



# TAMWORTH REGIONAL COUNCIL

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

## ORDINARY COUNCIL AGENDA

**28 MAY 2019**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

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

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

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

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

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

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

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

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

## AGENDA

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

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 14 May 2019, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.*

- 4 **DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

- 5 **MAYORAL MINUTE**

Nil

- 6 **NOTICE OF MOTION**

Nil

### **OPEN COUNCIL REPORTS**

- 7 **ENVIRONMENT AND PLANNING**

Nil

- 8 **INFRASTRUCTURE AND SERVICES**

- 8.1 **SPORTS AND RECREATION POTABLE BASE RATE WATER CHARGE – FILE NO SF1159**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** Paul Kelly, Manager Sports and Recreation

### **RECOMMENDATION**

*That in relation to the report “Sports and Recreation Potable Base Rate Water Charge”, Council:*

- (i) *approve the establishment of a single base rate charge for the use of potable water across Tamworth Regional Council’s parks, reserves, pools, road reserves and car parks; and*
  - (ii) *subject to confirmation from the Office of Local Government, apply this base rate charge from 1 July 2018.*

## SUMMARY

Tamworth Regional Council prides itself on the amenity provided in its public open spaces, for residents and visitors alike. However, the Sports and Recreation Division is currently experiencing conflicting priorities between trying to maintain Council’s open space to a standard that is expected by the community and managing these assets in compliance with the allocated budget.

With an ever expanding list of facilities being maintained by Council each year, and in dry times such as those currently being experienced, it inevitably results in the increased reliance on potable water which leads to higher consumption charges in accordance with Council’s Revenue Policy.

Of significant impact is the charge rate, which increases when consumption levels increase. Once a higher tier charge rate is applied to the particular meter, all remaining usage for that year is charged at the higher tier rate.

While efforts are continually being made to reduce reliance on potable water and to develop more sustainable turf management practices, it is proposed that a single base rate charge, without escalation through a the tiered structure, be applied to all potable water charges for Council’s community open space. It is proposed that this base rate charge would match the current Tier 1 charge as outlined in the Revenue Policy.

## COMMENTARY

Council’s Sports and Recreation Division provides a service to the community through the provision of well maintained parks, reserves, pools, road reserve plantings and car parks for the community to use. This community service comes at a significant expense and is constantly increasing as Council takes responsibility for more open space each year.

There is also an ever increasing expectation to improve the level of amenity within the Council public open spaces to ensure that our region is a desirable place to live and visit. Unfortunately the management of such facilities involves the use of a large quantity of potable water. While this water is applied and used in accordance with Council’s Drought Management Plan, the current charging model significantly impacts the quality at which these facilities can be maintained within existing budget allocations.

Current consumption charges are structured on a tiered system as detailed in Table 1 below.

*Table 1: Current water consumption charges*

Tier	Charge	Kilolitre Volume (kL)	
Tier 1	\$1.53	0 – 400 kL	Per annum
Tier 2	\$1.68	401 – 800 kL	Per annum
Tier 3	\$1.85	801 kL and above	Per annum

Of concern with this system when applied to public spaces, is when consumption levels reach the highest tier, the charges stay at this level for the remainder of the financial year. In 2018-2019, due to our current dry conditions some open space sites reached the Tier 3 charging level well into the first quarter of the year, therefore all remaining charges for the year are being charged at Tier 3 rates, regardless of consumption levels.

In an effort to minimise the use of potable water and the associated budgetary impacts of maintaining open spaces, the Sports and Recreation Division has in recent years implemented more sustainable water practices. This has been undertaken with the assistance of the Water and Waste Directorate through the use of ground water and other recycling measures and has resulted in a number of sites being converted to non-potable water sources as displayed in Table 2.

Table 2: Open Space sites not reliant on potable water

Facility	Water Source
Advanced Tree Nursery	Reclaimed Effluent
Gipps Street Sporting Fields and Cross Park	Bore Water
Riverside Fields 1,2,3,4 and Baseball	Bore Water
Plain Street Sporting Fields	Bore Water
Viaduct Park	Bore Water
Bicentennial Park and No. 1 Oval	Bore Water
Centenary Park	Bore Water
Redbank Park	Bore Water
Tamworth Regional Botanic Garden	Bore Water
Regional Sporting Complex – Athletics, Sports Dome, Hockey	Recycled Water

Despite the above measures being implemented, the Sports and Recreation Division is still significantly impacted by the current tiered charging structure, which is applied to potable water consumption at more than 200 other open space sites across the Council area.

To assist Council in maintaining the amenity of its public open space and meet community expectation, while also operating within current budget levels, it is proposed that a singular base rate charge be applied to all potable water consumption across Council’s open spaces as a form of community service obligation. The base rate charge is proposed to be the equivalent of the Tier 1 rate displayed in Table 1 above.

If this proposal was supported the impact would be proportionate to the consumption of portable water, for example in times of good rainfall the impact is minimal, but in extended dry times, the impact becomes more significant resulting in a higher level of community service.

Table 3 below displays the potential community service level that would be applied to all open space potable water consumption charges from 1 July 2018 to 30 April 2019, as a comparison with current charges – highlighting an \$83,809 reduction in budget charges if the proposed model was adopted.



