



# 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 **Lands Building, Namingha Room, 25-27 Fitzroy Street, Tamworth**, commencing at **6:30pm**.

## ORDINARY COUNCIL AGENDA

**28 JUNE 2022**

**PAUL BENNETT  
GENERAL MANAGER**

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## Order of Business

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE .....	5
2	COMMUNITY CONSULTATION.....	5
3	MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL.....	5
4	DISCLOSURE OF INTEREST .....	5
5	MAYORAL MINUTE .....	5
6	NOTICE OF MOTION .....	5
<b>OPEN COUNCIL REPORTS</b>		<b>5</b>
7	<b>ENVIRONMENT AND PLANNING .....</b>	<b>5</b>
7.1	SMOKE-FREE ENVIRONMENT POLICY .....	5
	<b>2 ANNEXURES ATTACHED</b>	
	<b>1 CONFIDENTIAL ENCLOSURES ENCLOSED</b>	
7.2	TAMINDA PLANNING PROPOSAL.....	8
7.3	TAMWORTH REGIONAL COUNCIL HERITAGE WORKING GROUP MEETING - 17 JUNE 2022 .....	10
	<b>2 ANNEXURES ATTACHED</b>	
8	<b>INFRASTRUCTURE AND SERVICES .....</b>	<b>12</b>
8.1	WATER SUSTAINABILITY SIX MONTHLY REPORT .....	12
8.2	PROPOSAL TO CONVERT NIANGALA AND WATSONS CREEK WASTE FACILITIES TO MANNED SMALL VEHICLE TRANSFER STATIONS.....	19
	<b>4 ANNEXURES ATTACHED</b>	
	<b>3 CONFIDENTIAL ENCLOSURES ENCLOSED</b>	
8.3	CHANGES TO GATE FEES AND OTHER CHARGES AT COUNCIL WASTE FACILITIES COMMENCING 1 JULY 2022 .....	28
	<b>2 ANNEXURES ATTACHED</b>	
	<b>1 CONFIDENTIAL ENCLOSURES ENCLOSED</b>	
9	<b>GOVERNANCE, STRATEGY AND FINANCE.....</b>	<b>29</b>
9.1	INTEGRATED PLANNING AND REPORTING - OUR COMMUNITY PLAN 2023/2033 .....	29
	<b>2 ANNEXURES ATTACHED</b>	
9.2	TAMWORTH REGIONAL COUNCIL - INTEGRATED PLANNING AND REPORTING DOCUMENTS FOR 2023/2025.....	31
	<b>5 ANNEXURES ATTACHED</b>	
9.3	ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - MAY 2022.	35
	<b>1 ANNEXURES ATTACHED</b>	
9.4	WRITING OFF OF RATES AND CHARGES FOR 2021/2022.....	37
	<b>1 CONFIDENTIAL ENCLOSURES ENCLOSED</b>	

9.5	COUNCIL INVESTMENTS MAY 2022 .....	38
		<b>1 ANNEXURES ATTACHED</b>
9.6	2021/2022 FACILITY IMPROVEMENT FUND PROGRAM ROUND 2 .....	41
		<b>1 ANNEXURES ATTACHED</b>
		<b>1 CONFIDENTIAL ENCLOSURES ENCLOSED</b>
9.7	PLACE MANAGEMENT AND SECTION 355 COMMITTEE ACTIVITIES .....	42
		<b>1 ANNEXURES ATTACHED</b>
<b>10</b>	<b>COMMUNITY SERVICES.....</b>	<b>47</b>
<b>11</b>	<b>REPORTS TO BE CONSIDERED IN CLOSED COUNCIL.....</b>	<b>47</b>
	EXPRESSION OF INTEREST E114/2021 PROPOSED SALE OF RAY WALSH HOUSE CAR PARK	47

## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day 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 June 2022, copies of which were circulated be taken as read and confirmed as a correct record of the proceedings of the Meeting.*

- 4 **DISCLOSURE OF INTEREST**
- 5 **MAYORAL MINUTE**
- 6 **NOTICE OF MOTION**

### **OPEN COUNCIL REPORTS**

#### **7 ENVIRONMENT AND PLANNING**

##### **7.1 SMOKE-FREE ENVIRONMENT POLICY**

**DIRECTORATE:** LIVEABLE COMMUNITIES

**AUTHOR:** Rachel Mann, Senior Environmental Health Officer

**2 ANNEXURES ATTACHED**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

### **RECOMMENDATION**

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

- (i) endorse the revised draft Smoke-Free Environment Policy for public exhibition for a period of 28 days;*
- (ii) approve the provision of a recurrent annual \$5,000 budget to fund ongoing promotion and maintenance of Smoke Free signage and advertising; and*
- (iii) receive a subsequent report to a future Ordinary meeting of Council on the outcomes of the public exhibition prior to adoption of the final Policy.*

### **SUMMARY**

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

## COMMENTARY

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

The evaluation data was derived from surveys undertaken at 165 businesses located within the smoke-free zones of Tamworth, Manilla and Barraba. Over 90 percent of those surveyed were aware of the policy and supported it as a positive initiative for the community.

Approximately three quarters of participants agreed that smoking had reduced in the Tamworth CBD since the introduction of the policy in 2016, however only 30 percent of those surveyed in Manilla and Barraba reported seeing a reduction in smoking. In addition, 70 percent of people surveyed were not aware that the policy included restrictions on electronic cigarettes.

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

As part of the recent review of the policy, an online and face to face survey was active from 26 May 2022 to 3 June 2022, asking the communities of Kootingal and Nundle if they would support their main streets becoming smoke-free zones. The survey was emailed to key community groups, advertised on social media and staff from the Liveable Communities Directorate spoke with community members face to face to engage and discuss the survey.

A total of 100 survey responses were received for Kootingal, with 67% not in favour of Gate Street becoming a smoke-free zone. Ninety-eight (98) survey responses were received for Nundle, with 63% not in favour of Jenkins Street becoming a smoke-free zone.

On the basis of these results, it is proposed to not include Kootingal or Nundle in Council's revised Smoke Free Environment Policy.

### Evaluation Outcomes

The evaluation confirmed the policy has most certainly been effective in reducing the incidence of smoking, particularly in Tamworth. The policy is heavily reliant on community based self-regulation, yet the evaluation results indicated that community members are not willing to approach smokers who are seen disregarding the smoke-free zones. This is a significant challenge for the ongoing success of the policy. It was also noted that much of the existing signage has limited effectiveness as it is located in areas that may not be visually acknowledged by smokers. The strategies outlined in the attached communication and marketing plan aim to raise further awareness of the policy and counteract some of these identified issues.

Several business owners and operators in the section of Peel Street between Bourke Street and Darling Street have requested that Council extend the smoke-free zone to include this block. It was considered in the original policy development in 2015, but at the time of the final adoption it was not included. It was noted that future inclusion would be reconsidered when the policy was reviewed and Council had the benefit of feedback from the community experience in relation to the other smoke-free zones. It is now clear that an extension of the



policy into this area could be expected to be successful based on the results achieved to date in other sections of Peel Street.

To incorporate the evaluation results and public feedback, the following change to the Policy is recommended for consideration as part of the public exhibition:

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

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

**(a) Policy Implications**

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

**(b) Financial Implications**

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

Existing garbage bin stickers on bin stations in Peel and Fitzroy Street are proposed to be replaced, and two new stickers for Bicentennial Park will be installed. New stickers for pedestal bins in existing smoke-free zones in Tamworth and Manilla were installed at the end of 2021.

New footpath stencils have been painted in the main streets of Tamworth, Manilla and Barraba. These stencils will allow staff to renew the footpath signage as it weathers, or prior to significant events such as the Tamworth Country Music Festival. Additional footpath stickers are planned for installation in Barraba as the garbage bins in Queen Street are not suitable for stickers.

Should the revised policy be adopted by Council a radio advertisement campaign reflecting the policy's key messages is scheduled to run with 92.9FM for two weeks. Signage is planned for installation in bus shelters on Kable Avenue, White Street, and Manilla Street for a period of three months. Advertisements are also planned for printing in the Northern Daily Leader, the Manilla Express, and the Barraba community newsletter.

An advertising campaign will also feature on Facebook and Instagram. The paid promotion will be used to specifically target Tamworth, Manilla and Barraba smoke-free areas.

The marketing plan with the details of the proposed signage and social media communication is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

A recurrent budget of up to \$5,000 is also requested to fund ongoing maintenance of existing signage, stickers and stencils and to also fund future advertising campaigns.

**(c) Legal Implications**

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

**(d) Community Consultation**

Details of the evaluation compiled by University of New England Masters student Ms Olivia Monk, **ATTACHED**, refer **ANNEXURE 2**.

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

It is also intended that the proposed revised policy be referred to the Tamworth City Centre Working Group for consideration.

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

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

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## **7.2 TAMINDA PLANNING PROPOSAL**

**DIRECTORATE: LIVEABLE COMMUNITIES**

**AUTHOR: Genevieve Harrison, Manager Integrated Planning**

### **RECOMMENDATION**

*That in relation to the report “Taminda Planning Proposal”, Council:*

- (i) not support the Taminda planning proposal due to its lack of strategic merit and the significant issues relating to flooding, site serviceability, access and economic viability; and*
- (ii) upload its decision to the Department of Planning and Environment Planning Portal.*

### **SUMMARY**

This planning proposal has been lodged via the Department of Planning and Environment Planning Portal and seeks to amend the zoning of a nine (9) hectare site (known as 55 Dampier Street and 21 Wallamore Road) in Taminda from RU4 Primary Production to part *IN1 General Industrial* and part *B5 Business Development*. The site was the subject of a previous planning proposal which Council resolved not to support in August 2021, meaning that Council determined not to proceed with the making of the plan (the rezoning).

