



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**.

ORDINARY COUNCIL AGENDA

28 FEBRUARY 2023

**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 Tuesday, 14 February 2023, 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 DRAFT POLICY FOR MANAGING CONFLICT OF INTEREST IN COUNCIL-RELATED DEVELOPMENT APPLICATIONS

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Sam Lobsey, Manager - Development
Mitchell Gillogly, Team Leader – Development Assessment
2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Policy for Managing Conflict of Interest in Council Related-Development Applications”, Council:

- (i) proceed to public exhibition of the Draft Policy for Managing Conflict of Interest in Council-Related Development Applications for a period of 28 days;*
- (ii) receive a further report following the public exhibition period in the event that submissions are received and/or the Draft Policy is proposed to be amended; and*
- (iii) authorise the adoption of the Draft Policy in the event that no submissions are received and no changes are made to the Draft Policy.*

SUMMARY

As a result of forthcoming changes to the *NSW Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)*, all Councils in NSW must develop a conflict of interest policy for Council-related development applications. The purpose of the policy is to establish the process through which potential conflicts of interest will be identified, procedures for risk assessment, and the management controls to be implemented by Council to address the potential conflicts. As outlined by the Department of Planning and Environment, the intent of the policy is to manage potential conflicts of interest and increase transparency in the assessment and determination of Council-related developments.

Following the public exhibition of the draft policy and in the event that submissions are received or changes are proposed to be made to the policy document, a further report will be prepared for Council's consideration. In the event that no submissions are received and no changes are proposed it is recommended the Policy, as exhibited, be adopted.

COMMENTARY

Background

Councils have a significant role as development regulators. However, Councils can also be a developer, landowner or hold a commercial interest in the land they regulate. Where a council has this dual role, an inherent conflict can arise between its interests in the development and its legislative duty as regulator. Identifying these conflicts of interest early and finding ways to address them is crucial to good governance and enables Council to strengthen its relationship with communities and build and enhance trust.

The Department of Planning and Environment has determined that the following requirements be introduced into the *NSW Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)* to address conflicts of interest in Council-related development. The Department has issued a set of guidelines to assist Councils in preparing a conflict of interest policy, **ATTACHED**, refer **ANNEXURE 1**:

Regulation/Guidelines Requirement	Response
Councils must adopt and have a policy that specifies how conflicts of interest in connection with Council-related development applications will be handled. The policy must comply with the requirements in these Guidelines (section 66A).	The Department has provided a draft Policy intended to capture the relevant provisions of the new EP&A Regulation 2021. This Policy has been used as a template for Council's Draft Policy.
Council-related development applications must now be accompanied by either a management statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application (section 36A).	The Draft Policy includes management controls and strategies which are to be applied to the assessment and determination of Council-related development applications.
Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register (section 242A).	Administrative processes will be updated to account for this requirement. Council will be required to publicly communicate via the NSW Planning Portal the management approaches they propose to implement. An example management statement template is included in the Draft Policy.
Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process (<i>NSW Environmental Planning and Assessment Act 1979</i> , schedule 1, clause 9B).	This requirement has been included in the Draft Policy.

Council will not be permitted to determine a Council-related development application unless it has adopted a conflict of interest policy and takes into consideration that policy in making its determination. In addition, Council must publicly communicate (via the NSW Planning Portal) the management approaches it proposes to implement.

The regulation changes strictly relate to the assessment and determination process of development assessment and does not mandate the use of the framework post determination. However, the Department of Planning and Environment also advises that "*it is best practice when developing their policies for councils to also address conflicts that may occur after development consent has been granted*".

An example of this would be the processing of a construction certificate for Council related development. Post consent matters are typically more objective and prescriptive; therefore, it is not proposed to introduce measures post the issuing of development consent in the Draft Policy at this stage.

This will continue to be monitored on a case by case basis to determine whether any additional probity measures are required for Council-related development, post consent.

Council's Policies and the Proposed Amendments

Council does not currently have an adopted Policy dealing with conflicts of interest arising from Council-related development applications. However, internal governance processes are already in place by determining Development-related applications under delegated authority based on an internal hierarchy of delegations that ensure manager, director and/or General Manager review where considered appropriate.

Furthermore, there are thresholds where certain Council applications are required to be determined via the State under State Environmental Planning Policy (Planning Systems) 2021 (SEPP). Council projects with a capital investment value greater than \$5 million is the most common trigger, called Regionally Significant Development. Under the SEPP Council related development applications greater than \$5 million in value must be determined by the Northern Regional Planning Panel. Council's current internal governance procedures mean that a third-party consultant is engaged to assess Regionally Significant development applications. This provides greater transparency for what would be considered higher risk Council related applications.

The Department of Planning and Environment has provided a template for a Draft Policy intended to capture the relevant provisions of the amended EP&A Regulation 2021. This Policy has been used as a template for Council's Draft Policy which is **ATTACHED**, refer **ANNEXURE 2**.

Relevant internal divisions of Council have been briefed on the proposed changes and their legislated responsibilities when lodging Council-related development applications.

Finally, it is relevant to note that the Draft Policy does not relate to/is not intended to consider works such as driveways in road reserves or structures/connections in drainage reserves or similar works. These works are not included in the definition of "Council related" applications.

(a) Policy Implications

Council is required to have a Policy in place outlining how it manages conflict arising from council related development applications by 3 April 2023. The draft Policy is considered to meet this requirement.

Council's Community Consultation Plan 2019 should be updated to reflect the legislated 28 days public exhibition period for Council-related development applications.

(b) Financial Implications

No funding has been provided by the Department of Planning and Environment to enable councils to prepare and implement the new statutory requirements.

Financial implications may include additional costs if there is an increased need to engage independent planning consultants in the assessment of applications or post approval phase.

(c) Legal Implications

The new requirements have been introduced into the *Environmental Planning and Assessment Regulation 2021* and mandated for all Councils in NSW.

(d) Community Consultation

Exhibition of the Policy is recommended for a period of 28 days. If there are no changes to the policy or no submissions are received it is recommended that the Policy be deemed adopted at the completion of the exhibition period. If a submission is received or the policy is proposed to be changed a further report will be prepared for Council's consideration.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership.

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH WOMEN'S INTERNATIONAL RUGBY TENS TOURNAMENT FEE WAIVER REQUEST

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager - Sports and Recreation
Linda Bridges, Coordinator Visitor Economy

RECOMMENDATION

That in relation to the report "Tamworth Women's International Rugby Tens Tournament Fee Waiver Request", Council:

- (i) provide internal crowd control fencing;*
- (ii) waive field hire charges; and*
- (iii) cover the costs of production and live streaming of the event.*

SUMMARY

The Tamworth Women's International Rugby Tens Tournament is being held at the Plain Street Sporting Fields over the Easter long weekend (7 to 11 April). Organisers (Tenstam) have made a request to Tamworth Regional Council (Council) for the provision of internal crowd control fencing, waiving of field hire charges and for Council to cover the costs of production and live streaming of the event.

COMMENTARY

The Tamworth Women’s International Rugby Tens Tournament will be held at the Plain Street Sporting fields over the 2023 Easter long weekend, 7 to 11 April. This will be the first time this tournament has been held in Tamworth, providing the region with a rare opportunity to host a national level event whilst showcasing Tamworth’s high quality sporting facilities and fields.

The event will see 48 teams travel to the region and a total of 160 games played across two days. There will be over 2,000 visitors to Tamworth from across the country which, based on sport tourism industry standards, will inject a total economic impact to the region of \$1,159,232 as displayed in Figure 1 below.

Event Impact Summary export 			
Tamworth Regional Council - Modelling the effect of \$760,000 from a Sports and Recreation Activities event with State significance			
	Output (\$)	Value-added (\$)	Local Jobs (annual jobs)
Direct impact	608,000	271,361	5.4
Industrial impact	319,767	136,401	1.2
Consumption impact	231,465	97,629	1.0
Total impact on Tamworth Regional Council economy	1,159,232	505,391	8

Source: National Institute of Economic and Industry Research (NIEIR) ©2021. Compiled and presented in economy.id by .id (informed decisions).

Figure 1 – Event Impact Summary

Organisers of the event successfully received grant funding of \$100,000 under the Regional Event Acceleration Fund – Stream 2. The organisers will use this to cover costs of external fencing, portable toilet and shower blocks, bubblers and a range of marquees for team, corporate and medical personnel. This grant will act as seed funding which will enable the event to be hosted annually in Tamworth without needing to rely on financial assistance from the State Government in years to come.

It is proposed that internal crowd control fencing, which is currently owned by Council and used in conjunction with the Country Music Festival, will be provided in kind. The cost of hiring, preparing fields and cleaning the amenities for the event will be approximately \$8,000 and is proposed to be funded from the Sports Event Subsidisation budget. The live stream and associated production costs will be approximately \$27,000 and are proposed to be funded from Growth & Prosperity’s Events Reserve budget.

The organisers of the event have requested that Council consider the waiving of these fees to keep the costs of hosting and participating in the event, as low as possible. It is recommended that Council support this request due to the economic benefit to the Tamworth region and the opportunity it provides for female sport participation, and the showcasing of Tamworth and its facilities to a national audience.

(a) Policy Implications

Nil

(b) Financial Implications

The Sports and Recreation Division has an annual budget allocation for sports events subsidised under the Sport Event Subsidisation Policy. The hiring of fields and preparation fees, valued at around \$8,000 will be covered by this budget.

