
Sport & Recreation	0	0	0	(5,044)	5,044
Infrastructure Projects	0	0	0	0	0
Laboratory	9,600	0	0	0	9,600
Various Divisions – security	7,216	0	7,216	0	0
TOTAL	38,418	(72,273)	101,091	(5,044)	14,644

Material differences between budget and actual income or expenditure

Nothing material to report in this period.

(a) Policy Implications

Nil

(b) Financial Implications

The variations included in the report have the following impact on forecast results for 2021/2022 by fund of:

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(72,273)	101,091	(5,044)	14,644

Water	0	0	0	0
Sewer	0	0	0	0
Total	(72,273)	101,091	(5,044)	14,644

(c) Legal Implications

This report is in compliance with the following sections of the *Local Government (General) Regulation 2021*:

- 211 Authorisation of expenditure; and
- 202 Responsible Accounting Officer to maintain system for budgetary control.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.4 ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - DECEMBER 2021 – FILE NO

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Stuart Brandon, Statutory Accountant

Reference: Item 9.5 to Ordinary Council 29 June 2021 - Minute No 180/21

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2021/2022 Budget Variation Report – December 2021”, Council note and approve the variations to the existing budget as listed in the attached Annexure.

SUMMARY

This report seeks Council approval for budget variations identified during the month of December 2021 for which there has been no previous specific report or approval.

COMMENTARY

Council adopted the original budget included in the Annual Operational Plan for 2021/2022 at the Ordinary Meeting of Council held 29 June 2021. Any changes to the budget must be approved by Council at a later Ordinary Meeting. The budget forms the basis for future forecasts and the legal authority for staff to commit expenditures. Constant monitoring and updating of the budget is important for sound financial management.

Readers of this report are reminded that its contents should not be viewed in isolation. Quarterly Budget Review Statements will provide Council with a full review of revised budget forecasts and actual year to date results.

Notable budget adjustments processed in December were; an additional \$270,000 in grants received for the recently postponed Tamworth Country Music Festival, \$100,000 allocated to Ray Walsh House building remediation works (potential insurance claim), AELEC Operational works \$25,123 and AELEC White Goods Replacement \$14,770 (both associated with the mice plague), additional contract tree removal allocation \$35,000 and AELEC Rodeo Equipment Upgrades/Renewal \$26,500.

Variations identified December 2021

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Economic & Destination Development	0	(2,500)	2,500	0	0
Events	0	(270,000)	270,000	0	0
Business Systems & Solutions	6,500	0	6,500	0	0
Pilot Training Facility	16,900	0	16,900	0	0
AELEC Precinct	66,393	0	25,123	0	41,270
Financial Services	15,000	0	15,000	0	0
Cultural Services	0	(4,900)	4,900	0	0
Development	0	(15,000)	15,000	0	0
Integrated Planning	(8,000)	0	(5,000)	(3,000)	0
Plant, Fleet & Buildings	92,368	0	92,368	0	0
Sports & Recreation Services	29,450	(22,320)	51,770	(10,763)	10,763
Infrastructure & Projects	25,790	0	(2,316)	(135,000)	163,106
TOTAL	244,401	(314,720)	492,745	(148,763)	215,139

Material differences between budget and actual income or expenditure

No material change to aggregate income and expenditure figures for this period.

(a) Policy Implications

Nil

(b) Financial Implications

The variations included in the report have the following impact on forecast results for 2021/2022 by fund of:

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(314,720)	492,745	(148,763)	215,139
Water	0	0	0	0
Sewer	0	0	0	0
Total	(314,720)	492,745	(148,763)	215,139

(c) Legal Implications

This report is in compliance with the following sections of the *Local Government (General) Regulation 2021*:

- 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.

10 COMMUNITY SERVICES

Nil

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.

12.1 T252122OROC TENDER - PROVISION OF STABILISING SERVICES

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Operations and Construction

2 CONFIDENTIAL ENCLOSURES ENCLOSED

The 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 Tamworth Regional Council's approval to accept tender T252122OROC for mixing and stabilising works to be undertaken as part of various road works. The tender was undertaken through Regional Procurement as a panel tender, meaning that Tamworth Regional Council will be able to utilise any of the companies that tendered during the term of the contract. The tender was undertaken in conjunction with eight other councils, being Bogan, Bourke, Brewarrina, Cobar, Gunnedah, Narromine, Warrumbungle and Warren Shire Councils.