The site and locality are significantly affected by flooding. Despite this and the other issues of concern relating to site serviceability, access and questions surrounding the economic viability of the eventual development, the current planning proposal has been described by the applicant as “substantially the same” as the previous one.

On the basis that the planning proposal has not changed from that previously rejected by Council and noting the current state government review of flood planning in NSW, it is

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recommended that Council not support the planning proposal and update the planning portal accordingly.

## **COMMENTARY**

The current planning proposal is essentially unchanged from the previous proposal rejected by Council and no new information has been provided to warrant a departure from Council's previous decision. If anything, recent flood events in NSW have only served to affirm Council's position that the site is significantly constrained by flood hazards and that it would be irresponsible to facilitate future development of the site. Importantly, any rezoning of the site would be inconsistent with the Section 9.1. Ministerial Direction relating to 'proper' flood planning and if Council was of a mind to support the proposal, Council would need to justify its position, i.e. the inconsistency, to the Secretary of the Department of Planning and Environment.

It should be noted that the State Government is currently reviewing its approach to permitting development in floodplains. It makes no sense to rezone a flood-affected site when there are large tracts of zoned, serviced, flood-free land readily available in other locations for industrial and business development that could be brought to market at a reasonable cost.

In addition to the above issues relating to flooding, the proponent has also failed to demonstrate that:

- future stormwater generated from the development site can be satisfactorily managed without adversely impacting on adjoining properties (including a road reserve);
- practical, cost-effective sewer servicing of the site (and ongoing maintenance of the system) can be achieved; and
- satisfactory access to and from the site can be achieved due to the proposed filling of the site to resolve flooding and sewer accessibility.

It should be noted that the planning proposal is inconsistent with a number of other key S.9.1 Ministerial Directions such as the Regional Plans, Business and Industrial Zones and Rural Lands. In particular, the site is not identified for future development in either the current New England North West Regional Plan 2036 or the draft New England North West Regional Plan 2041. There is therefore no strategic basis for the proposed rezoning.

In summary, it is recommended that Council re-affirm its previous decision and resolve to not support the Taminda planning proposal.

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

A decision to support the planning proposal would not be consistent with either regional or state planning policy.

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

Nil - the appropriate lodgement fee has been paid by the applicant.

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

Should Council resolve not to support the planning proposal, the applicant will have the opportunity to apply for a review of Council's decision by the Department of Planning and Environment Gateway Panel.

**(d) Community Consultation**

Nil

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

Region for the Future – F1 Sound asset and land planning to facilitate future community needs

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**7.3 TAMWORTH REGIONAL COUNCIL HERITAGE WORKING GROUP MEETING - 17 JUNE 2022**

**DIRECTORATE:** LIVEABLE COMMUNITIES

**AUTHOR:** Gina Vereker, Director Liveable Communities

**Reference:** Item 7.1 to Ordinary Council 12 October 2021 - Minute No. 277/21

**2 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council Heritage Working Group Meeting - 17 June 2022”, Council endorses the recommendations of the Tamworth Regional Council Heritage Working Group, as follows:*

- (i) that the unspent amount of \$6,592.55 be rolled over to the 2022/2023 Heritage Assistance Fund;*
- (ii) that the Terms of Reference be amended to acknowledge the current representatives from the Tamworth Historical Society and Tamworth Local Aboriginal Land Council;*
- (iii) that Mrs Juanita Wilson, Mr Jim Maxwell and Mr Geoff Deane be appointed as community members of the Tamworth Regional Council Heritage Working Group;*
- (iv) that acknowledging the significant increases in the cost of tradesmen and building supplies an additional amount of \$5,000.00 be allocated to the annual Heritage Assistance Fund budget, commencing in the 2022/2023 financial year; and*
- (v) that the minutes of the Tamworth Regional Council Heritage Working Group Meeting held on 17 June 2022 be received and noted.*

**SUMMARY**

The purpose of this report is to present the minutes of the Tamworth Regional Council Heritage Working Group (TRCHWG) meeting held on 17 June 2022, and provide Council with an overview of the meeting outcomes.

**COMMENTARY**

The following is a summary of the main items discussed at the TRCHWG meeting held on 17 June 2022, as reported in the minutes, **ATTACHED**, refer **ANNEXURE 1**.

### **Heritage Festival/Awards**

It was determined that a Sub-Committee be established to discuss ideas in regards to the future running of the Heritage Festival and the potential to maximise attendance by reducing the period of the event from 10 days to five.

It was noted that the bi-annual Heritage Awards event was well run and very successful with The Pavillion Function Centre at Nemingha an excellent venue and Fiona Reilly, Guest Speaker, extremely well received.

### **Heritage Assistance Fund**

The annual Heritage Assistance Fund is to open early July with applications closing the end of August. An amount of over \$50,000.00 will be available this year towards projects to preserve and enhance local heritage.

### **Expressions of Interest**

The Working Group was very pleased with the Expressions of Interest received from community members wanting to be part of the Working Group. With three community positions available and four Expressions of Interest received, it was considered most appropriate that Mr Steve Warden continue his role and valuable contribution to the King George V Avenue Working Group (now a sub-committee of the Heritage Working Group), while Mrs Juanita Wilson, Mr Jim Maxwell and Mr Geoff Deane be appointed as the new Heritage Working Group community members.

### **Terms of Reference**

It was resolved that the Tamworth Regional Council Heritage Working Group Terms of Reference be amended to acknowledge the inclusion of a member of the Tamworth Historical Society and a member of the Tamworth Local Aboriginal Land Council. Amended Terms of Reference are **ATTACHED**, refer **ANNEXURE 2**.

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

Nil

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

It was resolved to recommend to Council that the amount of \$6,592.55 be rolled over from the 2021/2022 Heritage Assistance Fund budget to the 2022/2023 Heritage Assistance Fund.

It was also noted that at its meeting held on 12 October 2021, Council considered a resolution from the 23 September 2021, meeting of the Heritage Working Group, as follows:

That Council

*“(iv) increase the funding allocated to the annual Heritage Assistance Fund for the coming financial year (2022/2023) by an agreed amount and confirm an annual CPI increase to the Heritage Assistance Fund in following years;”*

In response to this recommendation, Council resolved:

*“(iv) defer the requested increase in funding and have the request considered by the incoming Council as part of the 2022/23 Annual Operating Plan;”*

Noting Council's decision and based on the on-going significant increases in the cost of tradesmen and building supplies and acknowledging the requirement for specialist materials and tradesmen for some heritage projects, the Working Group recommended that Council vote an additional amount of \$5,000.00 to be allocated from the Annual Operating Plan to the annual Heritage Assistance Fund budget, commencing in the 2022/2023 financial year.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 WATER SUSTAINABILITY SIX MONTHLY REPORT**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Louise Cadell, Sustainability Officer - Water  
**Reference:** Item 8.4 to Ordinary Council 25 January 2022 - Minute No. 19/22

#### **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.

#### **COMMENTARY**

##### **Current regional water supply situation**

The Tamworth region continues to experience healthy water supplies and abundance of rain. Permanent Water Conservation Measures (PWCM) are in place in all communities receiving a Council water supply. PWCM are applied when the supply systems are satisfactory and 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. A trigger nozzle must be used when hand-held hosing and an application is required for Water Management Plans, including special variations to watering hours and 6-week new turf watering plans.

The latest update as of 14 June 2022, is below:

Area	Restrictions	Water Supply	Situation
Barraba	Permanent Water Conservation Measures	Split Rock Dam	Split Rock Dam has continued to rise with healthy inflows throughout 2022 with the level sitting at 73%.
Bendemeer	Permanent Water Conservation Measures	MacDonald River	The Macdonald continues to flow well 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 continues to flow above the trigger point for increasing restrictions for Nundle.
Manilla	Permanent Water Conservation Measures	Namoi River/Manilla River	The Namoi River continues to flow well above the trigger to increase water restrictions for Manilla.
Attunga	Permanent Water Conservation Measures	Attunga Bores	The groundwater level is consistent 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 100% with rain events  .

### Regional Drought Resilience Planning pilot program

Tamworth Regional Council and Walcha Council were selected as one of three priority consortiums by the Department of Regional NSW, to take part in the Regional Drought Resilience Planning pilot program.

The pilot phase of the program is jointly funded by the Australia Government's Future Drought Fund and the NSW Government's Regional Growth Fund.

The two Councils have engaged the services of independent consulting firm, *WSP Australia*, to work with them to develop a Regional Drought Resilience Plan (RDRP).

The process will consider the region's vulnerability to drought, the actions taken during and after previous drought events and will inform priority actions to improve drought resilience.

The pilot aims to ensure community ideas and perspectives are captured, with targeted engagement taking place with a cross-section of stakeholders from both local government areas, including farmers, indigenous representatives, community groups and industry.

The pilot project is nearing completion, with a final draft RDRP expected to be delivered in August.

### Water Saving Rebate Scheme

At the Ordinary Council meeting on 25 January 2022, Council resolved to extend the water saving rebate scheme for a further five years until 28 February 2027.

Despite the favourable seasonal conditions, residents continue to apply for water saving rebates. In the past six months, 319 rebates have been approved at a one-off cost to Council of \$37,038.00. The estimated water savings so far has been calculated to 1,877kL of water per year.