The cost of live stream and production costs for the tournament have been estimated at around \$27,000 will be covered by Growth & Prosperity's Events Reserve budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 2 – A liveable built environment

8.2 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE GENERAL MEETING - 1 FEBRUARY 2023

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Steven Marshall, Strategy, Assets and Design Engineer

4 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Tamworth Regional Local Traffic Committee General Meeting - 1 February 2023", Council:

- (i) approve the proposed traffic impacts and the proposed traffic management plan associated with the Taste Tamworth event from 11:00am 17 March 2023 to 12:00am 18 March 2023;*
- (ii) approve the installation of two disabled parking spaces and associated kerb access at 12 Bourke Street;*
- (iii) approve the installation of one disabled parking space and associated kerb access on Peel Street outside Tamworth Regional Council's Customer Service and Development Hub;*
- (iv) approve the relocation of the bus stop and associated signage from 30-32 Macgregor Street to 22 Macgregor Street, West Tamworth;*
- (v) approve the installation of line marking and signage at the intersection of Avro Street and Plain Street, Taminda as part of the proposed Black Spot upgrade, including the removal of 23 parking spaces;*
- (vi) approve the installation of kerb blisters adjacent 82 Gunnedah Road, West Tamworth; and*
- (vii) approve pavement widening and the installation of a new kerb and gutter system with associated kerb ramps, signage and line marking at the intersection of Gunnedah Road and Evans Street, Westdale.*

SUMMARY

The purpose of this report is to advise Council of the seven recommendations made by the Tamworth Regional Local Traffic Committee (the Committee) at the meeting held on 1 February 2023.

COMMENTARY

The minutes from the Committee meeting held on 1 February 2023, are **ATTACHED**, refer **ANNEXURE 1**.

04/2023 – Taste Tamworth Festival – Laneway Pop-Up Bar on Smith Place, Tamworth

The Taste Tamworth event is scheduled to be back this year and will be held on 17 March 2023 from 7:00pm – 10:00pm.

It is expected that between 200-220 people will be in attendance. The event will feature the Laneway Pop Up Bar, and require road closures for the laneway between the Town Hall and the University of New England (UNE) building, and Smith Place, as shown below in Figure 1.

The proposed road closure will commence from 11:00am 17 March 2023 to 12:00am 18 March 2023. The 2023 Traffic Management Plan (TMP) is **ATTACHED**, refer **ANNEXURE 2**.



Figure 1 – Proposed Pop Up Bar on Smith Place, Tamworth

COMMITTEE RECOMMENDATION: The Committee support the road closures of Smith Place, Tamworth and the laneway between the Town Hall and the UNE building, from 11:00am 17 March 2023 to 12:00am 18 March 2023, for the running of the Taste Tamworth event.

05/2023 Request for a disabled parking space at 14-16 Bourke Street, Tamworth.

It has been requested of Tamworth Regional Council (Council) that a disabled parking space be installed outside the business Roberts and Morrow, at 14-16 Bourke Street, Tamworth.

Council conducted a site visit to determine the most appropriate location for the space, and identified an area further south, adjacent to 12 Bourke Street, as shown in Figure 2 below. This site was nominated, as the cross fall on this site is more suitable for a disabled car space, and the grade on the associated verge was more appropriate for a pram ramp to be installed. The site is also central to available pedestrian facilities at the Peel Street intersection.

There will be a net loss of one car space along Bourke Street with this proposed installation. This impact will be negligible as there is currently a peak occupancy of 58% on Bourke Street (between Peel Street and Dowe Street).



Figure 2 – Proposed disabled parking spaces on Bourke Street, Tamworth

COMMITTEE RECOMMENDATION: the Committee give in principle support for the installation of two disabled parking spaces, zoned for two hours parking (2P), 8:00am – 6:00pm Monday to Friday and 8:00am – 12:00pm Saturday, at 12 Bourke Street, Tamworth.

06/2023 Disabled Parking Space at 474 Peel Street, Tamworth.

It has been requested of Council that a disabled parking space be installed outside of Council’s Customer Service and Development Hub at 474 Peel Street, Tamworth.

Council conducted a site visit to determine the most appropriate location for the space, and deemed a site directly in front of the hub adequate as shown in Figure 3 below. This site was nominated, as the cross fall on this site is suitable for a disabled car space and the grade on the associated verge is adequate for a pram ramp to be installed.

There will be no car spaces lost along Peel Street with this proposed installation.

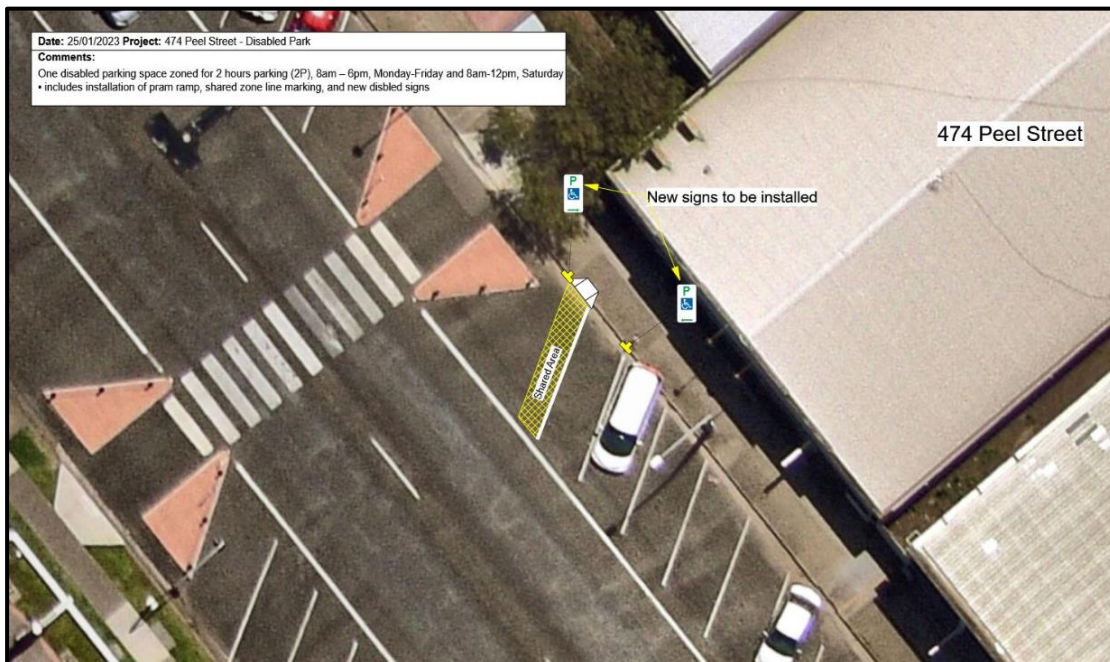


Figure 3 – Proposed disabled parking space on Peel Street, Tamworth

COMMITTEE RECOMMENDATION: the Committee support the installation of one disabled parking space zoned for two hours parking (2P), 8:00am – 6:00pm Monday to Friday and 8:00am – 12:00pm Saturday, at 474 Peel Street, Tamworth.

07/2023 – Proposed relocation of bus stop at 30/32 Macgregor Street, West Tamworth.

It has been requested of Council that the bus stop at 30-32 Macgregor Street, West Tamworth be relocated away from the entrance to Birrelee MACS Child Care Centre, due to observed near-misses with vehicles exiting the child care centre.

Council conducted a site visit to determine the most appropriate location for a new bus stop, and identified an area further east (approximately 80m) at 22 Macgregor Street, as shown in Figure 4 below. The proposed site will require a new concrete hardstand and associated bus stop signage to be installed. The sighting distance for east bound traffic along Macgregor Street will be improved by the proposed relocation.



Figure 4 – Proposed location for the relocated bus stop on Macgregor Street, West Tamworth

COMMITTEE RECOMMENDATION: the Committee support the relocation of the bus stop and associated signage, from 30-32 Macgregor Street to 22 Macgregor Street, West Tamworth.

09/2023 Infrastructure around schools – Peel High School, Gunnedah Road, West Tamworth.

Council has received funding from the Australian Government's School Zone Infrastructure Program to improve the safety of pedestrian infrastructure in school zones and on walking routes to schools.

One of the jobs to be completed, associated with Peel High School, is to provide kerb blisters on Gunnedah Road to supplement the existing median refuge, as well as signage and line marking. The 100% design is **ATTACHED**, refer **ANNEXURE 3**.

COMMITTEE RECOMMENDATION: the Committee support the installation of kerb blisters as per the 100% design drawing, adjacent 82 Gunnedah Road, West Tamworth.

10/2023 – Evans Street, Westdale intersection treatment.

Council has received funding from Transport for NSW (TfNSW), under the Safer Roads program, to formalise the intersection at Evans Street and Gunnedah Road, Westdale.

This intersection sees significant foot traffic, with Westdale Public School nearby. There have been some near misses and a pedestrian casualty crash at this location.

Works include installing a give way sign, line marking, kerb ramps either side of Evans Street, stormwater works and pavement widening. A detailed design has been prepared and is **ATTACHED**, refer **ANNEXURE 4**.

COMMITTEE RECOMMENDATION: the Committee supports the installation of a give way sign, linemarking, stormwater works, pavement widening and the installation of kerb ramps either side of Evans Street, Westdale.

(a) Policy Implications

Nil

(b) Financial Implications

04/2023 – Shall be funded by the existing special event traffic management budget.

05/2023, 06/2023 and 07/2023 – Shall be funded by the Road Infrastructure Maintenance budget

08/2023 – Shall be funded by the Australian Government’s Blackspot Program.

09/2023 – Shall be funded by the Australian Government’s School Zone Infrastructure Program

10/2023 – Shall be funded by the TfNSW Safer Road Program

(c) Legal Implications

Nil

(d) Community Consultation

08/2023 - Businesses directly affected by the works with regards to loss of car parking spaces will be communicated with before commencement.

09/2023 - Peel High School has been notified about these works, and will continue to be consulted leading up to and during the construction period. Businesses immediately surrounding the works will be notified once the works are approved.

10/2023 - Businesses and residents directly affected by the works will be communicated with shortly in regards the improvement works.

(e) Delivery Program Objective/Strategy

Focus Area 5 – Connect our Region and Citizens.

8.3 COMBINED NSW PRIMARY SCHOOLS SPORT ASSOCIATION AND NORTH WEST SCHOOLS SPORT ASSOCIATION FEE WAIVER REQUEST

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager - Sports and Recreation

RECOMMENDATION

That in relation to the report “Combined NSW Primary Schools Sport Association and North West Schools Sport Association Fee Waiver Request”, Council approve a complete fee waiver for all costs associated with the use of the Tamworth Sports Dome.

SUMMARY

NSW Primary School Sports Association (NSWPSSA) and the North West School Sports Association (NWSSA) are combining for the second time, to host a multi-sport state championship week of festivities in Tamworth for basketball and hockey. The event will take place at the Tamworth Sports Dome and the Tamworth Regional Hockey Complex.