Table 3: Comparison of potable water charges between current charge structure and proposed singular base rate charge from 1 July 2018 to 30 April 2019.

Facility	Water consumption to 30 April 2019 (kL)	Charges under current tiered structure (\$)	Charges under proposed single base rate charge (\$)
Sporting Fields	33,216	\$60,371.57	\$50,820.48
Pools	40,457	\$87,231.84	\$61,899.21
Other Open Space	183,693	\$329,976.41	\$281,050.30
<b>Total</b>	<b>275,366</b>	<b>\$477,579.82</b>	<b>\$393,769.99</b>

This significant budget saving provided through the establishment of a single base rate charge would enable the Sports and Recreation Division to provide an improved amenity and maintenance schedule for our facilities within our current budget allocation.

This reduced charge will also assist with the implementation of the Urban Street Tree Management Plan which has been adopted by Council to improve the amenity of the region through the planting and maintenance of more street trees.

**(a) Policy Implications**

The Revenue Policy would need to be amended to allow for the establishment of a single base rate charge for Council owned community sports and recreation facilities.

**(b) Financial Implications**

The impact of the extended drought and the current charging model is predicted to result in the Sports and Recreation Division being approximately \$150,000 over budget in water charges in 2018-2019. Implementing recommendation (ii) of this report will reduce this over expenditure by a predicted \$90,000 and provide a single charge rate for the upkeep of Council's open space into the future.

Consequently this proposed change to the charging model for open space would also result in a reduction in revenue for Council's Water Fund to the value \$90,000 in 2018-2019.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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

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

## **8.2 2019 NSW RUGBY UNION COUNTRY CHAMPIONSHIPS FINANCIAL ASSISTANCE REQUEST – FILE NO SF5609**

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

### **RECOMMENDATION**

*That in relation to the report “2019 NSW Rugby Union Country Championships Financial Assistance Request”, Council decline the request to financially support the Championships.*

### **SUMMARY**

NSW Rugby Union has requested \$10,000 financial support from Council for the 2019 NSW Rugby Union Country Championships, to assist with travel and transport costs associated with this event.

There was verbal discussion around Council’s financial support held in November 2018, but the formal written request from NSW Rugby Union seeking support was only received in May 2019.

The Country Championships will be held over the June long weekend in 2019, with games played on 7 and 8 June. The event will be conducted with or without a financial contribution from Council.

While it is acknowledged that this event will generate considerable economic activity for the community, it is recommended that Council decline this request for 2019.

### **COMMENTARY**

The NSW Rugby Union Country Championships is an annual event incorporating all nine of rugby’s Country Zones and is the flagship event for eligible teams across the Country Zones. The event attracts participants across the men’s, women’s and under 19’s.

The Championships will be held at Scully Park and Wests has offered in-kind support by providing the use of the field at no charge.

NSW Rugby Union estimates the Championships cost \$50,000 to operate. The bulk of the expense is the bus hire required for the event. NSW Rugby Union believes transport costs are the most significant barrier to teams participating in the Championships. NSW Rugby Union has requested Tamworth Regional Council support the Championships with \$10,000 (inclusive of GST) cash contribution to assist with these costs.

Utilising the Event Impact Calculator on profile.id, with the information submitted by NSW Rugby Union and Council’s agreed tourism and sport estimated average spend, the Championships is forecast to generate a total economic impact of \$459,852 within the Tamworth economy, refer Image 1.

Image 1 profile.id Event Impact Calculator

Event name:	Type of event:	Significance of event:	Start date:
2019 NSW Rugby Union Coun	Sports and Recreation Activities	State	07/05/2019
Length of event (days):	Est. attendance per day:	Est. avg daily spend (\$):	Event total spend:
2	900	151	\$271,800

Submit

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**Event Impact Summary** export reset

Tamworth Regional Council - 2019 NSW Rugby Union Country Championships - Modelling the effect of \$271,800 from a Sports and Recreation Activities event with State significance

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	217,440	101,364	1.8	--
Industrial impact	130,399	53,287	0.5	--
Consumption impact	112,013	49,936	0.6	--
<b>Total impact on Tamworth Regional Council economy</b>	<b>459,852</b>	<b>204,587</b>	<b>2.8</b>	<b>--</b>

Source: National Institute of Economic and Industry Research (NIEIR) ©2019. Compiled and presented in economy.id by .id, the population experts.  
 Note: All \$ values are expressed in 2016/17 base year dollar terms.

It should be noted that the event has been booked and confirmed at Scully Park and NSW Rugby Union has confirmed the event will go ahead with or without Council’s financial support.

Given that the request is received less than one month before the event, when teams would have already committed to travel arrangement (including travel costs), and that the event will be conducted regardless of Council’s financial contribution, it is recommended that Council decline the request for this event on this occasion.