Rebate type	Approved	Cost	Yearly total savings ( kL )
Ceiling fan	44	\$2,200.00	
Low Flow or Sensor Tap *	6	\$284.00	66
Dual Flush Toilet *	12	\$1,800.00	468
Evaporative Air Conditioner Servicing and Maintenance	227	\$26,471.00	
Showerhead *	9	\$169.25	585
Greywater Diversion System *	1	\$300.00	20
Swimming Pool Cover *	6	\$584.00	288
Large Rainwater Tank *	2	\$2,000.00	450
Medium Rainwater Tank *	1	\$400.00	
Large Rainwater Tank (stand alone)	3	\$1,500.00	
Medium Rainwater Tank (stand alone)	1	\$400.00	
Small Rainwater Tank (stand alone)	4	\$700.00	
Plumbers Audit	3	\$229.50	
<b>TOTAL (Number)</b>			<b>319</b>
<b>TOTAL (\$)</b>			<b>37,038</b>
<b>TOTAL SAVINGS (kL) *</b>			<b>1,877</b>



\* Conservative estimated water savings calculated on these items only

### Evaporative Air Conditioner Campaign

The last six months saw a communications campaign for the efficient use of Evaporative Air Conditioners (EAC) wrap up.

The overarching objective of this campaign was to encourage Tamworth residents and business owners to service and maintain their evaporative air conditioners, and included an education campaign on how to use evaporative air conditioners efficiently, as seen in Figures 1 and 2.

This was achieved by gaining media coverage, engagement on Tamworth Regional Council social media channels and receiving an increase in water saving rebates.



Figure 1: example of servicing and maintenance advertising



Figure 2: example of efficient use of EAC units advertising

Close to 31,000 people engaged with social media advertising around the efficient use of EAC units, and more than 20,000 engaged with advertising around the servicing and maintenance rebate.

During the six-month period over the spring and summer months of 2021/2022, 729 evaporative air conditioning servicing and maintenance rebates were approved for residents,

at a cost to Council of around \$60,000. This is an increase of 284 approvals of these rebates from the same time period in the spring and summer of 2020/2021.

The key messages which were shared during this campaign included:

- with the weather warming up now is the time to organise a service of your evaporative air conditioner;
- maintenance is the key to ensure correct system operation and efficiency leading to more cost-effective use of your evaporative air conditioner;
- evaporative air conditioners use a significant proportion of Tamworth's water, about a million litres a day; and
- to help residents save water council is offering up to \$200 rebate for servicing/maintenance of evaporative air conditioners for properties connected to the treated town water supply and up to \$50 per fan for installation of ceiling fans.

### **School and Community Education**

In the past six months, a number of water education sessions were held, in particular, in the community education space. Around 100 community members have participated in a water sustainability talk. This included two high school and three community organisations.

The focus of these education sessions was about the 'Let's Thrive' waterwise gardening campaign, updating residents on notable projects in the water sustainability space and also a tour of the Calala Water Treatment Plant.

During the Let's Thrive waterwise gardening talks, a number of free education resources have been handed out, including copies of the Let's Thrive booklet which includes information about how residents and businesses can adopt water efficient behaviour outdoors. This resource is available to all residents via the Tamworth Regional Council website.

Interest in community education sessions continues, with bookings already been made for the latter half of the year.

Additionally, the Sustainability Unit continues to work together in further developing the Sustainability Unit mascot's school education program which is anticipated to be launched in a number of primary schools across the Tamworth region towards the end of 2022.

Teachers from four primary schools have volunteered their time to assist the Sustainability Unit in creating these resources and will be involved in the soft-launch of the program.

### **50K Internal Water Saving Initiative**

The internal water saving initiative continues to be well utilised.

Three water efficiency projects across two facilities were completed in the last six months.

The projects were chosen for their direct water saving benefits to Tamworth Regional Council and their benefits to the community. These projects are all in highly visible and popular places to visit by the community, and will help in education programs by providing a good example of how water efficiency can be achieved day-to-day.

The details of the upgrade projects are below:

Location	Project	Cost (Exc GST)	Savings per Annum
<b>Tamworth Regional Pound</b>	Installation of 22,500L rainwater tank, fog mister spray system and related infrastructure.	\$18,270.00	<b>150kL (rainwater tank)</b>
<b>AELEC</b>	Installation of 18 mains powered sensor taps throughout the remaining amenities in the main arena including the Accessible Toilet.	\$17,121.50	<b>195kL</b>
<b>AELEC</b>	Installation of 6 mains powered sensor taps in B-Block Amenities and 9 mains powered sensor taps in the Multi-Purpose Building.	\$12,313.00	<b>162kL</b>
<b>Total</b>		<b>\$47,704.50</b>	<b>507kL</b>

The completion of the AELEC sensor tap roll-out means all high-traffic areas throughout the entire precinct have been upgraded.

The completion of the Tamworth misting pound system means that animals staying in the 16 pens during the warmer months of the year can remain comfortable, whilst not using the potable water supply. The 22,500-litre rainwater tank captures rainwater from the roof of the pound, which then undergoes UV disinfection before making its way to the pens. The fine misting nozzles use, at an average rate, 10.8 litres of water per hour.



Figure 4 and 5: Rainwater tank and spray system installed at the Tamworth Pound

### Let's Celebrate Sustainability - Tamworth Country Music Festival (TCMF) April 2022

Sustainability messaging at the 2022 Country Music festival included a get snapped with Sonny and Skye campaign and received responses from both local residents and visitors alike. The Let's Celebrate Sustainability stories on the TRC Instagram page reached 1,229 people.

Troy Cassar-Daley remains the campaigns ambassador and assisted with the production of a video that aired in the Toyota Park each night and was included as part of the live stream

broadcast over the TCMF Facebook page and YouTube channels. The livestream reached over 60,000 people.



Some of the winners from the Snapped with Sonny and Skye promotion

Some of the winners from the Snapped with Sonny and Skye promotion

Projects for the 2022/2023 financial year will be identified and commenced in coming months.

**(a) Policy Implications**

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

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

## **8.2 PROPOSAL TO CONVERT NIANGALA AND WATSONS CREEK WASTE FACILITIES TO MANNED SMALL VEHICLE TRANSFER STATIONS**

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Morne Hattingh, Manager - Waste and Resource Recovery

**4 ANNEXURES ATTACHED**

**3 CONFIDENTIAL ENCLOSURES ENCLOSED**

### **RECOMMENDATION**

*That in relation to the report “Proposal to convert Niangala and Watsons Creek Waste Facilities to Manned Small Vehicle Transfer Stations”, Council:*

- (i) agree to upgrade the present waste facilities at Niangala and Watsons Creek so that they can be opened and operated in a similar manner to all other regional remote Small Vehicle Transfer Stations, including:*
  - a. facilities to be manned when open;*
  - b. users pay for disposing of waste at each facility, in accordance with Council’s fees and charges;*
  - c. levels of service for both facilities will be the same as other Regional Remote Waste Facilities. These services are:*
    - i. municipal residential waste deliveries only;*
    - ii. recycling drop service;*
    - iii. green waste drop-off;*
    - iv. scrap metal drop-off;*
    - v. accept bulky household waste material;*
    - vi. no commercial loads will be accepted;*
    - vii. no asbestos disposal (hazardous waste);*
    - viii. no concrete and demolition waste disposal; and*
    - ix. no household chemicals disposal (Barraba, Manilla, Nundle, FRL only);*
  - d. Niangala to be opened:*
    - i. Tuesdays from 1:00pm – 4:00pm and Saturdays from 1:00pm to 4:00pm;*
  - e. Watsons Creek to be opened:*
    - i. Wednesdays from 8:30am to 11:30am and Saturdays from 1:00pm – 4:00pm;*
- (ii) agree that the opening and operation of the 2 facilities will remain unchanged until upgrades have been completed at both locations to allow the new operation, and then the facilities will transition to the new opening times and operation; and*
- (iii) agree to set the Annual Base Charge for regional remote areas, which do not receive a waste collection service, in the Revenue Policy 2022/2023, at \$150.*

## **SUMMARY**

The purpose of this report is to seek Council's direction concerning an initial proposal to close the Niangala and Watsons Creek waste facilities and a subsequent proposal to keep each facility open as manned Small Vehicle Transfer Stations, which would necessitate a higher annual waste charge for some property owners.

## **COMMENTARY**

As Councillors would be aware, Council operates 11 Waste Facilities as follows:

### **Landfills:**

1. Tamworth's Forest Road Landfill;
2. Barraba; and
3. Manilla.

### **Small Vehicle Transfer Stations (SVTS):**

4. Bendemeer;
5. Dungowan;
6. Duri;
7. Kootingal;
8. Niangala;
9. Nundle;
10. Somerton; and
11. Watsons Creek.

A review has been undertaken of the opening hours of each of these facilities, with the exception of the Forest Road Landfill. The review looked at:

- general locality;
- locality with reference to Forest Road Landfill;
- locality with reference to other small landfills and/or SVTS;
- material acceptance;
- waste volumes accepted at each site;
- servicing levels;
- operational costs; and
- operational hours.

The review recommendations included:

- conversion of regional landfills at Manilla and Barraba to Small Vehicle Transfer Stations;
- possible closure of the unmanned Watson's Creek and Niangala facilities;
- rationalisation of hours of operation of manned facilities;
- changing the way Council bills for waste services; and
- changes to the amount's property owners in various zones or areas pay for waste services.

This report deals with item 2 above – the possible closure of the Watsons Creek and Niangala facilities and touches on items 4 and 5.

In relation to items 4 and 5, the review recommended, and Councillors subsequently agreed, to introduce the following changes to the current charging regime:

- introduction of 3 zones:
  - **urban** – Tamworth, Moonbi and Kootingal;
  - **regional centre** – Manilla, Barraba and Nundle and the main road network that connects these centres to Tamworth, where properties receive a waste collection service; and
  - **regional remote** – All other areas across Council and including the centres of Duri, Somerton, Dungowan, Bendemeer, Watsons Creek and Niangala.
- property owners will pay an annual base charge and a waste service charge. The waste service charge only applies if the property has access to a waste collection; and
- property owners in each zone will pay a base charge based on the cost of services they receive directly or benefit from e.g.:
  - landfill/SVTS costs, Recycling Processing, Landfill remediation, mattress processing.