This unique event was held for the first time in Tamworth in 2022, and due to the suitability of high-quality sporting venues and widely praised success of the pilot event, Tamworth has been selected to host again in 2023.

Prior to the event taking place in 2022, never before had a state championship for two sports, or boys and girls for a single sport, been held concurrently in the same town, however Tamworth will host four state championships in one week in late May/early June 2023.

Given the economic benefit to business and community, and the opportunity to showcase Tamworth’s high-quality sporting facilities, Tamworth Regional Council (Council) is asked to support this event through a full fee waiver of Council’s sports facilities.

COMMENTARY


Each year there is a school-based state championship for boys and girls in a range of different sports. These annual events are scheduled and hosted throughout the state in varying locations.

In an attempt to consolidate and improve how these events are scheduled, the NSWPSSA and the NWSSA have worked with staff at Council to host a combined week-long sporting event that has only ever been conducted once in NSW, which was in Tamworth in 2022.

Offering an open boys’ basketball, open girls’ basketball, open boys hockey and an open girls hockey championship will result in four state championships being conducted in a week. Organisers are preparing to host the events at two of Tamworth’s premier facilities, being the Tamworth Sports Dome and the Tamworth Regional Hockey Centre, located within the Tamworth Sports and Entertainment Precinct.

Scheduled for 29 May 2023 to 2 June 2023, the combined event is expected to result in over 600 student athletes, 1,200 parents/carers, 60 team coaches/managers and 50 teachers/officials from NSW coming to Tamworth for the week.

Based on sport tourism industry standards, this event will bring an economic benefit of more than \$700,000 to the region, as displayed in Figure 1 below.

Event Impact Summary export 			
Tamworth Regional Council - Modelling the effect of \$468,000 from a Sports and Recreation Activities event with State significance			
	Output (\$)	Value-added (\$)	Local Jobs (annual jobs)
Direct impact	374,400	167,101	3.3
Industrial impact	196,909	83,995	0.8
Consumption impact	142,534	60,119	0.6
Total impact on Tamworth Regional Council economy	713,843	311,214	5

Source: National Institute of Economic and Industry Research (NIEIR) ©2021. Compiled and presented in economy.id by .id (informed decisions).

Figure 1 – Event Impact Summary

It is anticipated that the cost of hiring the facilities for this event will be approximately \$14,000.

In an attempt to keep participant costs low, participation accessible and encourage money to be injected into the local economy instead of venue hire fees, organisers (NSWPSSA and NWSSA) have asked Council to consider a fee waiver for the use of the Tamworth Sports Dome. Organisers will seek a separate request with the Tamworth Hockey Association for a fee waiver for their facility, as it is operated under a lease arrangement.

This is a great opportunity for Council, and the broader community, to showcase Tamworth's high-quality sports facilities and capability to host large scale, multi-faceted sporting events. The projected economic boost from the event will be eagerly welcomed by the business community, after the recently experienced drought, pandemic and absence of income from major events.

It is therefore recommended that Council approve this fee waiver in support of this innovative event.

(a) Policy Implications

Nil

(b) Financial Implications

Sports and Recreation has an annual budget allocation for events subsidised under the Sports Events Subsidisation Policy (SESP). The fee for this event of approximately \$14,000 including GST will be deducted from this budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 2 – A Liveable Built Environment

Focus Area 3 – Prosperity and Innovation

Focus Area 8 – A Strong and Vibrant Identity

8.4 WATER SUSTAINABILITY SIX MONTHLY REPORT

DIRECTORATE: WATER AND WASTE
AUTHOR: Louise Cadell, Sustainability Officer - Water

RECOMMENDATION

That in relation to the report “Water Sustainability Six Monthly Report”, Council receive and note the report.

SUMMARY

The following report is presented to update Council on activities undertaken, or underway, in the water sustainability area including those which fall under the relevant actions of the Environmental Sustainability Strategy 2022 – 2026.

COMMENTARY

Current regional water supply situation

The Tamworth Region continues to experience healthy water supplies. Permanent Water Conservation Measures (PWCM) are in place in all communities connected to a town water supply. PWCM are applied when the supply systems are satisfactory. PCWM urge residents and businesses to continue to practice water conservation, even when the region isn't in a period of drought. Under PWCM there is no watering in the heat of the day. Watering is permitted from 4pm to 9am Eastern Standard Time and 6pm to 8am Daylight Saving Time - a trigger nozzle must be used when hand-held hosing and an application is required for Water Management Plans for special variation to watering hours and 6-week new turf watering plans.

The latest update as of 7 February, 2023 is listed below in **Table 1**:

Table 1: Water restriction summary

Area	Restrictions	Water Supply	Situation
Barraba	Permanent Water Conservation Measures	Split Rock Dam	Split Rock Dam continues to sit at a healthy level with the supply secure at present. Split Rock Dam level is at 98%.
Bendemeer	Permanent Water Conservation Measures	MacDonald River	The Macdonald continues to flow above the trigger point for increasing restrictions in Bendemeer.
Nundle	Permanent Water Conservation Measures	Peel River/Nundle Bore/Crawney Road Bore	The Peel River at Nundle is flowing above the trigger point for increasing restrictions for Nundle.
Manilla	Permanent Water Conservation	Namoi River/Manilla	The Namoi River continues to flow above the trigger to increase water

Area	Restrictions	Water Supply	Situation
	Measures	River	restrictions for Manilla.
Attunga	Permanent Water Conservation Measures	Attunga Bores	The groundwater level is stable and bores are meeting maximum pumping rates.
Tamworth/Moonbi-Kootingal	Permanent Water Conservation Measures	Chaffey Dam/Dungowan Dam – Moonbi-Kootingal via Nemingha Pipeline	The natural flows in the Peel River continue to supply Tamworth/Moonbi-Kootingal. Both Dungowan Dam and Chaffey Dam are at, or near, 100% with the supplies secure at present.

Environmental Sustainability Strategy 2022 – 2026 – Water Action Plan update

Following the adoption of the Environmental Sustainability Strategy and Action Plan (2022-2026) in December 2022, the status of a number of water actions from the 2022-23 financial year is included in **Table 2**.

Table 2: Environmental Sustainability Strategy relevant actions to Water Sustainability

Water Action	Year	Status
Continue education around reducing water consumption for each season	2022/2023	Underway
Annual water education programs, including Water Night and National Water Week	2022/2023	Complete
Communicate benefits of greywater reuse to community	2022/2023	Undertaken as opportunities arise
Investigate completing water consumption study on evaporative air conditioners	2022/2023	Project commenced
Investigate opportunities in working with Namoi Unlimited around Sustainability, drought resilience, resilience, adaptation and mitigation to combine resources	2022/2023	One project being investigated on behalf of the joint organisation
Work with Automatic Meter Reader developer to establish customer interaction with AMR's	2023/2024 & 2024/2025	Preliminary work commenced

Develop a Regional Drought Resilience Plan for Tamworth and Walcha as part of a state government pilot project	2022/2023	Complete
Support appropriate sustainability community events relating to water	2022/2023	Ongoing – assessment when necessary
Complete reviews of both the demand and drought management plans	2022/2023	Project Commenced

Regional Drought Resilience Planning pilot program

The Regional Drought Resilience Planning (RDRP) pilot is nearing completion, with the final draft plan sitting with the Federal Government for approval. There are a number of actions included in the draft Regional Drought Resilience Plan (RDRP). These were developed following community consultation with more than 200 stakeholders. Council staff will meet with the CSIRO, who are completing an evaluation of the plan on behalf of the Federal Government, to discuss recommendations handed down to the Project Control Group, before a decision will be made on the finalisation process of the RDRP and the next steps, if any, for Council.

Assuming some sort of ongoing resilience program is supported by the Federal and/or State Governments then the trial has highlighted the need for further funding for resourcing to allow for the effective implementation of the actions and growth of resilience across the Tamworth LGA.

Evaporative Air Conditioner Water Consumption Study

Tamworth Regional Council was approached to take part in a pilot Evaporative Air Conditioner water consumption study being conducted by the University of Technology Sydney's Institute of Sustainable Futures (ISF) and the Department of Planning and Environment (DPE). The preliminary work to undertake this study has begun which includes recruitment of participating households and the procurement of a qualified tradesperson to undertake field work.

The goal of the study is to gain a greater understanding of how much water evaporative air conditioners use. The information from this study will help inform future education campaigns and identify potential opportunities for water efficiency incentives.

This pilot study is being funded by the DPE, with Council funding the installation of the in-line water meters at an approximate cost of \$14,000.

Four other local government areas, located west of the Great Dividing Range in NSW, have also been approached to take part in this pilot with a total of 100 evaporative air conditioning units monitored for consumption data.

Evaporative Air Conditioner – Efficient Usage

The latest media campaign has focussed on the efficient use of evaporative air conditioner units. This comes off the back of the Summer of 2021/22, which focussed on the rebate scheme for evaporative air conditioner servicing and maintenance.

The success of this education campaign saw rebate approvals almost double, as represented in **Table 3**, in the Summer of 2021/22. For the summer of 2022/23, the focus shifted to highlight using evaporative air conditioning efficiently to help save water, as well as pointing residents to the water saving rebate scheme.

Year	Rebate type	Number	Expenditure
2020/2021	Evap.	445	\$39,729
2021/2022	Evap.	729	\$60,942
2022/2023	Evap.	252	\$21,514

Table 3: *Evaporative Air Conditioner rebate data*

Due to a cooler than average summer, the number of rebates is trending lower than previous years however, following recent media coverage of Councils rebate scheme it is expected there will be a slight upturn in applications.

Demand and Drought Management Plan Review

The review of both the Demand Management Plan and the Drought Management Plan is progressing.

The delivery of the updated Plans has been delayed due to uncertainty around the new Dungowan Dam. However, even if the new Dam does proceed, the construction period is estimated at 6-8 years before water will be available from the new dam. As a result, the decision has been made to proceed with drafting the updated Plans, based on the existing Dungowan Dam

When the drafts are complete, they will be formally presented to Council for approval to place the plans on public display. Council will then consider any submissions received before formally adopting the Plans.