Council may alternatively consider that it will support this event and/or future Rugby Country Championship events.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

There is no allocation in the 2018/2019 budget to fund hosting fees this or any new sports event.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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

### **9.1 SECTION 355 COMMITTEE MINUTES AND PLACE MANAGEMENT ACTIVITIES – FILE No SF2256**

**DIRECTORATE:** PLANNING AND COMPLIANCE  
**AUTHOR:** Kay Burnes, Senior Place Manager

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

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

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

*Somerton War Memorial Hall and Recreation*

*Grounds Committee* 5 December 2018

*Manilla Matters Committee* 13 February 2019

*Barraba Showground Committee* 20 February 2019

*Moonbi War Memorial Hall and Recreation Reserve*

*Committee* 20 February 2019

*Somerton War Memorial Hall and Recreation*

*Grounds Committee* 27 February 2019

*Loomberah Hall Committee* 28 February 2019

*Manilla Matters Committee* 13 March 2019

*Duri Progress Association* 19 March 2019

*Attunga Recreation Ground S355 Committee AGM* 21 March 2019

*Attunga Recreation Ground S355 Committee* 21 March 2019

*Nundle Go For Gold Festival Committee* 27 March 2019

*Hanging Rock Community Hall Committee* 30 March 2019

*Duri Progress Association* 16 April 2019

*Nundle Go For Gold Festival Committee* 17 April 2019;

*(ii) accept the recommendation of the Attunga Recreation Ground S355 Committee’s Annual General Meeting held 21 March 2019, to appoint the following as executive members and committee members:*

*Chairperson:* Kim Wilson

*Deputy Chairperson:* Greg Gibson

*Secretary:* Jennie Morris

*Treasurer:* Jaimi-Lee Brown

*Booking Officer:* Margaret Markwick

*Members: Justin Simmons, Geoff Webster, Ian Regan, Peter Payne, Robyn Mowbray, Lyn Weis, Jennie Norris;*

- (iii) accept the recommendation of the Attunga Recreation Ground S355 Committee's Ordinary Meeting held 21 March 2019, to appoint Jennie Norris as Secretary;*
- (iv) accept the recommendation of the Barraba Showground Management Committee's Ordinary Meeting held 20 February 2019, to appoint Bert Graves as Treasurer; and*
- (v) receive and note the key outcomes and achievements from the Minutes received and notable outcomes of Place Management activities.*

## **SUMMARY**

The purpose of this report is to:

- present the Minutes of the 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 (Council) 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 received 14 sets of Minutes from Section 355 Committees and the Minutes are **ATTACHED**, refer **ANNEXURE 1**, for Council's information.

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

- the Somerton War Memorial Hall and Recreation Grounds Committee Minutes noted an issue with a cemetery interment request. The Place Manager followed up this matter and determined it was a miscommunication – all is okay;
- the Loomberah Hall Committee access ramp project has commenced and completion is expected by 30 June 2019; Regional Services Directorate has been requested to contact the Committee regarding the drive access upgrade; the decking project has been listed for future consideration; the facility hire agreement is currently under review by Council; and the Committee's current schedule of fees is posted to Council's web site. The Committee has completed the installation of artificial turf under the Facility Improvement Fund;
- the Place Management Team met the Duri Progress Association Chairperson on site to inspect the sports ground and tennis club and noted projects for future funding opportunities. This matter is ongoing; and
- the Nundle Go For Gold Festival Committee delivered a successful 2019 Festival.

Notable Place Management activities within the community include:

- each Australia Day communities are invited to participate in the NSW Local Citizen of the Year Awards. The awards recognise outstanding achievements by individuals and organisations within local communities.

In 2019, a new award category, supported by Return and Earn, was introduced – the NSW Environmental Citizen of the Year Award. This award enabled each Local Government Area to celebrate a champion of an environmental initiative. The winner of Nundle's local community NSW Environmental Citizen of the Year Award is Amanda Price, School Teacher at Nundle Public School. Amanda is now in the running to become the state winner and receive \$5,000 from Return and Earn to support her initiative and help achieve her environmental goals. Helping to protect the environment should earn more than acknowledgement. At the Nundle Public School they proved this.

Teacher Amanda Price encouraged students in Year 3 and Year 4 to collect bottles and recycle them through the Return and Earn scheme. Students learned to take better care of the environment and raised around \$1000 to cover much of the costs of a school excursion. This small project grew into something greater. The parents in Nundle got involved, many making the 50-minute trip to Tamworth to deliver their bottles to the Return and Earn facility. The school continues to collect for Return and Earn but now do far more. Students began writing to local businesses to encourage them get on board. They collected lids from bottles to make artworks and are even making movies about saving the environment, whilst continuing to fund their school activities through their recycling:

- Columbarium Walls have been completed at Somerton, Bendemeer and Moonbi and will be available for public access in the near future;
- underground watering systems have been installed in front of the Manilla Council Office and the Moonbi Lawn Cemetery. The Lawn Section of the Barraba Cemetery will have an underground watering system installed in the coming weeks;
- Somerton War Memorial Hall and Recreation Grounds Committee has completed the installation of ceiling fans and blinds under the Annual Donations Program;
- the Place Management Team has made arrangements to remove the former amphitheatre from the Kootingal Recreation Reserve as an Engineers Certificate has deemed it unviable for repair and non compliant with current Australian Safety Standards. The Kootingal Recreational Reserve Committee has funds on hand to proceed with the construction of a new amphitheatre;
- the Place Management Team has commenced working with the Integrated Planning Team on the Blueprint 100 Plan;
- works have commenced on both the Hanging Rock Hall and Woolomin Recreation Reserve building awnings under Council's SRV Program; and
- the Place Management Team assisted the Limbri Public Hall and Recreation Reserve Local Committee with the submission of an Empowering our Communities Grant Application for a number of community activities at the hall.