Further, the way the annual base charge will be calculated would be based on an apportionment of cost as per the following table:

Item	Percentage of cost Recovered from Base Charge	Urban	Regional Centre	Regional Remote	Commercial
Community Recycling Drop	100%	x			
Small Material Recovery Facility Cost	50%	x	x	x	x
Landfill Operation Cost	35%	x	x		x
Recycling Processing Cost	100%	x	x	x	x
Green Waste Processing Cost	50%	x	x	x	
FOGO Cost	100%	x			
Landfill Remediation & Management Forest Road	40%	x			x

Landfill Remediation & Management Barraba, Manilla, Kootingal, Nundle	60%		x		
Landfill Remediation & Management Somerton, Duri, Dungowan, Bendemeer, Watsons, Niangala	70%			x	
Mattress Disposal	100%	x	x	x	
Tyre Disposal	100%	x	x	x	
Public Place Bins	50%	x	x		x
Event Waste Management Fees	70%	x	x		x
Street Sweeping Service	50%	x	x		
Litter Services	50%	x	x		
Sanitation	40%	x			

Applying this new charging regime saw the proposed charges for waste as shown in the **ATTACHED**, refer **ANNEXURE 1**. Under the proposed charging regime, customers in the regional remote areas, which do not receive a waste collection service (including Niangala and Watsons Creek) would see their annual base charge fall from \$176 at present, to \$51 in the 2022/2023 financial year.

General information in relation to the Niangala facility includes:

- unmanned site – Open 24/7;
- 77-minute drive time from Tamworth;
- intended to receive general waste, scrap metal and green waste from domestic customers only;
- nearest alternate TRC waste facility is Dungowan; and
- other waste facilities include Nowendoc and Walcha.

Issues at Niangala include:

- site is heavily restricted with no capacity to accommodate commercial customers;
- only two vehicles can enter at a time;
- unmanned site:
  - no income is collected from waste disposed – all other manned facilities collect income from disposed waste;
  - no policing of who is disposing waste (TRC property owners);



- no policing of types of waste that is disposed of – asbestos, commercial waste etc.; and
- safety and security concerns related to the operation of an unmanned site – people wandering all over the site;
- current operating cost is approximately \$96,000 per annum; and
- only income received at present is from the annual charges levied on property owners who do not receive a waste collection service – in 2021/2022 this charge is \$176. Within a 20km radius of Niangala, there are 186 properties in the TRC area and the annual income from these properties is \$32,736.

In previous years, a number of options have been trialled to address issues at the Niangala facility, including:

- using the local RFS Brigade to open and close the site;
- using the local school to open and close the site; and
- providing a key to a local resident to open and close the site.

None of these options proved viable in the long-term.

In relation to the Watsons Creek facility:

- unmanned Site – staff attend to open and close the facility at the same time the Bendemeer facility is opened and closed;
- 55-minute drive time from Tamworth;
- located on southern edge of Watsons Creek;
- nearest waste facility is Bendemeer;
- receives general waste, scrap metal and green waste;
- site is heavily restricted with no capacity to accommodate commercial customers; and
- only two vehicles can enter at a time.

Issues at Watsons Creek include:

- majority of waste disposed at the facility is commercial waste;
- annual vehicle movements on site are minimal;
- unmanned:
  - no income is collected from waste disposed – all other facilities collect income from disposed waste;
  - no policing of who is disposing waste (TRC property owners);
  - no policing of types of waste that is disposed of – asbestos, commercial waste etc.; and
  - safety and security concerns related to the operation of an unmanned site – people wandering all over the site;
- current operating cost is approximately \$49,000 per annum; and
- only income received at present is from the annual charges levied on property owners who do not receive a waste collection service – in 2021/2022 this charge is \$176. Within a 20km radius of Watsons Creek, there are 251 properties in the TRC area and the annual income from these properties is \$44,176.

Councillors attended a workshop on 15 February 2022, to discuss the issues at both facilities and the staff recommendation that both facilities be closed. At a workshop on 6 April 2022, Council agreed to commence community consultation on the proposal to close the two facilities.

A community engagement plan was developed with the proposal placed on public exhibition between 14 April and 12 May 2022.

Community meetings were organised at Niangala and Watsons Creek on 7 May 2022, as part of the public engagement. The community meetings were attended by the Mayor, Councillor Russell Webb and Councillors Mears and Coates. The meetings communicated the reasons for the proposed closures and also that Council was considering lowering the annual charges paid by property owners by a significant amount. Those who attended the meetings were very strongly opposed to the proposal to close the two facilities, notwithstanding the reduction in annual base charges.

A report with the results of the community engagement prepared by consultants C7EVEN is **ATTACHED**, refer **ANNEXURE 2**. In addition, the public submissions received up to and including the closing date of 12 May 2022, are **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURES 1 and 2**.

Following the meetings and before the public consultation closed, Councillors asked staff to investigate a proposal to keep the two facilities open as manned Small Vehicle Transfer Stations, open for 6 hours per week – one period during the week and one on the weekend (as per other regional SVTS's) and man the facilities whilst open, users would pay to dispose of waste, how much this might cost and how this cost could be recovered.

At a workshop on 19 May 2022, Councillors considered the following new proposal:

- facilities to be manned when open;
- users would pay for disposing of waste at each facility, in accordance with council fees and charges;
- levels of service for both facilities will be the same as other regional remote waste facilities. These services are:
  - municipal residential waste deliveries only;
  - recycling drop service;
  - green waste drop-off;
  - scrap metal drop-off;
  - accept bulky household waste material;
  - no commercial loads will be accepted;
  - no asbestos disposal (hazardous waste);
  - no concrete and demolition waste disposal; and
  - no household chemicals disposal (Barraba, Manilla, Nundle and FRL only);
- Niangala to be opened:
  - Tuesdays 1:00pm – 4:00pm and Saturdays from 1:00pm to 4:00pm; and
- Watsons Creek to be opened:
  - Wednesdays from 8:30am to 11:30am and Saturdays from 1:00pm – 4:00pm..

Councillors were advised the cost of keeping both facilities open and manned during these periods was as follows:

<b>Operational Costs</b>		
<b>Item</b>	<b>Includes</b>	<b>Total Per Year</b>
Staffing		128,627
Vehicle		17,800
Operating Budget Niangala	Servicing of skip bins by contractor, general maintenance	46,831
Operating Budget Watsons Creek	Servicing of skip bins by contractor, general maintenance	40,880
Depreciation	Some capital work is required on site to allow site to be manned - must be depreciated	6,000
Env Team cost & Annual Reports	Compliance reports and monitoring will be required	6,500
	<b>Total</b>	<b>\$246,638</b>
	Estimated Income per year	-\$13,000
		<b>\$233,638</b>

Finally, if the operating cost of the two facilities combined were distributed across all of the regional remote properties, then the annual base charge for regional would be \$150 based on 2,366 properties in the regional remote category. Based on this proposal, the new annual charges would be as shown in the **ATTACHED**, refer **ANNEXURE 3**. The method of calculation for annual base charges would be based on a new apportionment of cost as per the following table (changes shown in red):

<b>Item</b>	<b>Percentage of cost Recovered from Base Charge</b>	<b>Urban</b>	<b>Regional Centre</b>	<b>Regional Remote</b>	<b>Commercial</b>
Community Recycling Drop	100%	x			
Small Material Recovery Facility Cost	50%	x	x	x	x

Landfill Operation Cost	35%	x	x		x
Recycling Processing Cost	100%	x	x	x	x
Green Waste Processing Cost	50%	x	x	x	
FOGO Cost	100%	x			
Landfill Remediation & Management Forest Road	40%	x			x
Landfill Remediation & Management Barraba, Manilla, Kootingal, Nundle	60%		x		
<b>Landfill Remediation &amp; Management</b> <i>Somerton, Duri, Dungowan, Bendemeer, Watsons, Niangala</i>	70%			x	
<b>Mattress Disposal</b>	100%	x	x	x	
<b>Tyre Disposal</b>	100%	x	x	x	
<b>Public Place Bins</b>	50%	x	x		x
<b>Event Waste Management Fees</b>	70%	x	x		x
<b>Street Sweeping Service</b>	50%	x	x		
<b>Litter Services</b>	50%	x	x		
<b>Sanitation</b>	40%	x			

<b>Operation and maintenance of Niangala and Watsons Creek Small Vehicle Transfer Stations</b>	100%			X	
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Councillors agreed at the workshop to place the new proposal on public display. As part of this engagement, second meetings were held at Niangala and Watsons Creek on 28 May 2022, to explain the new proposal. Again, the Mayor, Cr Russell Webb and Councillors Stephen Mears and Judy Coates attended. The response from both meetings could be described as supportive of the new proposal, notwithstanding the increase in the annual base charge for regional remote property owners.

Public consultation on the new proposal, including the change to annual charges, was extended to 17 June 2022. A report with the results of the community engagement prepared by consultants C7EVEN is **ATTACHED**, refer **ANNEXURE 4**. One public submission was received and is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 3**.

Should Council agree with the recommendation to keep the waste facilities at Niangala and Watsons Creek open as manned SVTS's, then some upgrading work is required at each facility, before it can be converted to a manned SVTS. As a result, it is proposed the opening and operation of the two facilities will remain unchanged until the upgrades have been completed and then the facilities will transition to the new opening times and operating practises.