Smart Water Meter Rollout

Water Sustainability has been playing an active role in the preparation of the Smart Water Meter rollout.

Smart Water Meters will help improve water sustainability by providing the Tamworth region community with accurate near real-time water usage readings, improved accuracy of water bills, leak detection, improved water management and improved customer service.

Smart Water Meters will play a large role in Drought and Demand Management. Through improved leak detection, customers and Council staff will be able to act faster to find and fix the leaks, in turn saving precious water. Smart Water Meters will also improve Council's ability to monitor compliance with water restrictions in the future, if and when restrictions are again imposed.

The Smart Water Meter rollout begins in March in Manilla and Barraba, with installation continuing throughout the region until late 2023.

Seasonal Education Campaigns

As per the Environmental Sustainability Strategy Action Plan, seasonal education campaigns continue to be run. These can be both reactionary in nature, or an annual occurrence due to the nature of seasonal weather patterns.

National Water Week – Water Night 2022

Tamworth Regional Council once again sponsored The Water Conservancy's annual event, Water Night, which was held during National Water Week in November 2022.

The goal of last year's event was to raise awareness of the community's reliance on household water, in particular targeting Gen Z / Gen Y as research has found they have the lowest water literacy but are most likely to change their behaviour. In an effort to engage this age group locally, a presentation was made to the Youth Council encouraging the Councillors to sign up and encourage their peers to do the same.

The event happened to coincide with an extremely wet time for the region, with major rainfall leading to extensive flooding. It is considered this is the main reasons why engagement was relatively low.

While registrations were low, the number of people involved did double on the previous year with 27 households in the Tamworth LGA signing up to participate. Anecdotally there was also evidence that people participated without signing up.

YouTube proved an effective tool in reaching the target market of Gen Z / Gen Y which is beneficial to know for future media campaigns.

Overall, the event nationally saw a 40% increase in registrations for a total of 1,318, and a 26% increase in water literacy which are both positives. In the future, engagement with schools will take place earlier in the year to help fit in with school curriculums.

School and Community Education – Face-to-face engagement

School and Community water education face-to-face engagement continues to occur when enquiries are made by schools or community groups.

In the last six months, two school education sessions have been run in partnership with the Waste and Energy Sustainability Officers.

The engagement on these sessions was high, with 120 children engaged over the East and South Vacation Care in October 2022.

As the education took place in Spring, the water sustainability education focus was on the 'Let's Thrive' waterwise gardening campaign. Students learnt the basics of where their tap water comes from, the type of water users who rely on the same water supply – Chaffey Dam – and how we can all work together to be water efficient at all times, not just during times of drought.

The session had both stationery and interactive components, with students given the opportunity to get their hands dirty making clay native flower balls, and working in teams in a water conservation running race. The South Vacation Care students also tried their hand at creating a small garden bed using water wise gardening techniques.

Water Restriction Signage

Work has commenced on an update of the water restriction roadside signage to be installed at entry points in communities connected to a town water supply across the Tamworth LGA.

The Water Sustainability Officer is working with the Communications team to develop the concept for the signage.

Consultation with other Council areas who have recently updated signage has been undertaken and feedback from this process will be considered when developing the concept. At this time, it is expected the use of pictorials will feature in the new signs.

The roadside signage will aim to clearly demonstrate the water restriction level and key action that both residents and visitors need to take.

Councillors will be kept updated as the project progresses.

Water Saving Rebate Scheme

Despite a return to more usual rainfall patterns, it is pleasing to see residents continuing to apply for water saving rebates. In the past six months, 306 residential rebates have been approved at a one-off cost to Council of \$27,158.00. The estimated water savings of this number of rebates is calculated to save 1,533kL of water per year, demonstrated in **Table 4**.

Table 4: Water saving rebate scheme data 1 July 2022 – 31 December 2022.

Rebate type	Approved	Cost	Yearly total savings (kL)
Ceiling fan	13	\$700.00	
Low Flow or Sensor Tap*	1	\$28.33	11
Dual Flush Toilet *	3	\$402.27	117
Evaporative Air Conditioner Servicing and Maintenance	265	\$21,645.86	
Showerhead *	5	\$99.25	325
Swimming Pool Cover *	10	\$782.47	480
Large Rainwater Tank *	2	\$1000.00	600
Medium Rainwater Tank *	2	\$900.00	
Large Rainwater Tank (standalone)	2	\$1000.00	
Medium Rainwater Tank (standalone)	1	\$400.00	
Small Rainwater Tank (standalone)	2	\$200.00	
TOTAL (Number)	306		
TOTAL (\$)	\$27,158.18		
TOTAL SAVINGS (kL) *	1,533		

* Conservative estimated water savings calculated on these items only

50K Internal Water Saving Initiative

The internal water saving initiative continues to fund water saving projects in Council owned assets.

So far, this financial year, one project has been completed and is detailed in **Table 5**.

Table 5: Internal Water Saving initiative projects 2022 – 2023

Location	Project	Cost (Excl. GST)	Savings Per Annum
Tamworth Disability Hub	Installation of artificial turf	\$11,100.00	260kL
Total		\$11,100.00	260kL

A further two initiatives have been identified as potential projects to complete in the 2022/23 financial year. The projects are all in highly visible, or high-traffic locations, and will also aid in education programs by providing good examples of how water efficiency can be achieved day-to-day.

These projects will be assessed on the identified potable water supply savings, and works must be carried out by June 30, 2023.

Pilot – Climate change adaptation to increasing heat waves impacting the elderly

The Sustainability Team recently had the opportunity to take part in some important research being conducted by the University of Newcastle.

The research project is titled *Climate change adaptation to increasing heat waves impacting the elderly*. This component of the research targeted state and local government organisations, as well as private sector organisations associated with aged care activities.

An hour-long interview was conducted with the Sustainability Team. This involved sharing firsthand experience of stakeholder engagement, and the impacts of drought and heatwaves on the Tamworth LGA community.

One of the aims of the research is to develop effective educational material to assist with the preparedness of heatwave events, to assist in reducing their impact.

This research participation assists in meeting one of the Natural Environment Actions in the Environmental Sustainability Strategy 2022-2026.

(a) Policy Implications

These projects and activities are implemented from stated outcomes of Council's *Environmental Sustainability Strategy and Action Plan 2022 – 2026* and the *Drought and Demand Management Plans*.

(b) Financial Implications

Activities are funded from existing budget allocations.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 1 – Our Water Security

8.5 CSIRO WASTEWATER TREATMENT SYSTEM TRIAL OUTCOMES

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager - Water and Environmental Operations
Reference: Item 8.1 to Ordinary Council 17 November 2020 - Minute No 342/20

RECOMMENDATION

That in relation to the report “CSIRO Wastewater Treatment System Trial Outcomes”, Council receive and note the report.

SUMMARY

At its meeting of 17 November 2020, Council considered a report in relation to partnering with the CSIRO in an emerging wastewater treatment technology trial. The CSIRO are currently researching the potential of an integrated Forward Osmosis - Reverse Osmosis wastewater treatment process and approached Council to consider installing a pilot treatment plant at its Westdale Wastewater Treatment Plant. The CSIRO proposed to trial treatment of effluent produced at both the Westdale Wastewater Treatment Plant and also a local large trade waste discharger. Despite delays due to COVID restrictions, the trial is now complete and this report provides Council a summary of the outcomes of the trial.

COMMENTARY

At its meeting of 17 November 2020, Council considered a report in relation to partnering with the CSIRO in an emerging wastewater treatment technology trial. The CSIRO are currently researching the potential of an integrated Forward Osmosis (FO), Reverse Osmosis (RO) wastewater treatment process and approached Council in late 2020 to consider installing a pilot treatment plant at Council’s Westdale Wastewater Treatment Plant (WWTP). The trial proposed to treat up to 10,000 litres per day of effluent produced at both the WWTP and a local large trade waste discharger i.e., abattoir.

The CSIRO, in partnership with Beca HunterH2O, selected Tamworth Regional Council as a potential pilot treatment plant trial site to evaluate the CSIRO’s FO-RO combination wastewater treatment system because of the unique nature of the wastewater produced within Tamworth and also because of Council’s water sustainability ambitions, including the potential to increase water recycling. The CSIRO and Beca HunterH2O proposed that the pilot treatment plant be used to treat the following two wastewater streams:

- Westdale Wastewater Treatment Plant - Maturation Pond Effluent; and
- Industrial Wastewater Discharger (abattoir trade waste).

One of the main incentives to trial and potentially further develop FO-RO wastewater treatment technology is that it does not require pre-treatment unlike conventional RO processes. The elimination of pre-treatment offers particular potential advantages including:

- process simplification;
- substantial reduction in chemical storage and dosing requirements;
- substantial reduction in salt waste otherwise contributed to by those chemicals;
- substantial reduction in truck movements to and from site for chemical deliveries;
- elimination/reduction of recycle streams within the treatment process; and

- potential reduction in capital costs of building treatment infrastructure.

The potential disadvantage of the FO technology is that natural osmosis requires much higher membrane area, and therefore membrane cost, due to the lower flux rates achievable under ambient pressure conditions.

Given the potential interest in the project from NSW Government Agencies, Council requested funding from the NSW Government to assist with undertaking the trial. The estimated cost for Council to participate in the trial was \$140,000. After consideration of Council's funding request, the NSW Government contributed funding to the project in the amount of \$136,800.

The project installed the pilot treatment plant at the Westdale WWTP with wastewater delivered to site as required. Photographs of the treatment facility are provided below:



CSIRO Scientists and Engineers worked on site optimising the treatment process. The initial program for the project was to finalise a project report by mid-2021. The project was substantially delayed by COVID restrictions as the CSIRO Project Team was primarily based in Queensland and impacted by border closures during the pandemic.