**(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 budgets are maintained under the Corporate and Governance 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.

**9.2 COUNCIL INVESTMENTS APRIL 2019 – FILE NO SF8852**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Rick Sanderson, Manager Financial Services

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

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

**SUMMARY**

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

**COMMENTARY**

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 30 April 2019, is **ATTACHED**, refer **ANNEXURE 1**.

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

Institution	On Call	Term Deposit	Floating Rate	Total	% of Total
NAB	4,600,531	44,000,000	0	48,600,531	32.55%
ANZ	0	14,000,000	0	14,000,000	9.38%
BOQ	0	5,000,000	0	5,000,000	3.35%
CBA	0	17,000,000	3,000,000	20,000,000	13.39%

St George	0	13,000,000	0	13,000,000	8.70%
TCorp	14,717,966	0	0	14,717,966	9.86%
Westpac	0	22,000,000	12,000,000	34,000,000	22.77%
<b>TOTAL</b>	<b>19,318,497</b>	<b>115,000,000</b>	<b>15,000,000</b>	<b>149,318,497</b>	

The amount invested at 30 April 2019, has decreased by \$6,537,811.85 since the previous month, with no significant receipts due for the month.

Council's investments mainly include restricted funds received for specific purposes or held for future renewal works for each of the three main funds, as summarised in the following table:

Fund	Restriction	Amount	%
General	Unrestricted	8,096,503	5.40%
General	Internally Restricted	38,598,616	25.90%
General	Externally Restricted	12,304,451	8.20%
<b>General Fund Total</b>		<b>58,999,570</b>	<b>39.5%</b>
Water	Unrestricted	2,000,000	1.30%
Water	Internally Restricted	21,950,244	14.70%
Water	Externally Restricted	19,785,719	13.30%
<b>Water Fund Total</b>		<b>43,735,963</b>	<b>29.3%</b>
Sewer	Unrestricted	2,000,000	1.30%
Sewer	Internally Restricted	30,647,351	20.50%
Sewer	Externally Restricted	13,935,613	9.40%
<b>Sewer Fund Total</b>		<b>46,582,964</b>	<b>31.2%</b>

**Total Investments**

**149,318,497**

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

**Unrestricted:**

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

**Internally Restricted:**

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

**Externally Restricted:**

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



The use of restricted funds is largely controlled by 10 – 20 year asset management plans which are included in the resourcing strategy of Council’s Community Strategic Plan.

**(a) Policy Implications**

All of Council’s investments are held in accordance with the ‘Tamworth Regional Council Investment Policy’ except for the one term deposit that is now below the minimum rating level due to a recent down grade.

**(b) Financial Implications**

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

**(c) Legal Implications**

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

- Local Government Act 1993 – Section 625;
- Local Government Act 1993 – Order (of Minister) dated 16 November 2000;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) and 2;
- Local Government (General) Regulation 2005 – Clauses 212 and 215; and
- Local Government Code of Accounting Practice & Financial Reporting – Update No. 15 dated June 2007.

**(d) Community Consultation**

Nil

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

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

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**9.3 ANNUAL OPERATIONAL PLAN 2018/19 BUDGET VARIATION REPORT - APRIL 2019 – FILE NO SF8575**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Rick Sanderson, Manager Financial Services  
**Reference:** Item 9.1 to Ordinary Council 26 June 2018 - Minute No 217/18  
**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Annual Operational Plan 2018/19 Budget Variation Report – April 2019”, Council note and approve the variations to the existing budget included in the attached ANNEXURE.*

**SUMMARY**

Council adopted the original budget included in the Annual Operational Plan for 2018/2019 at the Ordinary Council Meeting held 26 June 2018. Any changes to the budget must be approved by Council at a later Ordinary Meeting. This report seeks Council approval for any

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required budget variations identified during the month of April 2019 for which there has been no previous specific report or approval.

The Quarterly Budget Review Statements will provide Council with a full review of revised budget forecasts and actual year to date results following the completion of the September, December and March quarters.

## COMMENTARY

The annual budget provides Council with the means to control resource allocation and revenues per objectives set in the Annual Operational Plan. It also forms the basis for future forecasts and the legal authority for staff to commit expenditures. Constant monitoring and update of the budget is therefore important for sound financial management.

This monthly report provides a timely endorsement of any variations identified during the previous month and for the reporting of any material differences between budgets and actuals identified by the Responsible Accounting Officer.

A summary of general budget variations is provided below with detailed lists included the **ATTACHED**, refer **ANNEXURE 1**.