Councillors would also be aware of discussion between Walcha Council and Tamworth Regional Council about the possibility of TRC engaging a Walcha Council staff member to open and man the Niangala SVTS. Broadly, this would mean staff members from Walcha Council would be trained in the operation of the facility at Niangala and then attend, open, operate, maintain and close the facility on behalf of TRC. Walcha would then bill TRC for the cost associated with supplying staff. Discussions are ongoing; however, should agreement be reached, a further report will be prepared for Council. It should be noted that should this new arrangement be approved and the cost to TRC is less than the cost to man the Niangala facility with TRC staff, the Annual Base Charge Regional Remote, without a service, will not change in 2022/2023.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Should Council agree to open the Niangala and Watsons Creek waste facilities as Small Vehicle Transfer Stations, similar to all other regional remote SVTS's, the estimated cost associated with doing so will be recovered from the increase in annual base charge to be levied on all properties in the category of regional remote – no waste collection service.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Extensive community consultation was undertaken in relation to the original and amend proposal in relation to the Niangala and Watsons Creek waste facilities

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

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

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**8.3 CHANGES TO GATE FEES AND OTHER CHARGES AT COUNCIL WASTE FACILITIES COMMENCING 1 JULY 2022**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Morne Hattingh, Manager - Waste and Resource Recovery**

**Reference: Item 9.2 to Ordinary Council 10 May 2022 - Minute No. 134/22**

**2 ANNEXURES ATTACHED**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

**RECOMMENDATION**

*That in relation to the report “Changes to Gate Fees and other Charges at Council Waste Facilities commencing 1 July 2022”, Council:*

- (i) receive and note the report; and*
- (ii) agree to implement the new waste gate fees and other charges from 1 July 2022.*

**SUMMARY**

The purpose of this report is to inform Council of submissions received during the public display period in relation to the proposed Waste Gate Fees and Other Charges to be levied in the 2022/2023 financial year.

**COMMENTARY**

At its meeting of 10 May 2022, Council agreed to place on public display, amongst other things, the proposed annual fees and charges for the 2022/2023 financial year. The whole suite of fees and charges covers all of the operations of Council and was placed on public display.

Contained in the full suite was a significant number of changes to the gate fees and other charges levied by Council at Council’s waste facilities. Given the large number of changes and that some of the proposed changes were significant, a separate communication plan was developed which concentrated solely on the proposed changes to the waste fees and charges. A list of the proposed changes is **ATTACHED**, refer **ANNEXURE 1**.

The changes were placed on public display between 13 April and 11 May. The report prepared by consultants C7EVEN, following the community engagement is **ATTACHED**, refer **ANNEXURE 2**.

Twelve formal submissions were received during this period. The complete list of submissions is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

**(a) Policy Implications**

Nil

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**(b) Financial Implications**

As reported to Council at its meeting of 10 May 2022, financial modelling has been undertaken in the waste area which has looked at the level of income which needs to be raised, on an annual basis, to fund ongoing operation of the waste facilities, capital works required over the next 20 years, including the proposed Organics Recycling Facility and rehabilitation of existing and future landfills. Income for solid waste is raised from two main areas - gate fees, which are charged when a customer visits any of Council's waste facilities, and annual charges or Domestic Waste Management (DWM) charges which are levied on property owners on an annual basis.

A review of gate fees has been completed. This review looked at the cost to Council of disposing, or recycling, each type of waste delivered to Council and then the amount of income generated through current gate charges when that waste is delivered to a facility. From this, an assessment of changes to the gate fees, both increases and decreases, was made and presented in the draft 2022/2023 annual Fees and Charges.

Should Council wish to amend any of the proposed waste fees and charges and this change results in a reduction in income, then this reduction in income will have to be made up from other annual waste charges, some planned capital works would have to be delayed or removed and/or cost of operations of waste facilities would have to be reduced.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The proposed changes to waste fees and charges in 2022/2023 was placed on public display as part of the overall suite of fees and charges levied by Council across all its activities and proposed to be charged in 2022/2023. In addition, a separate targeted communication campaign, just for the proposed changes to waste fees and charges in 2022-2023, was completed.

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

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

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## **9 GOVERNANCE, STRATEGY AND FINANCE**

### **9.1 INTEGRATED PLANNING AND REPORTING - OUR COMMUNITY PLAN 2023/2033**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Anna Russell, Manager Strategy and Performance

**Reference:** Item 9.2 to Ordinary Council 10 May 2022 - Minute No 134/22

**2 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report "Integrated Planning and Reporting – Our Community Plan 2023/2033", Council adopts the document Our Community Plan 2023/2033, in accordance with Section 402 of the Local Government Act 1993.*

## SUMMARY

The purpose of this report is to recommend that Council adopt Our Community Plan 2023/2033.

## COMMENTARY

Our Community Plan 2023/2033 (the Plan), a community strategic plan, **ATTACHED**, refer **ANNEXURE 1**, was created on behalf of the community following extensive community consultation, and reflects the current priorities and aspirations of our community, as well as reflecting the themes developed for Blueprint 100.

The priorities and aspirations detailed in the Plan inform all other Integrated Planning and Reporting documents, including Our Delivery Plan, Our Annual Plan and Budget, and Our Resourcing Plan.

During a public consultation period from 11 May to 7 June 2022, 18 submissions were received through the MyTRC portal, and a further 13 were received via email. These submissions ranged across a wide number of priorities, with an emphasis on climate change action and resilience, long term water security, support for a Performing Arts Centre in Tamworth, improved road maintenance, and the future of aquatic facilities in Tamworth. Analysis of the submissions revealed no new strategic issues, omissions or objections, hence did not require any significant changes to the draft. Minor changes have been documented, **ATTACHED**, refer **ANNEXURE 2**.

A majority of submissions included comments of an operational nature, and these have been considered in relation to other Integrated Planning and Reporting documents (refer report to Ordinary Council Meeting 28 June 2022, **Tamworth Regional Council – Integrated Planning and reporting Documents for 2023/2025**).

Section 402 (5) requires Council to adopt a new 10-year community strategic plan prior to 30 June 2022.

Following Council's adoption of Our Community Plan 2023/2033, the Plan will be placed on Council's website. A copy will also be sent to the Office of Local Government.

### (a) Policy Implications

Nil

### (b) Financial Implications

Nil

### (c) Legal Implications

Our Community Plan 2022/2023 meets the statutory requirements of Section 402 of the *Local Government Act 1993*.

### (d) Community Consultation

The *Local Government Act 1993* requires Council to place the Draft Plan on public exhibition for a period of at least 28 days.

The Draft Our Community Plan 2023/2033 was placed on public exhibition between 11 May 2022 and 7 June 2022.



Submissions were received from the community via MyTRC Online Community, email, and in person at the various pop-up events held across the region after an extensive promotional campaign across print, digital, social, radio and television media.

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## **9.2 TAMWORTH REGIONAL COUNCIL - INTEGRATED PLANNING AND REPORTING DOCUMENTS FOR 2023/2025**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Anna Russell, Manager Strategy and Performance  
Sherrill Young, Finance Manager

**Reference:** Item 9.2 to Ordinary Council 10 May 2022 - Minute No 134/22  
**5 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council - Integrated Planning and Reporting Documents for 2023/2025”, Council makes the following determinations:*

- (i) in accordance with Section 405 of the Local Government Act 1993, Council adopt Our Delivery Plan 2023/2025 and Our Annual Plan and Budget 2022/2023 (ANNEXURE 1), Our Resourcing Plan (ANNEXURE 2), Revenue Policy (ANNEXURE 3), and Fees & Charges (ANNEXURE 4), noting amendments made to the exhibited draft (ANNEXURE 5);*
  - (ii) in accordance with Part 9, Division 5, clause 211(2) of the Local Government (General) Regulation 2005, Council approves expenditure and vote funds as detailed in Our Delivery Plan 2023/2025 and Our Annual Plan and Budget 2022/2023;*
  - (iii) Council authorises the affixing of the Seal of the Council to all Loan Documents relating to 2022/2023 loan funding for the Organics Recycling Facility as detailed in Our Delivery Plan 2023/2025 and Our Annual Plan and Budget 2022/2023, and Revenue Policy 2022/2023 (ANNEXURE 1 and ANNEXURE 3);*
  - (iv) in relation to ordinary rates, Council adopts the 0.7% annual maximum rate peg, as approved by the Independent Pricing and Regulatory Tribunal, and in accordance with Section 494 of the Local Government Act 1993, Council make and levy the ordinary rates for the year 1 July 2022 to 30 June 2023 (ANNEXURE 3);*
  - (v) in relation to ordinary rates, Council adopts the 1.3% Additional Special Variation, as approved by the Independent Pricing and Regulatory Tribunal on June 20, 2022, and in accordance with Section 494 of the Local Government Act 1993, Council make and levy the ordinary rates for the year 1 July 2022 to 30 June 2023 (ANNEXURE 3);*
  - (vi) in relation to water supply charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges for Water Supply Services in 2022/2023 (ANNEXURE 3);*
  - (vii) in relation to sewerage service charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges for Sewerage Services in 2022/2023 (ANNEXURE 3);*
-

- (viii) in relation to waste management charges, in accordance with Section 496 and Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the annual charges for Waste Management Services in 2022/2023 (ANNEXURE 3);*
- (ix) in relation to stormwater management service charges, in accordance with Section 496A of the Local Government Act 1993, Council make and impose the charges for the purpose of construction of Stormwater Management Services identified in the Tamworth Urban Area Stormwater Management Plan (ANNEXURE 3);*
- (x) in relation to interest on overdue rates and charges, Council make and impose the maximum charge for interest of 6.0% on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566 (3) of the Local Government Act 1993; and*
- (xi) in relation to the exhibited fees and charge; fees and charges for the actual use of services provided by Council as detailed in Our Delivery Plan 2023/2025 and Our Annual Plan and Budget 2022/2023 be adopted in accordance with Section 502 of the Local Government Act 1993 (ANNEXURE 4).*

## **SUMMARY**

At its Ordinary Meeting held 10 May 2022, Council resolved to place the following Integrated Planning and Reporting (IPR) draft documents on public exhibition in accordance with Section 405 of the Local Government Act for the 2022/2023 year:

- Our Delivery Plan 2023/2025 and Our Annual Plan and Budget 2022/2023;
- Revenue Policy 2022/2023;
- Fees and Charges 2022/2023; and
- Our Resourcing Plan 2023/2025.