Following the completion of work by the CSIRO, Beca HunterH2O assessed the CSIRO's trial report and provided a high-level technical and commercial assessment of the technology based on the results achieved during the trial. The Beca HunterH2O report provided the following conclusions regarding the FO-RO trial:

- the FO-RO treatment technology was demonstrated to be capable of accommodating two significantly different feedwaters without pre-treatment;
- FO-RO energy consumption at a pilot-scale evaluation was significantly higher than for the conventional RO treatment. This is largely explained by the higher pressure of operation and low recovery through individual RO stages for the high-salinity draw solution;
- for dirtier feedwaters, the removal of the pre-treatment stage results in capital cost and operating cost savings which considerably offset the higher capital cost of the FO circuit and the increase in power cost;

- a FO-RO system would be simpler to operate, in the absence of needing to vary pre-treatment chemical dosing for variable feedwaters;
- with the removal of pre-treatment stages, this also eliminates various ‘supernatant’ recycle streams which otherwise need to be accommodated in a conventional FO treatment process;
- product water recovery of the order of 90% is feasible with higher recoveries achieved for cleaner feedwater; and
- the final water produced had a total dissolved salt (TDS) content in the order of 10% of the feedwater TDS. This salt content was almost entirely due to the salt from the draw solution used in the FO process.

Capital and operating costs were assessed only at a concept level and so the confidence level of those estimates is low. The net present costs are of a similar magnitude when compared to conventional RO systems with pre-treatment. Further detailed evaluation is required to identify whether the FO-RO technology may offer cost advantages once all considerations are quantified.

Recommendations from the report include:

- The FO-RO process needs to be evaluated in a medium-term demonstration facility to gain a better understanding of average power consumption and FO membrane resilience and enduring permeability.
- Demonstration-scale evaluation at a throughput of at least 100 kilolitres per day would be recommended, and for a duration of at least three to five years.
- The initial evaluation suggests that further evaluation should be based on a dirtier feedwater which would require significant pre-treatment for a conventional RO process.
- Longer-term operation is required to provide a higher level of understanding of the following:
 - the power consumption;
 - the impact of higher FO loadings;
 - the salt consumption via the draw solution;
 - chemical types and consumptions used for process cleaning; and
 - management options for the combined solids-organics-saline waste stream.
- The FO-RO waste stream should be evaluated for odour characteristics and if required, stabilisation options.
- The FO-RO process should be evaluated on feedwater with elevated algae concentration.
- A thorough net present value assessment should assess the financial balance of increased membrane area to reduce power consumption.

On the basis of the recommendations above, FO-RO technology would not be suitable on a commercial scale at this time without further investment in larger scale trials. As a result, FO-RO would not be a suitable technology for consideration in projects at the moment.

(a) Policy Implications

Nil

(b) Financial Implications

The NSW Government contributed \$136,800 to the FO-RO trial. Council provided all chemical analysis required for the trial. All work was performed by Council's Environmental Laboratory. The approximate value of these services was \$100,000.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 1 – Our water security

8.6 DUNGOWAN DAM CATCHMENT – DUNGOWAN STARBUSH REPLANTING

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

RECOMMENDATION

That in relation to the report “Dungowan Dam Catchment – Dungowan Starbush Replanting”, Council receive and note the report.

SUMMARY

The Department of Planning and Environment – Biodiversity and Conservation Division, propose to re-establish a population of the critically endangered and locally extinct Dungowan Starbush on Council owned land upstream of the existing Dungowan Dam. The project aims to assist in creating viable wild populations of the plant species for future generations. The purpose of this report is to inform Council of the proposed program.

COMMENTARY

Asterolasia beckersii, Dungowan Starbush was initially discovered in the Dungowan Dam Catchment in the mid 1990's. The Dungowan Starbush is a shrub approximately 1.5 to 3.5 metres high. The plant produces small white flowers at the base of the leaf stems in spring. A photograph illustrating the Dungowan Starbush is provided below:



The plant species is currently only known to have one viable population in Tuggolo State Forest (see map of location below) with small plant populations previously identified at Back River Nature Reserve and upstream of Dungowan Dam.



Recent environmental stresses from drought and direct impacts from the 2019/2020 bushfires have led to possible local extinction of these populations as post-fire surveys have not located individuals over the past two years despite above-average rainfall.

The Department of Planning and Environment – Biodiversity and Conservation Division (DPE), has included the Dungowan Starbush in its 'Saving our Species Strategy' which aims to undertake site-based management of the species in order to secure it from extinction in NSW for the next 100 years.

Council has provided access for NSW Government Agencies to undertake site inspections and studies in relation to the Dungowan Starbush since the species was identified in the mid 1990's. DPE have recently been successful in propagating the species from cuttings and are proposing a translocation program to reintroduce the Dungowan Starbush to the natural environment including the Dungowan Dam Catchment.

DPE are proposing translocation of the Dungowan Starbush at Dungowan Dam in three locations located south (upstream) of the existing dam. The proposed locations have previously had the Dungowan Starbush identified and being upstream of the existing Dungowan Dam should not impact any works planned for the new Dungowan Dam, should it proceed. The translocation of plants is planned for March/April 2023 and 2024 due to suitable conditions at this time of year. DPE are proposing translocating up to 400 plants in total during the program.

The project is fully funded by the DPE, however DPE is requesting Council staff assistance to have access to the site to allow the planting program to proceed. Council staff will be required to perform site safety inductions and ensure safe access to DPE and any contractors undertaking work.

(a) Policy Implications

Nil

(b) Financial Implications

Nil. Requested assistance by DPE can be incorporated in existing Dungowan Dam Catchment operation and monitoring performed by Council staff.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 6 – Working with and protecting our environment

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 PLACE MANAGEMENT AND SECTION 355 COMMITTEE ACTIVITIES

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Kay Burnes, Team Leader - Place Management
Jodie Archer, Community Working Group Officer

1 ANNEXURES ATTACHED

Recommendation

That in relation to the report “Place Management and Section 355 Committee Activities”, Council:

(i) *receive and note the Minutes of the following Committees:*

<i>Barraba Showground Management Committee</i>	<i>13 October 2022</i>
<i>Barraba Showground Management Committee</i>	<i>7 December 2022</i>
<i>Nundle Common Trust</i>	<i>5 December 2022</i>
<i>Tamworth Regional Film and Sound Archive Committee</i>	<i>6 December 2022</i>
<i>Victoria Park Coordination Committee</i>	<i>20 October 2022;</i>

(ii) *adopt the recommendation of the Barraba Sportsground Committee’s Annual General Meeting held 23 June 2022, to appoint Sinclair Hughson as Chairperson; and*

(iii) *appoint Jennifer Porter, Helen Lesley, Di Hall, Ken Hall, Mal McPherson, Hamish Slade, Narelle Burke, Ian Hobbs, Eddie Whitham, Shalini Veer, Councillor Brooke Southwell and Councillor Judy Coates to the Tamworth Australia Day Working Group.*

SUMMARY

The purpose of this report is to:

- present the Minutes of a number of Section 355 Committee meetings and consider the items for adoption, as recommended by the Committees;
- note the key outcomes, achievements and requests from the Minutes received; and
- inform Council of the notable outcomes of Place Management activities in the community.

COMMENTARY

Tamworth Regional Council’s Section 355 Committees each have delegated functions which may include the management of a facility, the coordination of an event or an advisory function to submit recommendations and advice to Council in regard to a specific community facility.

Council has received five sets of Minutes requiring items for adoption, from Section 355 Committees in the calendar year to date. The Meeting Minutes are **ATTACHED**, refer **ANNEXURE 1**, for Council’s information.

It should be noted that not all Section 355 Committees have returned to meetings post the Covid pandemic. Three committees have met recently for the first time since before the

Covid pandemic began, which is a positive move to a return to more proactive committees. Council awaits the receipt of these Committee meeting minutes.

Council will also note that there is a wide range in both the dates and numbers of meetings held by individual committees. In this respect it was considered appropriate to await receipt of a reasonable number of meeting minutes prior to collating these to justify presentation of this report.

Notable committee outcomes, achievements and items included in the Minutes are:

- Barraba Sportsground Committee – it was noted in the previously presented Annual General Meeting minutes that Dave Penna was elected as Chairperson, however Sinclair Hughson was elected. This was an unfortunate error in interpretation. It was also noted that Mr Penna's surname was spelt incorrectly in the meeting minutes.

Council staff are investigating the Committee's request to widen the main entry gate.

- Tamworth Regional Film and Sound Archives Committee – three matters raised as potential risks to members wellbeing were investigated and addressed accordingly.
- Council, at its Ordinary Meeting held on 8 November 2022, approved a call for nominations from the Tamworth community to be a part of the Tamworth Australia Day Working Group to provide input to the annual event delivery and review of the Australia Day Award Nominations. Nominations for the Tamworth Australia Day Working Group were received from ten (10) Community members, namely Jennifer Porter, Helen Lesley, Di Hall, Ken Hall, Mal McPherson, Hamish Slade, Narelle Burke, Ian Hobbs, Eddie Whitham and Shalini Veer. Councillor Brooke Southwell and Councillor Judy Coates will represent Council on the Tamworth Australia Day Working Group.

(a) Policy Implications

It is a policy decision of Council to maintain Section 355 Committees and practices having regard to Council's community governance structure and Section 355 of the *Local Government Act 1993*.

(b) Financial Implications

Section 355 Committee and Place Management activities and budgets are maintained under the Liveable Communities Directorate budget.

(c) Legal Implications

Section 355 of the *Local Government Act 1993*, enables the Council to appoint a Committee, to exercise a function on its behalf by way of a Committee of Council. This is used in conjunction with Section 377 of the *Local Government Act 1993*, to formally delegate a function to the appointed Committee.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership.

9.2 2022/2023 FACILITY IMPROVEMENT FUND PROGRAM

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Kay Burnes, Team Leader - Place Management
Jodie Archer, Community Working Group Officer

1 ANNEXURES ATTACHED

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “2022/2023 Facility Improvement Fund Program”, Council approve the following funding allocation to the total of \$31,647.00:

- *Bendemeer Town Hall Committee*
Secure storage cupboards *\$910.00*
- *Dungowan Hall Trust Committee*
Undercover BBQ area with concrete floor *\$8,500.00*
- *Kootingal Recreational Reserve Committee*
Kootingal multi-purpose basketball court re-surface *\$10,000.00*
- *Piallamore Recreation Reserve Committee*
Tank relocation and Memorial Garden *\$10,000.00*
- *Weabonga Hall and Recreation Reserve Local Committee*
Weabonga Recreation Reserve Shed access and pathway *\$2,237.00*

SUMMARY

The purpose of this report is to seek Council’s determination of funding allocations to the Section 355 Management Committees under the 2022/2023 Facility Improvement Fund Program.