### *General variations identified during April*

<i>Division</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	37,159	190	0	0
Economic & Destination Development	0	(15,000)	0	0
Entertainment Venues	1,723	(43,269)	0	0
Directorate Mgmt - Bus & Community	0	11,042	0	0
Airport & Aviation Development	118,954	(119,829)	(21,553)	21,553
AELEC Precinct	0	0	0	(95,476)
Directorate Mgmt - Corp & Gov	0	0	0	0
Financial Services	0	(46,000)	0	0
People & Culture	0	30,356	0	0
Business Systems & Solutions	0	63,431	0	0
Communications & Engagement	0	57,500	0	0
General Purpose Income	(392,142)	0	0	0
Regulatory Services	(6,500)	85,296	0	0
Development & Approvals	0	500,000	0	0
Strategic Planning	(39,000)	0	(623,000)	0
Plant, Fleet & Buildings	0	0	0	0
Sports & Recreation Services	153,913	28,650	(100,000)	105,827

Infrastructure & Projects	10,019	215,724	(206,465)	(10,823)
Strategy & Development	0	0	0	0
Waste Management	(505,609)	0	0	0
Water & Wastewater	(1,856,829)	155,264	(9,500)	164,499
Sustainability Activities	96,125	(111,822)	0	(62,064)
<b>Grand Total</b>	<b>(2,382,187)</b>	<b>811,533</b>	<b>(960,518)</b>	<b>123,516</b>

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

Nil

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The variations included in the report have the following impact on forecast results for 2018/2019:

<b>Fund</b>	<b>Operating Income</b>	<b>Operating Expenses</b>	<b>Capital Income</b>	<b>Capital Expenses</b>
General	(525,358)	656,269	(951,018)	(40,983)
Water	(1,221,311)	149,297	(9,500)	164,499
Sewer	(635,518)	5,967	0	0

**(c) Legal Implications**

This report is in compliance with the following sections of the Local Government (General) Regulation 2005;

211 Authorisation of expenditure; and

202 Responsible Accounting Officer to maintain system for budgetary control.

**(d) Community Consultation**

Nil

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

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

## 9.4 2018/2019 QUARTERLY BUDGET REVIEW STATEMENTS TO 31 MARCH 2019 – FILE No SF8575

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Rick Sanderson, Manager Financial Services

**1 ANNEXURES ATTACHED**

### RECOMMENDATION

*That in relation to the report “2018/2019 Quarterly Budget Review Statements to 31 March 2019”, Council receive and note the report and related statements.*

### SUMMARY

The purpose of this report is to present to Council the Quarterly Budget Review Statements for Tamworth Regional Council for the period ended 31 March 2019, in accordance with Clause 203 of the Local Government (General) Regulation 2005.

### COMMENTARY

The Quarterly Budget Review Statements **ATTACHED**, refer **ANNEXURE 1**, provide a summary of budget movements since the adopted original budget, along with revised budget forecasts for the 2018-2019 financial year, and comparisons to actual transactions year to date. Each statement includes a review of the main budget variances for the quarter.

Budget variances that require Council approval have been submitted to Council either by a specific Council report or through the monthly Budget Variance reports.

The following tables provide a summary and commentary of the budget variations for the quarter and the projected year end results for the General, Water and Sewer funds.

Details of *operating expenses* and *income* are shown in the attached statements.

*Capital Income* includes grants and contributions received specifically for new capital works and are excluded from the operating results provided in the following tables.

*Cash Adjustments* include the reversal of non-cash accruals contained in operating expenses such as depreciation and leave entitlements, as well as the addition of non-operating cash receipts and payments such as those associated with loans, deferred debtors and property sales.

*Capital Expenses* include the acquisition, upgrade or renewal of assets.

### General Fund

Summary of budget variations year to date:

<b>Budget Results</b>	Original Budget	Previous Quarters	March Qtr. Review	Projected Result
Operating Expenses	93,293,565	5,654,478	1,890,471	100,838,514
Operating Income	(89,759,657)	(7,007,368)	(740,424)	(97,507,449)
<b>Operating Result</b>	<b>3,533,908</b>	<b>(1,352,890)</b>	<b>1,150,047</b>	<b>3,331,065</b>
Capital Income	(18,834,464)	(4,886,167)	(12,006,656)	(35,727,287)
Cash Adjustments	(21,215,034)	93,952	(13,539,414)	(34,660,496)

Capital Expenses	47,782,864	36,685,120	4,025,800	88,493,784
<b>Cash Results</b>	<b>11,267,274</b>	<b>30,540,015</b>	<b>(20,370,223)</b>	<b>21,437,066</b>
Unrestricted Cash	(62,518)	1,463,302	99,788	1,500,572
Reserves	8,734,461	25,925,819	(18,849,230)	15,811,050
Developer Cont.	(9,060)	1,513,702	(206,000)	1,298,642
Loans	1,235,958	910,519	0	2,146,477
Prior Year Grants	1,368,433	726,673	(1,414,781)	680,325
<b>Total Cash Funding</b>	<b>11,267,274</b>	<b>30,540,015</b>	<b>(20,370,223)</b>	<b>21,437,066</b>

The decrease to the operating result for the quarter was mainly due to non-recurrent income and expense adjustments. The increases to Capital income and Cash adjustments was mainly related to new anticipated grants and loans for capital acquisitions, replacing initial reserve allocations.

It should be noted that no adjustment has been made to the budget for the annual income for FAGS. While \$5.3M of the 2018-19 allocation, was received and accounted for in 2017-18, it is considered that forecast results should reflect the full annual allocation regardless of any future decision on the timing of payments by the Federal and State governments.

#### Key Financial Results

Unrestricted Cash	Opening Balance	Projected Result	Projected Balance	Minimum Balance
Unrestricted Cash	7,493,857	(1,500,572)	5,993,285	6,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency.