During the exhibition period submissions were received from the community, and subsequent amendments to the documents were made, **ATTACHED**, refer **ANNEXURE 5**.

The purpose of this report is to recommend to Council that the Tamworth Regional Council Integrated Planning and Reporting draft documents listed above be adopted.

## **COMMENTARY**

Within the year following any ordinary local government election Council must prepare a number of strategic documents, including a community strategic plan on behalf of the community, and after consultation with the community. This plan, Our Community Plan 2023/2033 provides the framework for all Integrated Planning and Reporting documents applying to the term of the elected Council, in this case from 2022/2023 to 2024/2025.

Council is required to prepare and adopt Our Delivery Plan (including Our Annual Plan and Budget) by 30 June, following a local government election.

Our Delivery Plan 2023/2025 aligns with the Blueprint 100 Our Community Plan 2023/2033 and sets the priorities and direction for the term of Council. Our Annual Plan and Budget 2022/2023 sets specific actions Council will undertake during the next 12 months.

The DRAFT suite of documents was endorsed by Council on 10 May 2022, for public exhibition for 28 days from 11 May 2022 until 7 June 2022, under Section 405(2) of the Local Government Act 1993.

This report seeks Council's adoption of the revised Our Delivery Plan 2023/2025 and Our Annual Plan and Budget 2022/2023, Our Resourcing Plan 2023/2025, Revenue Policy 2022/2023, and Fees and Charges 2022/2023.

These documents have been prepared in line with Blueprint 100 - Our Community Plan 2023/2033 (under a separate report in this business paper) and Our Resourcing Plan.

The budget tables included in the plan provide a break-down of the source and application of funds by key service functions. This is supported by a highly detailed budget which will be used by management to implement and monitor the plan. Budget progress will be reported by the Quarterly Budget Review Statements and detail budget variations and adjustments will be reported monthly.

### **Public Exhibition and Survey Responses**

The draft plans were placed on public exhibition from 11 May to 7 June 2022. The feedback received during the exhibition period resulted in minor changes to the documents, **ATTACHED**, refer **ANNEXURE 5**.

Submissions were received from the community via MyTRC Online Community, email, and in person at the various pop-up events held across the region after an extensive promotional campaign across print, digital, radio and television media.

Submissions covered a wide range of topics, most notably water security, climate change action and adaptation, support for the Performing Arts Centre, improved road maintenance, support for increased tourism in our towns and villages, and a future aquatic centre for Tamworth. The majority of in person submissions related to operational matters and these were added to council's Customer Request management system for resolution, and related predominantly to road and drainage problems, as well as Council transparency and accountability.

Amendments to the DRAFT documents for Council's consideration, **ATTACHED**, refer **ANNEXURE 5**.

The final version of these documents are as follows:

- Our Delivery Plan 2023/2025 and Our Annual Plan and Budget 2022/2023, **ATTACHED**, refer **ANNEXURE 1**;
- Our Resourcing Plan 2023/2025 (including Long Term Financial Plan, Our Workforce Plan and Our Asset Management Plan), **ATTACHED**, refer **ANNEXURE 2**.
- Revenue Policy 2022/2023, **ATTACHED**, refer **ANNEXURE 3**; and
- Fees and Charges 2022/2023, **ATTACHED**, refer **ANNEXURE 4**.

Modifications to the Schedule of Fees and Charges requested to reflect operational decisions made since the original drafting of actions are also listed in the draft, **ATTACHED**, refer **ANNEXURE 4**.

### **2022/23 Revenue Policy**

Council's 2022/2023 Revenue Policy, **ATTACHED**, refer **ANNEXURE 3** conforms to the legislative requirements of Section 405 of the *Local Government Act 1993*. It is recommended that Council adopt the 0.7% annual maximum rate peg, and 1.3% Additional Special Variation as approved by the NSW Independent Regulatory and Pricing Tribunal (IPART), and in accordance with Section 494 of the *Local Government Act 1993*.

Rates income from the 1.3% Additional Special Variation of approximately \$514 thousand as

approved by NSW IPART on 20 June 2022, will be recognised in the September 2022, Quarterly Budget Review. It has not been incorporated in the 2022/2023 budget due to the timing of the IPART approval process.

### **2022/2023 Fees and Charges**

Fees and charges for the actual use of services provided by the Council, as detailed in the Fees and Charges 2022/2023, **ATTACHED**, refer **ANNEXURE 4** be adopted in accordance with Section 502 of the *Local Government Act 1993*, noting the amendments as presented, **ATTACHED**, refer **ANNEXURE 5**.

The adoption of the Integrated Planning and Reporting suite of documents will provide Council with a direction during its term in council with next local government elections scheduled September 2025, and the service activities and actions that it plans to undertake over the next financial year. Once adopted, copies will be made available on Council's website and provided to the Office of Local Government.

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

As detailed in **ANNEXURES 1, 2, 3 and 4**.

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

As detailed in **ANNEXURES 1, 2, 3 and 4**.

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

When adopted, Council's Integrated Planning and Reporting documents for the period 2022/2023 to 2024/2025 will meet relevant statutory requirements of the *Local Government Act 1993*.

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

The *Local Government Act 1993* requires Council, at a minimum, to place the draft Annual Operational Plan on public exhibition for a period of at least 28 days.

The draft documents were placed on public exhibition between 11 May 2022 and 7 June 2022. During the exhibition period Council placed public notices in the Northern Daily Leader, Barraba Gazette and Manilla Express in accordance with statutory requirements. Hard copies of the document were made available for viewing/collection at all Council Offices and Libraries, as well as being placed on Council's website during the exhibition period. An electronic feedback form specific to each document was provided to simplify the process. Twenty-four electronic submissions in total were received across all the documents on exhibition, including Our Community plan 2023/2033.

Council also held "pop up" events across the region to give the community an opportunity to speak with Councillors, Executive and staff. The events, held in Nundle, Barraba, Manilla, Kootingal and Tamworth, were well attended despite the challenging weather conditions.

During the exhibition period staff received feedback on issues regarding services delivered by Tamworth Regional Council. These issues were documented in Council's customer service system and distributed to the relevant business areas for resolution.

The feedback received on the above-mentioned documents during the exhibition period resulted in minor changes to wording. No significant or strategic changes were required in response to community feedback.

### 9.3 ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - MAY 2022

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Sherrill Young, Finance Manager

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

**1 ANNEXURES ATTACHED**

#### RECOMMENDATION

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

#### SUMMARY

This report seeks Council approval for budget variations identified during the month of May 2022, for which there has been no previous specific report or approval.

#### COMMENTARY

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

Notable budget adjustments for the month of May include the recognition of \$380k of grant funding for Fitzroy Place light activation, \$288k of grant funding for community events and commencement of work on the Port Stephens Cutting with grant funds of \$2.5M. The bulk of the work for Port Stephens Cutting will be undertaken next financial year.

#### Variations identified May 2022

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Economic & Destination Development	31,194	(4,931)	36,125	(379,615)	379,615
Events	(297,349)	(292,207)	(5,142)	0	0
Business Systems & Solutions	212,706	0	212,706	0	0
People & Culture	41,960	0	41,960	0	0
Communications & Engagement	(233)	0	(233)	0	0
Cultural Services	0	(5,199)	5,199	(166,792)	166,792
Compliance	9,091	0	9,091	0	0
Integrated Planning	(260)	(4,821)	4,821	0	(260)
Sports & Recreation Services	0	0	0	(27,273)	27,273

Infrastructure Projects	(2,277,169)	0	149,336	(2,676,505)	250,000
Waste Management	706,037	(391,500)	137,537	0	960,000
Water & Wastewater	481,631	0	381,631	0	100,000
W&W General Fund activities	27,500	(2,500)	0	0	30,000
<b>TOTAL</b>	<b>(1,064,892)</b>	<b>(701,158)</b>	<b>973,031</b>	<b>(3,250,185)</b>	<b>1,913,420</b>

**Material differences between budget and actual income or expenditure**

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

**(a) Policy Implications**

Nil

**(b) Financial Implications**

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

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(701,158)	591,400	(3,250,185)	1,813,420
Water	0	0	0	0
Sewer	0	381,631	0	100,000
<b>Total</b>	<b>(701,158)</b>	<b>973,031</b>	<b>(3,250,185)</b>	<b>1,913,420</b>

**(c) Legal Implications**

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

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

**(d) Community Consultation**

Nil

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

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

#### 9.4 WRITING OFF OF RATES AND CHARGES FOR 2021/2022 – FILE No

DIRECTORATE: CORPORATE AND GOVERNANCE  
AUTHOR: Seon Millsteed, Revenue Accountant

1 CONFIDENTIAL ENCLOSURES ENCLOSED

#### RECOMMENDATION

*That in relation to the report “Writing Off of Rates and Charges for 2021/2022”, Council approve the writing off of Rates and Charges totalling \$112,894.77 in accordance with Section 131 of the Local Government (General) Regulation 2005.*

#### SUMMARY

The purpose of this report is to advise Council of Rates and Charges written off during the 2021/2022 financial year, in accordance with Section 131 of the Local Government (General) Regulation 2005.