COMMENTARY

This program is an opportunity for Section 355 Committees to enhance community facilities under their control, by applying for matching funding and/or in-kind contributions from Council for each capital project. The project guidelines are **ATTACHED**, refer **ANNEXURE 1**.

Council has allocated \$50,000.00 to the 2022/2023 Facility Improvement Fund project.

Five applications were received in round one of the program, totalling \$31,647.00. All five applications were supported by the Project Assessment Team. A copy of the applications received is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

The unallocated funds of \$18,353.00 will be made available in a second round of the 2022/2023 Facility Improvement Fund Program, which will be launched in March 2023. Noting the return of additional active Section 355 Committees since the launch of round one (which is a very positive development), it is anticipated that a number of applications will be forthcoming during this second round. Council’s Place Management Team will work with Section 355 Committees to align eligible projects listed in individual Committee Strategic Plans to ensure relevant applications are pursued.

(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 determining the distribution of funds following submissions from Section 355 Committees.

(b) Financial Implications

Funding is allocated in the Annual Operational Plan for the 2022/2023 Facility Improvement Fund Program.

(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

Focus Area 7 – Celebrate our cultures and heritage.

9.3 2022/2023 QUARTERLY BUDGET REVIEW STATEMENTS TO 31 DECEMBER 2022

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services
Michael Gould, Management Accountant

Reference: Item 9.2 to Ordinary Council 28 June 2022 - Minute No 191/22
2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "2022/2023 Quarterly Budget Review Statements to 31 December 2022" Council receive and note the report and related statements.

SUMMARY

The purpose of this report is to present to Council the Quarterly Budget Review Statements for Tamworth Regional Council for the period ended 31 December 2022, in accordance with Clause 203 of the *Local Government (General) Regulation 2021*.

A financial summary has also been provided for the Tamworth Global Gateway Park **ATTACHED**, refer **ANNEXURE 2** in accordance with the financial reporting requirements documented in Section 4.2.2 of the Business Case Study.

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 2022/2023 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.

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.

Note information between tables and annexures may differ due to elimination of internal transactions.

General Fund

a. Summary of budget variations year to date

Budget Results	Original Budget	Previous Quarters	December Qtr. Review	Projected Result
Operating Income	(103,720,505)	(7,493,312)	(1,623,899)	(112,837,716)
Operating Expenses	106,810,390	7,435,191	6,412,726	120,658,307
Operating Result before Capital: (Surplus)/Deficit	3,089,885	(58,121)	4,788,827	7,820,591
Capital Income	(26,063,995)	(15,119,296)	2,965,370	(38,217,921)
Operating Result: Surplus)/Deficit	(22,974,110)	(15,177,417)	7,754,197	(30,397,330)
Non Cash Adjustments: Depreciation/Leave Accruals	(27,004,948)	(1,457)	(3,999,486)	(31,005,891)
<i>Non-Operating Cash Adj.</i>				
Loans raised to fund Capital Expenditure	(22,700,000)	0	22,700,000	0
Proposed Land Sales	(4,871,768)	17,939	0	(4,853,829)

Budget Results	Original Budget	Previous Quarters	December Qtr. Review	Projected Result
Leave Paid on Termination	561,000	0	0	561,000
Loan Principal Repayments	8,060,734	0	0	8,060,734
Capital Expenses	83,402,803	34,445,106	(25,264,725)	92,583,184
Net Cash Result: (Surplus)/Deficit	14,473,711	19,284,171	1,189,986	34,947,868
Breakup of Cash Result				
Current Cash: (Surplus)/Deficit:	202,803	2,799,789	258,396	3,260,988
Unexpended Grants: (Surplus)/Deficit	1,011,374	8,837,882	(893,878)	8,955,378
Reserves: (Surplus)/Deficit	20,794,588	3,997,336	(3,580,180)	21,211,744
Developer Contributions: (Surplus)/Deficit	(1,735,054)	591,180	(394,352)	(1,538,226)
Unexpended Loans: (Surplus)/Deficit	(5,800,000)	3,057,984	5,800,000	3,057,984
Net Cash Result	14,473,711	19,284,171	1,189,986	34,947,868

b. Key Financial Results

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. The projected balance for 30/6/2023 at the end of the second quarter exceeds the minimum balance.

c. Recurrent Results

	Opening Balance 1/7/22	Less Projected Cash Reduction	Projected Balance 30/6/23	Minimum Balance
Current Cash	10,182,125	3,260,988	6,921,137	6,000,000

	Operating Cash Result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
General Activities	(18,104,181)	23,288,544	5,184,363	4,800,666
Fleet Operations	(4,331,163)	2,553,599	(1,777,564)	0
Airport Operations	(1,319,531)	3,227,092	1,907,561	181,714
Waste Services	(4,749,477)	2,037,568	(2,711,909)	0
Pilot Training Facility	803,849	1,076	804,925	388,653

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).

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. It is good to see airport operations returning to normal though there will be the need to gradually build airport cash reserves up to pre covid levels.

There is no depreciation or leave accruals for the Pilot Training Facility as the facility for now does not have any full-time employees assigned to it, whilst depreciation is zero as the facility is classified as an investment property. Instead of being depreciated, investment properties are valued each financial year and the value adjusted accordingly to meet accounting standard requirements.

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

The Operating Result Ratio in the Key Performance Indicators in **ANNEXURE 1** is forecasting that this ratio for the current financial year based on budget estimates is Negative 7%; the same estimate at the end of the first quarter was Negative 3%. This ratio, if higher than zero, reflects Council's ability to contain operating expenditure at a level less than operating income. The ratio isn't foolproof as it does include the non-cash expense of depreciation, whilst simultaneously excluding capital income which is often utilised to renew or replace assets which can have a flow on effect to depreciation. Despite the intricacies of this ratio, it is a useful litmus test to track how Council is tracking financially and how it is placed to put away savings for future asset maintenance.

On the surface Council's investment report is showing Council has significant funds in the bank, but Council has a legal responsibility to ensure that monies are spent for the purpose for which funds were received. In other words, water fund money can only be spent on water, grants can only be spent on the projects for which grants were received.

Budget preparations and long-term financial planning have commenced for next financial year. With operating ratios in the negative territory and consistently trending downwards since 2021, there is pressure to ensure Council is financially sustainable in the long term. In other words, Council needs to target:

- A return to surplus operating position
- Adequate cash reserves
- Funded capital programs
- Adequately funded assets plans
- Having adequate resources to meet ongoing compliance obligations.

The above means securing more funds or doing less (or a combination of the two). Whilst capital grants are provided to Local Government to fund capital programs and maintain assets, they are extremely variable and cannot be relied upon with certainty to be available to renew or replace assets as and when required. More reliable funding sources need to be considered.

Water Fund

a. Summary of budget variations year to date:

Budget Results	Original Budget	Previous Quarters	December Qtr Review	Projected Result
Operating Income	(21,641,410)	(726,759)	(39,593)	(22,407,762)
Operating Expenses	23,368,411	890,067	238,957	24,497,435
Operating Result before Capital: (Surplus)/Deficit	1,727,001	163,308	199,364	2,089,673
Capital Income	(1,828,047)	(706,208)	(459,972)	(2,994,227)
Operating Result: (Surplus)/Deficit	(101,046)	(542,900)	(260,608)	(904,554)
Non Cash Adjustments: Depreciation/Leave Accruals	(5,849,028)	0	(81,317)	(5,930,345)
<i>Non-Operating Cash Adj.</i>				
Loans raised to fund Capital Expenditure	0	0	0	0
Proposed Land Sales	0	0	0	0
Leave Paid on Termination	0	0	0	0
Loan Principal Repayments	1,640,632	0	0	1,640,632
Capital Expenses	22,087,379	10,810,811	(7,189,430)	25,708,760

Budget Results	Original Budget	Previous Quarters	December Qtr Review	Projected Result
Net Cash Result: (Surplus)/Deficit	17,777,937	10,267,911	(7,531,355)	20,514,493
Breakup of Cash Result				
Current Cash: (Surplus)/Deficit:	368,657	(46,824)	51,675	373,508
Unexpended Grants: (Surplus)/Deficit	0	313,992	0	313,992
Reserves: (Surplus)/Deficit	3,745,401	6,902,604	(2,982,088)	7,665,917
Developer Contributions: (Surplus)/Deficit	7,663,879	2,664,631	(2,517,434)	7811,076
Unexpended Loans: (Surplus)/Deficit	6,000,000	433,508	(2,083,508)	4,350,000
Net Cash Result	17,777,937	10,267,911	(7,531,355)	20,514,493

b. Key Financial Results

	Opening Balance 1/7/22	Less Projected Reduction	Projected Balance 30/6/23	Minimum Balance
Current Cash	2,097,237	373,508	1,723,729	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. The projected balance for 30/6/2023 at the end of the second quarter is below the optimum minimum balance.

c. Recurrent Results

	Operating cash result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(5,509,585)	5,930,345	420,760	1,640,632

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 overall financial position of the water fund remains sound. It will be necessary in the third quarter of the current financial year to adjust anticipated income for residential water consumption downwards due to sustained rainfall across the region resulting in reduced water usage. Industrial water usage is more consistent with budget forecasts. Over \$7M of capital works have been deferred with \$4m of this being rescheduled to the 23/24 financial year.

The need for water fund to maintain discretionary cash reserves that will allow it to function during extreme weather conditions for a number of years is once again highlighted.