Recurrent Result	Operating Cash Result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
General Activities	(14,105,338)	17,789,343	3,684,005	2,965,707
Fleet Operations	(4,559,452)	2,702,267	(1,857,185)	0
Airport Operations	(1,364,792)	1,577,141	212,349	151,766
Waste Services	(2,479,117)	1,447,529	(1,031,588)	0

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals (as measured by annual depreciation). A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity. The table breaks the General Fund down into the main activities that are expected to be self-funding, providing a clear picture of the general activities that must be funded by general purpose revenues.

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

The projected unrestricted cash balance is just below the minimum required indicating a satisfactory position in the short term. This would be impacted by any unfunded budget variations in the remaining quarters.

The recurrent result for the General Activities of the General Fund operations (\$3.7M deficit) indicates the current commitment to operational services is well in excess of the available revenues. This implies an ongoing inability to fully fund existing asset renewals or commit to increasing operational services or new loan funded works.

The Airport is also showing an operating deficit following revised levels of depreciation.

The recurrent results for the other General Fund activities are satisfactory with suitable levels of operating surplus.

**Water Fund**

Summary of budget variations year to date:

<b>BUDGET RESULTS</b>	Original Budget	Previous Quarters	March Qtr. Review	Projected Result
Operating Expenses	18,615,687	316,448	393,942	19,326,077
Operating Income	(19,687,167)	(740,228)	(1,245,311)	(21,672,706)
<b>Operating Result</b>	<b>(1,071,480)</b>	<b>(423,780)</b>	<b>(851,369)</b>	<b>(2,346,629)</b>
Capital Income	(1,818,500)	414,952	(409,500)	(1,813,048)
Cash Adjustments	(14,695,632)	10,590,000	(179,870)	(4,285,502)
Capital Expenses	24,206,497	(17,266,876)	99,713	7,039,334
<b>Cash Results</b>	<b>6,620,885</b>	<b>(6,685,704)</b>	<b>(1,341,026)</b>	<b>(1,405,845)</b>
Unrestricted Cash	(206,112)	(804,684)	(1,234,001)	(2,244,797)
Reserves	3,111,497	(882,662)	301,975	2,530,810
Developer Cont.	3,223,375	(4,506,233)	(409,000)	(1,691,858)
Loans	492,125	(492,125)	0	0

Prior Year Grants	0	0	0	0
<b>Total Cash Funding</b>	<b>6,620,885</b>	<b>(6,685,704)</b>	<b>(1,341,026)</b>	<b>(1,405,845)</b>

The Operating result was mainly improved by an increase in water usage income which is also reflected in the increase to unrestricted cash. The increase in capital income was mainly due to revised estimates for developer contributions and the cash adjustments variation was due to updated depreciation amounts.

### Key Financial Results

	Opening balance	Projected result	Projected balance	Minimum balance
Unrestricted Cash	2,000,000	2,244,797	4,244,797	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works.

	Operating cash result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(8,238,468)	5,050,267	(3,188,201)	764,765

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals. It relies on depreciation being a reasonable measure of asset renewal requirements. A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity.

### Financial Services Manager's comment in relation to the financial position of the Council's Water Fund:

The projected unrestricted cash balance is above the estimated minimum balance indicating a capacity to transfer additional funds to reserves for future works.

The recurrent result (\$3.2M surplus) indicates an ongoing capacity to meet existing operational, loan servicing and asset renewal needs, as well as future capital upgrades.

### Sewer Fund

Summary of budget variations year to date:

<b>BUDGET RESULTS</b>	Original Budget	Previous Quarters	March Qtr. Review	Projected Result
Operating Expenses	17,252,419	272,269	87,629	17,612,317
Operating Income	(22,437,528)	(1,135,131)	(668,523)	(24,241,182)

<b>Operating Result</b>	<b>(5,185,109)</b>	<b>(862,862)</b>	<b>(580,894)</b>	<b>(6,628,865)</b>
Capital Income	(943,000)	447,731	(30,000)	(525,269)
Cash Adjustments	(3,313,199)	0	(104,502)	(3,417,701)
Capital Expenses	6,176,000	(197,029)	(17,889)	5,961,082
<b>Cash Results</b>	<b>(3,265,308)</b>	<b>(612,160)</b>	<b>(733,285)</b>	<b>(4,610,753)</b>
Unrestricted Cash	(303,308)	(1,109,846)	(670,304)	(2,083,458)
Reserves	(3,913,000)	1,502,687	(15,981)	(2,426,294)
Developer Cont.	951,000	(1,005,001)	(47,000)	(101,001)
Loans	0	0	0	0
Prior Year Grants	0	0	0	0
<b>Total Cash Funding</b>	<b>(3,265,308)</b>	<b>(612,160)</b>	<b>(733,285)</b>	<b>(4,610,753)</b>

The increase to operating income was mainly due to revised non-residential usage and trade waste charges.

### Key Financial Results

	Opening Balance	Projected Result	Projected Balance	Minimum Balance
Unrestricted Cash	2,000,000	2,083,458	4,083,458	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works.

	Operating Cash Result (Surplus)/Deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(12,398,934)	5,866,291	(6,532,643)	2,448,590

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals. It relies on depreciation being a reasonable measure of asset renewal requirements. A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity.