#### COMMENTARY

In accordance with Section 131 of the Local Government (General) Regulation 2005, the Writing Off of Rates and Charges during 2021/2022 totalling \$112,894.77 is submitted for approval.

The amounts written off are summarised as follows:

2017/2018 Postponed Rates/Interest	\$ 104,509.18
2021/2022 Conservation Agreements	<u>\$ 8,385.59</u>
	<u>\$ 112,894.77</u>

Postponed Rates are covered under Section 585-598 of the Local Government Act 1993, and relate to land that is used for a single dwelling-house or rural land and which is zoned to permit commercial, multi-residential or subdivision development. A factor of the rates is postponed each year and written off after five years if the use has not changed.

Conservation Agreements are covered under Section 555 of the Local Government Act 1993, and relate to land that has some part included in a Conservation Agreement within the National Parks and Wildlife Act 1974. Rates are reduced each year based on the portion of the land area under the agreement.

The Rates and Charges Abandonment Register **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**, provides full details of each individual Rate and/or Charge written off during the 2021/2022 financial year.

#### (a) Policy Implications

Nil

#### (b) Financial Implications

Abandonments for Postponed Rates and Interest are against provisions created when they are levied. Abandonments for Conservation Agreements are allowed for in annual budgets.

**(c) Legal Implications**

In accordance with Section 555(1)(b1) of the Local Government Act 1993, land that is the subject of a conservation agreement is exempt from all rates. Section 555(3) provides for rates being made and levied proportionately on the part of a parcel not subject to the Conservation Agreement.

In accordance with Section 595 of the Local Government Act 1993, if five years have elapsed since the commencement of a rating year for which part of the rates levied on land have been postponed under this Division, the part postponed and any interest accrued on that part must be written off by Council.

**(d) Community Consultation**

Nil

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

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

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**9.5 COUNCIL INVESTMENTS MAY 2022**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Tiffany Pugh (nee Newman), Rates Accountant  
Sherrill Young, Finance Manager

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Council Investments May 2022”, Council receive and note the report.*

**SUMMARY**

The purpose of this report is to provide an overview of Council Investments for the month of May 2022.

**COMMENTARY**

The Reserve Bank in its media release dated 7 June 2022, announced a 50 basis point increase in the cash rate. Growth within the Australian economy has been strong with record low levels of unemployment. Unfortunately, the Reserve Bank is predicting that inflation will increase further. The Reserve Bank expects the increase in the cash rate to assist with the curbing of inflation over time, with further action expected by the board in the months ahead to normalise monetary conditions. Finance staff are starting to see investment rates improve, in April staff could invest funds and get a rate of around 1.5% in May investment rates have increased to above 2%.

In accordance with Section 212 of the *Local Government (General) Regulation 2021*, the details of all money invested by Council as at 31 May 2022, is **ATTACHED**, refer **ANNEXURE 1**.

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

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Institution	Cash at Bank	Financial Assets Amortised Cost	Financial Assets at Fair Value	Total	% of Total
NAB	22,704,246.43	46,000,000.00	0.00	68,704,246.43	32.54%
BOQ	0.00	19,000,000.00	0.00	19,000,000.00	9.00%
CBA	0.00	62,000,000.00	0.00	62,000,000.00	29.36%
St George	0.00	4,000,000.00	0.00	4,000,000.00	1.89%
TCorp	0.00	0.00	0.00	0.00	0.00%
Westpac	0.00	52,445,735.53	0.00	52,445,735.53	24.84%
Suncorp	0.00	5,000,000.00	0.00	5,000,000.00	2.37%
<b>TOTAL</b>	<b>22,704,246.43</b>	<b>188,445,735.53</b>	<b>0.00</b>	<b>211,149,981.96</b>	<b>100%</b>

The amount invested at 31 May 2022, has increased by \$10,129,598.13 (5.04%) compared to funds held at 30 April 2022.

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

Fund	Restriction	Amount	%
General	Unrestricted	6,182,608	2.93%
General	Internally Restricted	77,816,541	36.85%
General	Externally Restricted	21,122,736	10.00%
	<b>General Fund Total</b>	<b>105,121,885</b>	<b>49.78%</b>
Water	Unrestricted	2,007,640	0.95%
Water	Internally Restricted	21,873,921	10.36%
Water	Externally Restricted	20,439,287	9.68%
	<b>Water Fund Total</b>	<b>44,320,848</b>	<b>20.99%</b>
Sewer	Unrestricted	2,215,411	1.05%
Sewer	Internally Restricted	43,325,011	20.52%
Sewer	Externally Restricted	16,166,826	7.66%
	<b>Sewer Fund Total</b>	<b>61,707,248</b>	<b>29.23%</b>
	<b>Total Investments</b>	<b>211,149,981</b>	<b>100.00%</b>

Moneys received for each fund can only be used within that fund. An explanation for each category of restriction is described below:

#### Unrestricted

These are funds required to meet short term cash flow requirements and contingencies to maintain solvency.

**Internally Restricted**

Funds set aside for future commitments mostly relate to asset renewals, remediation works, or leave provisions. For General Fund, this includes self-funding activities such as the Airport, Waste Management and Fleet operations.

**Externally Restricted**

Funds provided for specific purposes such as developer contributions, grants and loans.

The use of restricted funds is largely controlled by 10-20 year Asset Management Plans which are included in the Resourcing Strategy of Council's Community Strategic Plan.

**(a) Policy Implications**

All of Council's investments are held in accordance with the Tamworth Regional Council Investment Policy.

**(b) Financial Implications**

Increases in the cash rate should result in slight improvements in interest income generated for the current financial year.

**(c) Legal Implications**

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

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

**(d) Community Consultation**

Nil

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

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

## 9.6 2021/2022 FACILITY IMPROVEMENT FUND PROGRAM ROUND 2

DIRECTORATE: LIVEABLE COMMUNITIES  
AUTHOR: Kay Burnes, Senior Place Manager

**1 ANNEXURES ATTACHED**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

### RECOMMENDATION

*That in relation to the report “2021/2022 Facility Improvement Fund Program Round 2”, Council:*

- (i) *approve the following funding allocation to the total of \$16,101.00:*
- *Limbri Public Hall and Recreation Reserve Local Committee*  
*One unisex and disabled access flushing toilet at Limbri Hall \$10,000.00*
  - *Weabonga Hall and Recreation Reserve Local Committee*  
*Storage Shed \$1,996.00*
  - *Woolbrook Hall and Park Committee*  
*Purchase and Installation of a park barbecue; \$4,105.00*
- (ii) *approve the unallocated balance of \$24,453.00 to be added to the 2022/2023 Facility Improvement Fund Program.*

### SUMMARY

The purpose of this report is to seek Council’s determination of funding allocations to the Section 355 Management Committees under the 2021/2022 Round 2 Facility Improvement Fund Program

### COMMENTARY

Council has supported its Section 355 Committees for a number of years with the annual Village Improvement Fund Program, now known as the Facility Improvement Fund Program.

This program is an opportunity for Section 355 Committees to 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 previously endorsed the unallocated balance of the 2021/2022 Facility Improvement Fund Program totalling \$40,554.00 to be offered under an additional (second) round of the program.

A total of four applications were received in the 2021/2022 second round totalling \$26,101.00. Three applications were supported by the Project Assessment Team. A copy of the applications received is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**. One application (Dungowan Hall Trust S355 Committee) requesting \$10,000 is not supported at this point in time, as further clarity is required in relation to the supporting documents. Council officers will work with the S355 Committee to enable the project to be relodged under the first round of the 2022/2023 Facility Improvement Fund.

Noting the difficulties created by changing COVID-19 restrictions at the time, as well as the increasing cost of materials and tradesmen, and subject to Council’s approval of the supported projects, it is recommended that the unallocated funds totalling \$24,453.00, be

added to the 2022/2023 Facility Improvement Fund Program. Council staff will work with Section 355 Committees to align eligible projects listed in individual Committee Strategic Plans.