Sewer Fund

a. Summary of budget variations year to date:

Budget Results	Original Budget	Previous Quarters	December Qtr. Review	Projected Result
Operating Income	(26,184,854)	(889,481)	(39,593)	(27,113,928)
Operating Expenses	17,735,899	779,691	1,137	18,516,727
Operating Result before Capital: (Surplus)/Deficit	(8,448,955)	(109,790)	(38,456)	(8,597,201)
Capital Income	(943,000)	(320,000)	(312,837)	(1,575,837)
Operating Result: (Surplus)/Deficit	(9,391,955)	(429,790)	(351,293)	(10,173,038)
Non Cash Adjustments: Depreciation/Leave Accruals	(5,885,053)	0	32,176	(5,852,877)
<i>Non-Operating Cash Adj.</i>				
Loans raised to fund Capital Expenditure	0	0	0	0
Proposed Land Sales	0	0	0	0
Leave Paid on Termination	0	0	0	0
Loan Principal Repayments	(236,360)	0	0	(236,360)
Capital Expenses	22,897,000	8,284,565	(16,392,098)	14,789,467

Budget Results	Original Budget	Previous Quarters	December Qtr. Review	Projected Result
Net Cash Result: (Surplus)/Deficit	7,383,632	7,854,775	(16,711,215)	(1,472,808)
Breakup of Cash Result				
Current Cash: (Surplus)/Deficit	(470,368)	(342,660)	29,099	(783,929)
Unexpended Grants: (Surplus)/Deficit	0	0	0	0
Reserves: (Surplus)/Deficit	725,817	5,982,988	(8,433,800)	(1,724,995)
Developer Contributions: (Surplus)/Deficit	5,464,500	2,214,447	(6,792,831)	886,116
Unexpended Loans: (Surplus)/Deficit	1,663,683	0	(1,513,683)	150,000
Net Cash Result	7,383,632	7,854,775	(16,711,215)	(1,472,808)

b. Key Financial Results

	Opening Balance 1/7/22	Plus Projected Cash Increase	Projected Balance 30/6/23	Minimum Balance
Current Cash	2,226,029	783,929	3,009,958	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. The projected balance at 30/6/2023 at the end of the second quarter exceeds the minimum balance.

c. Recurrent Results

	Operating Cash Result (Surplus)/Deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(15,200,222)	5,852,877	(9,347,345)	2,963,640

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.

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

The Recurrent Results table shows that the Sewer Fund is well able to meet its financial commitments as they fall due. The financial position of Council’s sewer fund is sound and there were minimal adjustments to the sewer budget during the quarter.

(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 2022/2023 Budget. The variances recorded for the different funds will have implications for the Long-Term Financial Plan and the 2023/2024 budget. Further review of the variances will be presented in the third quarter budget review following a review of the currently schedule capital expenditure budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership.

9.4 COUNCIL INVESTMENTS DECEMBER 2022 AND JANUARY 2023

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tiffany Pugh, Rates Accountant

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Council Investments December 2022 and January 2023”, Council receive and note the report.

SUMMARY

The purpose of this report is to provide an overview of Council Investments for the months of December 2022 and January 2023.

COMMENTARY

The Reserve Bank once again increased interest rates after the January break by 25 basis points. The Reserve Bank February media release reports the catalyst for the rate increase as being continued high inflation figures. Inflation for Australia for the December quarter

came in at 7.8% the highest it has been since 1990. It is interesting to note that the Reserve Bank attributes global factors to the high inflation but it must feel that domestic spending is contributing sufficient to the increased inflation to justify the rate increase. The Reserve Bank Boards priority is to return inflation to target levels of between 2 – 3% and expects that further increases in interest rates will be needed.

Continued increases in interest rates will provide better returns on Council investments for new term deposits however there is still some concern that the downturn in the Australian and Global economies could result in a recession. Staff are looking to counteract this by seeking out longer term deposits with fixed rates of return in order to provide some immunity to this downturn should it happen.

In accordance with Section 212 of the *Local Government (General) Regulation 2021*, the details of all money invested by Council as at 31 December 2022 and January 2023 are **ATTACHED**, refer **ANNEXURE 1** and **ANNEXURE 2** respectively.

The following table provides a summary of the types of investments held and the institution they are held with as at 31 January 2023:

Institution	Cash at Bank	Financial Assets	Total	% Total
NAB	0.00	15,000,000.00	15,000,000.00	8.77%
BOQ	0.00	17,000,000.00	17,000,000.00	9.94%
CBA	0.00	75,000,000.00	75,000,000.00	43.85%
Westpac	16,035,787.78	40,000,000.00	56,035,787.78	32.76%
ANZ	0.00	4,000,000.00	4,000,000.00	2.34%
CUA	0.00	4,000,000.00	4,000,000.00	2.34%
TOTAL	16,035,787.78	155,000,000.00	171,035,787.78	100%

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	6,762,125	3.95%
General	Internally Restricted	17,358,727	10.15%
General	Externally Restricted	30,686,441	17.94%
	General Fund Total	54,807,293	32.04%

Water	Unrestricted	2,097,237	1.23%
Water	Internally Restricted	21,873,921	12.79%
Water	Externally Restricted	29,924,897	17.50%
	Water Fund Total	53,896,055	31.52%
Sewer	Unrestricted	2,226,029	1.30%
Sewer	Internally Restricted	43,325,011	25.33%
Sewer	Externally Restricted	16,781,400	9.81%
	Sewer Fund Total	62,332,440	36.44%
	Total Investments	171,035,788	100.00%

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

Increases in the cash rate should, if passed on by financial institutions, result in an increase in interest income.

(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

Focus Area 9 – Open and collaborative leadership.

9.5 ANNUAL OPERATIONAL PLAN 2022/2023 BUDGET VARIATION REPORT - DECEMBER 2022, JANUARY 2023

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services

Reference: Item 9.2 to Ordinary Council 28 June 2022 - Minute No 191/22
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2022/2023 Budget Variation Report - December 2022, January 2023”, Council note and approve the variations to the existing budget as listed in ANNEXURE 1 attached to the report.

SUMMARY

This report seeks Council approval for budget variations identified during the months of December 2022 and January 2023, for which there has been no previous specific report or approval.

COMMENTARY

Council adopted the original budget included in the Annual Operational Plan for 2022/2023 at the Ordinary Meeting of Council held 28 June, 2022. 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 to 31 December 2022 provide additional revised information for budget forecasts and actual year-to-date results.

There were a considerable number of budget adjustments processed in December 2022 and January 2023; the most significant being the deferral of the Organics Recycling Facility and recognition of increased costs incurred in the construction of the Country Road Roundabout. The Organics Recycling Facility has been removed from this year’s budget after tenders received were all in excess of the amount Council had budgeted for the construction.

Increased costs were incurred to the value of \$2.4M in the construction of the Country Road Roundabout after excessive wet weather caused delays of approximately 180 construction

days. Each significant rain event required construction teams to undertake additional work to minimise damage and maintain safe passage for traffic as well as repair and make good any damage prior to recommencement of normal operations. Excessive rainfall also weakened the predominantly natural clay ground and rendered it “unsuitable subgrade” and it had to be removed and replaced with more competent material. This project overrun (\$2.4M) will be funded from the Civil Construction Reserve, which was specifically created to manage surpluses and deficits from construction works undertaken externally (e.g. for TfNSW). To date, including this deficit, the reserve has been operating significantly ‘in the black’ over the last 10 years.

Variations identified December 2022 and January 2023

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Economic Destination and Development	64,060	14,060	50,000	0	0
Entertainment Venues	(26,768)	(227,014)	130,305	(187,508)	257,449
Events	0	(30,000)	30,000	0	0
Business Systems and Solutions	(300,003)	(30,973)	44,100	0	(313,130)
Growth & Prosperity	40,081	0	14,149	0	25,932
Airport	1,572	0	1,572	0	0
Pilot Training Facility	(232,803)	(296,230)	60,876	(4,698)	7,249
AELEC	(42,564)	0	(7,784)	0	(34,780)
Financial Services	8,182	0	8,182	0	0
People & Culture	50,000	0	50,000	0	0
Legal	3,644	0	0	0	3,644
Strategy & Performance	220,000	0	220,000	0	0
General Purpose Income	(31,337)	(31,337)	0	0	0
Central Northern Regional Libraries	29,047	(1,453)	30,500	0	0

Cultural Services	(181,288)	(45,660)	45,660	0	(181,288)
Compliance	12,212	0	12,212	0	0
Liveable Communities	(30,038)	(10,650)	10,650	(12,067)	(17,971)
Development Engineering	64,000	64,000	0	0	0
Development	(64,970)	(125,436)	60,466	0	0
Integrated Planning	(722,245)	(147,000)	147,000	(722,245)	0
Plant, Fleet & Buildings	(2,646,661)	(3,852)	149,110	0	(2,791,919)
Sports & Recreation	(17,883)	(22,388)	4,505	(1,546,242)	1,546,242
Strategy Assets & Design	(4,868)	(4,868)	0	0	0
Infrastructure & Projects	1,626,828	(2,032,792)	3,348,413	5,045,070	(4,733,863)
Waste Management	(22,523,928)	(211,653)	(607,415)	1,500,000	(23,204,860)
Water & Wastewater	(23,469,293)	(24,090)	119,782	(183,700)	(23,381,285)
Laboratory	(44,277)	0	0	0	(44,277)
Depreciation	4,177,233	0	4,177,233	0	0
TOTAL	(44,042,067)	(3,167,336)	8,099,516	3,888,610	(52,862,857)

(a) Policy Implications

Nil

(b) Financial Implications

The variations included in the report have the following impact on forecast results for 2022/2023 by fund of:

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(3,143,246)	7,930,593	4,072,310	(29,481,572)
Water	(12,045)	161,462	0	(7,228,187)
Sewer	(12,045)	7,461	(183,700)	(16,153,098)
Total	(3,167,336)	8,099,516	3,888,610	(52,862,857)

(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

Focus Area 9 – Open and Collaborative Leadership.

9.6 DESTINATION AND VISITOR ECONOMY CONFERENCE 2023

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

RECOMMENDATION

That in relation to the report “Destination and Visitor Economy Conference 2023”, Council authorise Councillor Helen Tickle to attend the Destination and Visitor Economy Conference to be held 29 to 31 May 2023

SUMMARY

Council received notification in February 2023, of the Destination and Visitor Economy Conference to be held 29 to 31 May 2023 in Manly.

The purpose of this report is to authorise the attendance of Councillor Helen Tickle, who expressed her interest in attending the Summit.

COMMENTARY

The Destination and Visitor Economy Conference (the Conference) will be held over three days from Monday, 29 May 2023 to Wednesday, 31 May 2023, at the Manly Pacific Hotel, Manly.