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

The projected unrestricted cash balance exceeds the estimated minimum balance indicating a capacity to transfer additional funds to reserves for future works.

The recurrent result (\$6.5M surplus) indicates an ongoing capacity to meet existing operational, loan servicing and asset renewal needs, as well as future capital upgrades.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The body and Quarterly Budget Review Statements **ATTACHED**, refer **ANNEXURE 1**, of this report provide details of the projected financial results for the 2018/2019 Budget. The variances recorded for the different funds could have implications for the Long Term Financial Plan, and this will be reviewed as part of the ongoing Integrated Planning and Reporting process.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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**9.5 GIFTS AND BENEFITS POLICY – FILE No SF801**

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

**Reference:** Item 9.4 to Ordinary Council 9 April 2019 - Minute No 107/19  
**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Gifts and Benefits Policy”, Council approve the Gifts and Benefits Policy.*

**SUMMARY**

The purpose of this report is to seek Council approval for the Gifts and Benefits Policy following Community Consultation.

**COMMENTARY**

With the new release of the updated Model Code of Conduct by the Office of Local Government, the Gifts and Benefits Policy required amendments to ensure it complied with the new Model Code.

Council at its Ordinary Meeting held 9 April 2019, endorsed the draft Policy, **ATTACHED**, refer **ANNEXURE 1**, and the policy was placed on Public Exhibition for a period of 28 days in

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accordance with the Local Government Act 1993. Submissions in relation to the policy were to be received by Friday, 17 May 2019. No submissions from the public were received.

**(a) Policy Implications**

The Policy will be updated in the General Policy Register.

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The draft Policy was placed on Public Exhibition for Community Consultation for a period of 28 days, from 18 April 2019, to 17 May 2019. The draft Policy was available at Ray Walsh House and on the website. The draft Policy was advertised within the Northern Daily Leader. No public submissions were received.

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

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

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**9.6 CODE OF MEETING PRACTICE – FILE NO SF802**

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

**Reference:** Item 9.3 to Ordinary Council 9 April 2019 - Minute No 106/19  
**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Code of Meeting Practice”, Council adopt the new Code of Meeting Practice.*

**SUMMARY**

The purpose of this report is for Council to adopt the draft Code of Meeting Practice in accordance with the Local Government Act 1993, following public exhibition and comment.

**COMMENTARY**

Council at its Ordinary Meeting held 9 April 2019, endorsed the draft Code **ATTACHED**, refer **ANNEXURE 1**, and the Code was placed on public exhibition for a period of 28 days in accordance with the Local Government Act 1993. The Code of Meeting Practice complies with the new Model Code of Meeting Practice released by the Office of Local Government. Submissions in relation to the policy were to be received by Friday 17 May 2019. No submissions were received.

Councils have until 14 June 2019, to adopt a new Code of Meeting Practice in line with new provisions of the Local Government Act 1993, and associated regulations. Councils have until 14 December 2019, to webcast meetings of Council and Committees.

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The new Tamworth Regional Council Draft Code of Meeting Practice has been developed in consultation with Councillors to determine the non-mandatory provisions.

**(a) Policy Implications**

Upon adoption, the Code of Meeting Practice will be available to staff via the intranet and the public via the internet.

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Tamworth Regional Council's Code of Meeting Practice complies with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and the new Model Code of Meeting Practice .

**(d) Community Consultation**

The draft Code was placed on public exhibition for community consultation for a period of 28 days, from 18 April to 17 May 2019. The draft Code was available at Ray Walsh House and on the website. The draft Code was advertised within the local newspapers across the Tamworth Regional Council area. No submissions were received.

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

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

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**9.7 TAMWORTH REGIONAL COUNCIL 2018/19 DELIVERY PROGRAM AND ANNUAL OPERATIONAL PLAN QUARTERLY PROGRESS REPORT 1 JANUARY 2019 TO 31 MARCH 2019 – FILE NO SF7918**

**DIRECTORATE: CORPORATE AND GOVERNANCE**

**AUTHOR: Rick Sanderson, Manager Financial Services**

**Reference: Item 9.1 to Ordinary Council 26 June 2018 - Minute No 217/18**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Tamworth Regional Council 2018/19 Delivery Program and Annual Operational Plan Quarterly Progress Report 1 January 2019 to 31 March 2019", Council receive and note the report.*

**SUMMARY**

Council's 2018-2022 Delivery Program was adopted at the Council Meeting held 26 June 2018. The purpose of this report is to present a progress report on the program for the period 1 March 2019 to 31 March 2019.

**COMMENTARY**

Chapter 13, Part 2 of the Local Government Act 1993, sets out the Strategic Planning provisions for Councils which incorporates the Integrated Planning and Reporting Guidelines.

In relation to progress reporting, Section 404 (5) of the Local Government Act 1993, requires that *"the General Manager must ensure that regular progress reports are provided to the*

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Council reporting as to its progress with respect to the principal activities detailed in its delivery program”.

Council this year has continued its commitment to improving the information available to the Tamworth Regional Community with quarterly reporting for the progress report.

The Quarterly Progress Report 1 March 2019 to 31 March 2019, is **ATTACHED**, refer **ANNEXURE 1**, provides a progress summary of all actions included in Council’s current Annual Operational Plan for the September quarter which support Council’s delivery of the 2018-2022 Delivery Program.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Section 404 (5) of the Local Government Act 1993.