**(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 allocated in the Annual Operational Plan for the 2021/2022 Facility Improvement Fund Program is \$69,851.00. Round One of the program allocated a total of \$29,297.00. The unallocated balance of \$40,554.00 was available as a Round Two of the 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**

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

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## **9.7 PLACE MANAGEMENT AND SECTION 355 COMMITTEE ACTIVITIES**

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Kay Burnes, Senior Place Manager

**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:***

<b><i>Barraba Showground Committee</i></b>	<b><i>10 February 2022</i></b>
<b><i>Barraba Showground Committee</i></b>	<b><i>7 April 2022</i></b>
<b><i>Barraba Sportsground Committee</i></b>	<b><i>19 May 2022</i></b>
<b><i>Bendemeer Town Hall Committee</i></b>	<b><i>22 May 2022</i></b>
<b><i>Dungowan Hall Trust Committee AGM</i></b>	<b><i>1 November 2021</i></b>
<b><i>Dungowan Hall Trust Committee</i></b>	<b><i>1 November 2021</i></b>
<b><i>Dungowan Hall Trust Committee</i></b>	<b><i>21 February 2022</i></b>
<b><i>Duri Progress Association</i></b>	<b><i>15 February 2022</i></b>
<b><i>Duri Progress Association</i></b>	<b><i>19 April 2022</i></b>

<i>Duri Progress Association</i>	<i>17 May 2022</i>
<i>Grey Fergie Tractor Muster Committee</i>	<i>28 January 2022</i>
<i>Grey Fergie Tractor Muster Committee</i>	<i>25 February 2022</i>
<i>Grey Fergie Tractor Muster Committee</i>	<i>9 March 2022</i>
<i>Grey Fergie Tractor Muster Committee</i>	<i>9 May 2022</i>
<i>Hanging Rock Hall Committee AGM</i>	<i>5 March 2022</i>
<i>Hanging Rock Hall Committee</i>	<i>30 April 2022</i>
<i>Kootingal Recreational Reserve Committee</i>	<i>21 July 2021</i>
<i>Kootingal Recreational Reserve Committee Extraordinary Meeting</i>	<i>8 December 2021</i>
<i>Kootingal Recreational Reserve Committee AGM</i>	<i>23 February 2022</i>
<i>Manilla Matters Committee</i>	<i>8 December 2021</i>
<i>Manilla Matters Committee</i>	<i>12 January 2022</i>
<i>Manilla Matters Committee</i>	<i>9 March 2022</i>
<i>Manilla Matters Committee</i>	<i>6 April 2022</i>
<i>Somerton War Memorial Hall and Recreation Ground Committee</i>	<i>22 February 2022</i>
<i>Tamworth Regional Film and Sound Archive Committee</i>	<i>15 March 2022</i>
<i>Victoria Park Coordination Committee</i>	<i>17 February 2022</i>
<i>Weabonga Hall and Recreation Reserve Local Committee</i>	<i>11 March 2022;</i>
<b>(ii) adopt the recommendation of the Dungowan Hall S355 Committee Annual General Meeting held 1 November 2021, to appoint the following executive members:</b>	
<b>Chairperson</b>	<b>Alison Leckie</b>
<b>Deputy Chairperson</b>	<b>Liz Lollback</b>
<b>Secretary</b>	<b>Liz Lollback</b>
<b>Treasurer</b>	<b>Jackie Gidley-Baird</b>
<b>Committee – Di Brown, Margaret Brady, Robyn Thompson, John Thompson, Michael Lollback and Marie Goodwin;</b>	
<b>(iii) adopt the recommendation of the Grey Fergie Tractor Muster S355 Committee Ordinary Meetings held 28 January 2022, 25 February 2022, and 9 March 2022, to appoint the following committee members:</b>	
<b>Committee – Jack Carey, Daniel Germon and Matthew Burton;</b>	
<b>(iv) adopt the recommendation of the Hanging Rock Community Hall S355 Committee Annual General Meeting held 5 March 2022 to appoint the following executive members:</b>	
<b>Chairperson</b>	<b>Tommy Taylor</b>
<b>Deputy Chairperson</b>	<b>Simon Derrett</b>
<b>Booking Officer</b>	<b>Tommy Taylor</b>
<b>Committee: Narelle Derrett, Richard Brand, Michelle Moffat, Bruce Brand, Tim</b>	

*Kalousek, Greg Parland, Sue Robinson, Nathan Evans, Janet Sandstrom, Keith Ryan, Karin Lawrence, Marion Wheeler, Barbara Kernick, Chalari Holness, Bernard Wille and Elena Wille;*

- (v) *adopt the recommendation of the Hanging Rock Community Hall S355 Committee Ordinary Meeting held 30 April 2022, to appoint the following members:*

*Committee: Cheryl-Anne Hill, Russell Sydenham and Meg Sydenham;*

- (vi) *adopt the recommendation of the Hanging Rock Community Hall S355 Committee Ordinary Meeting held 30 April 2022, to appoint the following executive member:*

*Treasurer Cheryl-Anne Hill;*

- (vii) *adopt the recommendation of the Kootingal Recreational Reserve S355 Committee Annual General Meeting held 23 February 2022, to appoint the following executive and committee members:*

*Chairperson Don Grant*

*Deputy Chairperson Lad Jones*

*Secretary Kevin Seery*

*Treasurer Verona Gimbergh*

*Booking Officer Lad Jones*

*Committee: Yvonne Meintjes, Kirsty Hogan, Alan Betts, Edwina Thomas, Andrew Yeo, Tony Beale, Chris Jarrett, Melissa Woods, Greg Crowe, Jo Jones, Kerrie Betts, Des Howard and Nathan Ruth;*

- (viii) *adopt the recommendation of the Manilla Matters S355 Committee Ordinary Meeting held 8 December 2021, to appoint the following committee members:*

*Committee: Hannah Lane, Emily McDonald and Nat Wetherall; and*

- (ix) *amend the delegated function of the Manilla Matters S355 Committee by removing the maintenance of the Manilla Cemetery and support of the annual Manilla in the Pink Promotion.*

## **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 twenty-seven 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 and that this appears to be an unfortunate trend across the volunteer community. Therefore, the list of meeting minutes is not exhaustive of all committees.

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 noted in the Minutes are:

- Council officers have:
  - clarified with the Duri Progress Association Council's current health vaccination requirements;
  - will provide the committee with an update on the use of bore water at the Duri Recreation Reserve: and
  - will discuss further with the Committee its recommendation for a hire fee for the Tennis Shed to ensure community equity.
- A very successful 2022 Grey Fergie Tractor Muster event was held. The S355 Committee is to be congratulated on the success of its event. Earlier in the year the Grey Fergie Tractor Muster S355 Committee participated in the delivery of the Bendemeer Australia Day Celebrations. It is noted that the Beer & Pie Competition was not an event conducted under the S355 Committee and that the reference to the committee making donations and providing sponsorship has been addressed with the Committee.
- It is noted that some new members of the Hanging Rock Community Hall Committee unfortunately were not eligible for S355 Committee membership as nominated at both the Committee's Annual General Meeting and the following Ordinary Meeting. The persons have been made aware of such and the matter has been resolved.

The Hanging Rock Community Hall Committee will work with Council in regards to future contact with Government Ministers. Concerns regarding access to the hall have been discussed with the committee and Council is working to resolve the matter. The Committee concerns raised in relation to telephone and electricity charges have been resolved. The Committee has been successful in obtaining approved funding under the Engie Sponsorship Program totalling \$3,000 to deliver community activities at the hall for the purpose of enhancing local community cohesion.

- The Manilla Matters S355 Committee has been successful in obtaining sponsorship from Whitehaven Coal totalling \$4,000 to assist with the delivery of Manilla Community Youth Activities. With the assistance of Council Officers planning is underway for a Movie Afternoon and BMX Workshop. The noted need for repairs to the Manilla Town Clock and the sundial in Rotary Park have been actioned to the appropriate Council Officers. The Manilla community has successfully established the Manilla Public Art Committee and the Manilla Community Gardeners Group independent of the S355 Committee.

- The current delegated function of the Manilla Matters S355 Committee is to:
  - maintain the Manilla Cemetery;
  - support the annual Manilla in the Pink Promotion;
  - conduct youth activities in Manilla; and
  - to plan, organise and conduct the Manilla Australia Day and Manilla Christmas Carols Events.

However, in recent years the S355 Committee has focused its efforts only on delivering youth activities, the Manilla Australia Day and Manilla Christmas Carols Events. As a result, the Committee resolved at its meeting of 6 April 2022, that the maintenance of the Manilla Cemetery and support of the annual Manilla in the Pink Promotion be removed from its delegated function. It is noted that cemetery maintenance is now delivered by Council and the Manilla in the Pink is no longer promoted, therefore the Committee's resolution is considered appropriate.

- Council officers have met with the Victoria Park Coordination S355 Committee to deliver an induction on S355 Governance procedures and processes and undertake a site inspection. In response to concerns raised, the Committee was advised that there is a fulltime Council works team on site at the precinct. The committee also proposed that the Botanic Gardens be included in the NSW Botanic Gardens Tour list. Unfortunately, investigations revealed that there is no such list, however, as an alternative Council has now joined the NSW Botanic Gardens Group and is listed on its website. Upgraded signage designs have been agreed upon with the Committee and available project funding will be investigated in due course. Whilst the community mower on site was being repaired Council officers mowed the grounds.

Council officers have investigated the stormwater runoff during periods of heavy rainfall and will continue to monitor and undertake maintenance as required, noting that there is a planned future extension to the existing footpath near the entrance.

- The completion of the Stronger Country Community Fund projects has been celebrated with the official events for the Piallamore and Somerton Tennis Court Surface Upgrades, the Duri Tennis Clubhouse Upgrade and the Kootingal and Dungowan Recreation Reserve Field Light Upgrades. All individual celebrations were strongly supported by their local communities, acknowledging the contribution and efforts of both the S355 Committee members and Council to ensure the success of the projects.
- The Place Management Team has commenced a S355 Committee Training Plan with four S355 Committees having completed the training.

**(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**

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

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**10 COMMUNITY SERVICES**

Nil

**11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL**

**RECOMMENDATION**

*That the confidential reports as listed be considered in a Meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993.*

**EXPRESSION OF INTEREST E114/2021 PROPOSED SALE OF RAY WALSH HOUSE CAR PARK**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Luke Stevenson, Commercial Property Officer  
**Reference:** Item 14.1 to Ordinary Council 25 August 2015 - Minute No 223/15  
Item 12.7 to Ordinary Council 9 February 2021 Minute No 21/21  
Item 12.7 to Ordinary Council 27 April 2022 Minute No 116/21  
**4 CONFIDENTIAL ENCLOSURES ENCLOSED**

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d)i&(d)ii of the local Government Act 1993 on the grounds that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

**SUMMARY**

The purpose of this report is to inform Council of the outcome of the Expression of Interest (EOI) for the proposed sale of Ray Walsh House car park and to seek authorisation for the Mayor and General Manager to proceed with any appropriate proposal in this regard.

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