This event has been advertised as an opportunity for local government staff, councillors and key industry stakeholders to discuss the key insights and the ever changing world facing the visitor economy.

The conference will include several high profile speakers from the visitor economy industry as well as five guided site visits where delegates can learn from real life successes and challenges in the industry.

(a) Policy Implications

Nil

(b) Financial Implications

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

Costs associated with the attendance of Tamworth Regional Council staff at the Conference will be funded from their respective budgets.

(c) Legal Implications

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

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus area 9 - Open and Collaborative Leadership.

T5 - Build strategic partnerships and advocate to other levels of government to ensure our community needs are met and concerns heard.

9.7 AUDIT, RISK AND IMPROVEMENT COMMITTEE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Karen Litchfield, Internal Auditor

3 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report "Audit, Risk and Improvement Committee", Council:

- (i) receive and note the Minutes of the meeting held 6 February 2023;*
 - (ii) accept the Annual Report presented by the Audit, Risk and Improvement Committee;*
 - (iii) approve the Terms of Reference for the Audit, Risk and Improvement Committee to replace the Audit, Risk and Improvement Committee Charter; and*
 - (iv) rescind and remove the 'Payment to Independent Members of the Audit, Risk and Improvement Committee' Policy from the General Policy Register.*
-

SUMMARY

The purpose of this report is to present to Council the Minutes of the Audit, Risk and Improvement Committee meeting held Monday 6 February 2023, including the Annual Report from the Audit, Risk and Improvement Committee and New Terms of Reference.

COMMENTARY

The quarterly meeting of the Audit, Risk and Improvement Committee was held on Monday 6 February 2023. The Minutes of the meeting are **ENCLOSED**, refer **ENCLOSURE 1**.

As part of the Audit, Risk and Improvement Committee Charter, the Committee must report annually to Council detailing the Committee's composition, responsibilities and how they were discharged, and any other information required by law, including non-audit services. The Annual Report for 2022, is **ENCLOSED**, refer **ENCLOSURE 2**.

The revised Guidelines for *Risk Management and Internal Audit for Local Government in NSW* was released in December 2022. All Councils will need to comply with the Guidelines by 30 June 2024 or earlier if possible. The Guidelines require all Councils to establish an Audit, Risk and Improvement Committee and the Committee is to operate under a Terms of Reference to provide guidance on the Committee's role and to ensure clarity between Council and the Audit, Risk and Improvement Committee. A model Terms of Reference was provided in the Guidelines which must be approved by a resolution of Council. The Terms of Reference are to be reviewed annually by the Audit, Risk and Improvement Committee and once each Council term by Council.

The Terms of Reference are **ENCLOSED**, refer **ENCLOSURE 3**, and is consistent with the model Terms of Reference. The Terms of Reference will replace the current Audit, Risk and Improvement Committee Charter. The remuneration provisions for the Audit, Risk and Improvement Committee are now included in the Terms of Reference and therefore the "Payments to the Audit, Risk and Improvement Committee" Policy that is currently in the General Policy Register will be redundant and must be removed.

(a) Policy Implications

Nil

(b) Financial Implications

Costs associated with the Internal Audit function are included in the 2022/2023 Annual Operational Plan.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Group 9 - Open and collaborative leadership.

9.8 ACQUISITION OF PROPERTY FROM SALE OF LAND FOR UNPAID RATES AND CHARGES

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Seon Millsted, Revenue Accountant

RECOMMENDATION

That in relation to the report “Acquisition of Property from Sale of Land for Unpaid Rates and Charges”, Council:

- (i) authorise the purchase of any land where no bid has been made; and*
- (ii) authorise the affixing of the Seal of Council to the Contract for the Sale of Land, the Transfer and all associated land transfer documents.*

SUMMARY

The purpose of this report is to obtain Council approval for proposed acquisition of land(s) as part of the Sale of Land for Unpaid Rates and Charges process.

COMMENTARY

Council levies various rates, annual and usage charges on chargeable properties under Chapter 15 of the *Local Government Act 1993* (the Act), by way of annual notices and periodic usage bills. These levies, if not paid by due date, become debts attached to the property and can be recovered by normal legal processes; if unpaid these debts must be settled when ownership is transferred, from sale proceeds. Sections 713 to 726 of the Act provide for the sale of property by Council for the recovery of outstanding rates and charges where any rate or charge has remained unpaid for more than five years from the date on which it became payable.

The auction dates for the sale of land for unpaid rates and charges are scheduled for 1st and 9th March 2023. Where a property does not receive an auction bid, in an effort to reduce Council’s outstanding rates and charges, it is recommended that Council acquire these property(s) for the total amount of the outstanding rates and charges. This will mean that Council will avoid future administrative costs that would be incurred from having to incorporate the property in any future sale of land for unpaid rates. Council would be able to market these properties where practical to do so.

(a) Policy Implications

Nil

(b) Financial Implications

Nil – purchase price would not exceed the arrears levied on land fitting the recommendation criteria.

(c) Legal Implications

The Contract for the Sale of the Land and the Transfer document and all associated land exchange documents will require the affixing of the Seal of Council.

The *Local Government (General) Regulation 2021*, section 400(4), requires that the Seal of Council must not be affixed to a document unless the document relates to the business of the Council, and the Council has resolved (by resolution specifically referring to the document) that the Seal be so affixed.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

T.01 Conduct the business of Council with transparency and accountability.

10 COMMUNITY SERVICES

10.1 NSW COUNTRY RUGBY UNION CHAMPIONSHIPS

DIRECTORATE: GROWTH AND PROSPERITY

AUTHOR: Linda Bridges, Coordinator Visitor Economy

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “NSW Country Rugby Union Championships”, Council:

- (i) provide funding to support the event in 2023 and 2024; and*
- (ii) support an option for funding in 2025.*

SUMMARY

The NSW Country Rugby Union Championships (the Championships) will be held at Scully Park Regional Sporting Precinct in June 2023 and will run over two days. Organisers have made a request to Tamworth Regional Council (Council) for funding to support the 2023, 2024 events and proposed an option for Council to support the 2025 event, **ATTACHED** refer, **ANNEXURE 1**.

COMMENTARY

The Championships have a long and vibrant history in which nine country rugby zones bring representative teams to compete for relevant tier of titles.

The NSW Country Rugby Union (CRU) Championships zones consist of on average 25 teams which include; Far North Coast, Mid North Coast, New England, Central North, Central West, Illawarra, Newcastle Hunter, Western Plains and the Central Coast. The championships are estimating to bring more than 850 players, coaches, team managers, referees and zone administrators to the region. In addition, it is estimated that over 1000 supporters will travel to Tamworth to support the championships.

ECONOMIC IMPACT

The proposed NSW CRU Championships event is planned to commence on June 1st, 2023 and to run for 2.3 days. It is an event of State significance and is estimated to attract 1877 visitors per day over the 2.3 days, with an average spend per person per day of \$156. This equals a total visitor spend of \$673,468 attributed to this event.

Event Impact Summary

Tamworth Regional Council - Modelling the effect of \$673,468 from a Sports and Recreation Activities event with State significance

	Output (\$)	Value-added (\$)	Local Jobs (annual jobs)
Direct impact	538,774	240,464	4.8
Industrial impact	283,359	120,871	1.1
Consumption impact	205,111	86,513	0.9
Total impact on Tamworth Regional Council economy	1,027,244	447,848	7

Source: National Institute of Economic and Industry Research (NIEIR) ©2021. Compiled and presented in economy.id by .id (informed decisions).

Figure 1 – Event Impact Summary

The economic profile, including event summary impact utilised by Council regarding events is sourced via profile.id NEIR. NSW Country Rugby Union has advised it has utilised source data from Destination NSW. In comparison, NEIR data suggests an average regional nightly spend of \$156 per person, in comparison to Destination NSW data average nightly spend of \$262 per person. As Council utilises as its foundation source data from NEIR when considering funding requests, this source data has been utilised to ascertain an appropriate economic return.

RECOMMENDATION

NSW Country Rugby Union have requested sponsorship of \$30,000. Based on the economic return it is recommended that Council provide sponsorship of \$16,500, based on a 10% increase of funding provided in 2021 and 2022 and in accordance with the economic return from previous events.

(a) Policy Implications

Nil

(b) Financial Implications

The cost to fund the 2023 event is estimated at \$16,500 and will be funded by Growth and Prosperity's Event reserve budget.

Revenue funding for the event in 2024 will be supplied through the establishment of a budget line item within Growth and Prosperity's Economic Division.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 2 – A liveable built environment

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.

**T081/2023
REHABILITATION**

CARTHAGE

STREET

TRUNK

WATER

MAIN

**DIRECTORATE:
AUTHOR:**

WATER AND WASTE

Daniel Coe, Manager - Water and Environmental Operations

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

As part of its water supply network, Council operates and maintains a 375mm diameter water main located in Carthage Street, East Tamworth between Kitchener and Darling Streets. The water main is a critical component of the Tamworth water distribution system and forms part of the water transfer network between the Calala Water Treatment Plant and water supply area of Oxley Vale, East Tamworth, Hills Plains, Nemingha and Moonbi/Kootingal. The water main was installed circa 1930 and originally had the dual function of acting as a trunk water main i.e. transferring water between water reservoirs and a reticulation main i.e. having customer water services connected. In 2020/2021, Council Construction Teams completed the construction of 1200 metre section of 150mm diameter water main in Carthage Street to remove all customer water connections from the 375mm diameter water main. This work was undertaken to meet Council's engineering standards which generally do not allow customer water services to be installed on trunk water mains. In addition, the removal of customer connections from the trunk water main allows Council greater options in terms of renewing the asset as it can be isolated from service during low water demand periods without customer impacts.

The 375mm water main is reaching the end of its asset life and has had a recent history of failures which have resulted in significant repair costs for Council. In addition to the required water main asset renewal, the road pavement in Carthage Street has also reached the end of its effective service life and Council's Regional Services Directorate has scheduled pavement renewal works. The water main renewal is required to be completed prior to road rehabilitation so that the new road surface can be constructed without being impacted by the water main renewal.

The purpose of this report is to present to Council tenders received and provide a recommendation in relation to tenders for the Carthage Street Trunk Water Main Rehabilitation Project.