Tamworth Regional Council (Council) routinely utilises pavement stabilisation as part of its

budgeted road works program. This process provides a cost effective method of strengthening existing pavement materials in lieu of importing new materials. As this process is used frequently, the total annual expenditure makes it beneficial to enter into a period supply contract based on a schedule of rates. Council has successfully utilised this style of road pavement renewal on many sites in recent years.

The contract for these works has been based on a two year term, with an additional one year option at the sole discretion of Council dependent on satisfactory supplier performance. It is noted that the two year term of Regional Procurement's contract with the suppliers commences on 1 January 2022. There has been a brief delay, as a result of Council elections, that has resulted in Council considering this tender after 1 January 2022. Given the nature of this tender, which provides for multiple councils purchasing through a single Regional Procurement contract with suppliers, this slight delay does not create any issues that would preclude a decision by Council.

The contract does not guarantee any sum of work to suppliers, and only provides for payment based on the tendered rates and the actual quantity of work undertaken.

Through Regional Procurement, Council undertook an open tender for these works in accordance with the Local Government (General) Regulation 2021.

Description of the Work:

- establishing on site;
- supply and spread additives; and
- mixing of pavement to incorporate additive into base course and/or sub base.

The evaluation and selection process for this tender was in accordance with the requirements of AS 4120, Code of Tendering and Local Government (General) Regulation 2005 under the Local Government Act 1993.

12.2 T090/2022 TENDER - WERRIS CREEK ROAD UPGRADE BOX CULVERT EXTENSIONS

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Callum Fletcher, Senior Project Engineer

1 CONFIDENTIAL ENCLOSURES ENCLOSED

The 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 confirm Council's formal acceptance of tender T090/2022 to execute a lump sum contract for the construction of box culvert extensions as part of the Werris Creek Road upgrade project.

Werris Creek Road was allocated \$10 million in 2020 by the NSW Government from their Accelerated Regional Road Program (ARRP). The intention of the Werris Creek Road upgrade is to provide a wide centreline treatment for improved safety along the route from the Tamworth urban area near Bylong Road to the Tamworth Regional Council (Council) Local Government Area (LGA) boundary at Currabubula Creek. The extent of the road

upgrade project is shown in Figure 1 below. Other expected outcomes from the project include intersection upgrades and pavement improvements as well as additional safety barriers and delineation.



Figure 1 – Werris Creek Road upgrade extent

To achieve a wide centreline (and 1 metre wide sealed shoulders), many of the transverse drainage structures (pipe and box culverts) along the route need to be extended.

Following site survey and pavement investigation in early 2021, Council's engineering staff progressed the detailed design for the road upgrade. Whilst the design was being completed, Regional Service's project delivery and construction teams planned the resources required to construct the project by the current deadline of June 2022. Whilst it is planned that Council's civil construction teams will undertake most of the road upgrade work, it was determined that the project delivery would benefit from a contractor with specialist concreting skills to construct the box culvert extensions.

Due to the project completion deadline and the long lead time on the supply of precast culvert units from manufacturers (approximately 3 months), the tender for the box culvert extensions was advertised ahead of design finalisation and a contract awarded by the General Manager under delegation in late December to allow culvert unit procurement to commence as soon as practical.

Tender Scope

This contract is for the construction of the required box culvert extensions for the Werris Creek Road upgrade project, with the scope including:

- supply and installation of precast box culvert crown units;
- all earthworks required to complete the box culvert extensions, including scour protection and backfill to the underside of imported pavement;
- construction of all in situ concrete elements, including base slabs, apron slabs, wingwalls and headwalls;

- all traffic management required to safely complete the contract scope; and
- all management, supervision and overheads including environmental, safety and quality management of all work under the contract.

The tender was advertised in November for more than three weeks, closing on 14 December 2021.