**(d) Community Consultation**

Nil

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

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

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## **10 COMMUNITY SERVICES**

### **10.1 DRAFT TAMWORTH REGIONAL MUSEUMS ENGAGEMENT STRATEGY 2019-2024 – FILE NO SF8487**

**DIRECTORATE:** BUSINESS AND COMMUNITY  
**AUTHOR:** Bridget Guthrie, Director Tamworth Regional Gallery and Museums

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Draft Tamworth Regional Museums Engagement Strategy 2019-2024”, Council:*

- (i) receive and note the report;*
- (ii) approve the Draft Tamworth Regional Museums Engagement Strategy 2019-2024 to be placed on public exhibition for 28 days; and*
- (iii) seek a further report to formally adopt the Tamworth Regional Museums Engagement Strategy 2019-2024.*

#### **SUMMARY**

The Tamworth Regional Museums Engagement Strategy 2019-2024 (the Strategy) is to be utilised by Council to govern a highly professional and well-managed process for the support

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of both staffed and volunteer run museums in the Tamworth Regional Council Local Government Area (LGA).

## **COMMENTARY**

The Tamworth Regional Museums Engagement Strategy outlines a framework for the support of 10 public museums and social history collections located in the Tamworth Regional Council Local Government Area. The intention of the document is to create a blueprint for the ongoing support and development of each unique collection and to identify the most effective manner for Tamworth Regional Council to support and resource the preservation of the region's heritage.

As a regional strategy, this document identifies common needs and priorities across the collections and complements rather than replace individual plans and documentation relating to individual collections/organisations.

The strategy was developed via consultation with key stakeholders between October 2018 and May 2019, and is supported by prior research and consultation contained in existing collection or community documentation including Collection Significance Statements, the recent museum mapping exercise undertaken by Tamworth Regional Council staff, the Community Strategic Plan and various other Council planning documents.

The focus of the strategy is on consolidating work completed by all of the partners to date and strengthening networks across the region. The strategy focuses on five key focus areas or main goals. These include:

1. Sustainability of Collections – Documentation and Storage;
2. Succession Planning and Sustainability for Volunteers;
3. Quality Exhibition Development and Cultural Tourism;
4. Strategic Partners and Developing a Coordinated Museums Approach; and
5. Creating a Level Playing Field - Structural Adjustment and Risk Minimisation.

For Council, challenges exist in ensuring equity in; the support to organisations and their volunteers, the resourcing of collection support services, the minimisation of risk, and developing and maintaining support networks. Maintaining excellence in museum practice for the collections directly under the care of Tamworth Regional Council will be a challenge for the small dedicated staff in the face of competing priorities and regional needs. Opportunities exist to; focus on different levels of servicing relating to need, minimize risk, and to make structural adjustments in the future accordingly with partner collections.

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

Upon adoption, this strategy will be included on Council's website.

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

The implementation of the Tamworth Regional Museums Engagement Strategy is reliant predominantly on a series of external grants and uses existing staffing resources.

However, an annual budget allocation of \$10,000 has been identified for the implementation of museum advisor support, through Museums and Galleries of NSW from the 2020-2021 financial year onwards. This will assist Council to achieve Goal 5 - Creating a Level Playing Field - Structural Adjustment and Risk Minimisation.

Additionally, the implementation of the Tamworth Regional Museums Engagement Strategy 2019-2024 recognises the need to increase existing staffing resources in the longer term and has an action to investigate a museum exhibition curator position for all museums from 2021 to 2024.

**(c) Legal Implications**

Implementation of this strategy will assist with Council's forward planning and Risk Management processes.

**(d) Community Consultation**

There has been a series of community consultation processes used to engage all stakeholders, including on site visits to each museum, informal meetings with stakeholders, telephone conversations, the distribution of the draft plans to all relevant stakeholders and formal community consultation workshops and feedback sessions.

Specifically, this has included:

- site visits by consultant Kim Biggs to each museum throughout 2018;
- informal telephone conversations with Kim Biggs and Bridget Guthrie;
- informal meetings with museum stakeholders;
- attendance at numerous museum and archive committee meetings;
- electronic distribution of the draft Tamworth Regional Museums Engagement Strategy to all relevant stakeholders; and
- Tamworth Regional Museums Engagement Strategy feedback session on 15 May 2019.

Many people took up the process of providing feedback both verbally and in the written form. Some people provided feedback via e-mails with general comments, others using track-changes on the existing draft strategy. The community response to the strategy has been pleasing and indicates that the strategy reflects community aspirations.

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

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

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**10.2 CENTRAL NORTHERN REGIONAL LIBRARY – FILE No SF2712**

**DIRECTORATE: BUSINESS AND COMMUNITY**  
**AUTHOR: Kay Delahunt, Manager Cultural Services**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Central Northern Regional Library”, Council receive and note the Minutes from the Central Northern Regional Library Ordinary Meeting held 1 May 2019.*

## SUMMARY

This report presents the Minutes from the Central Northern Regional Library (CNRL) Ordinary Meeting held 1 May 2019. The report summarises the key issues from the Minutes.

## COMMENTARY

The CNRL Committee met on Wednesday 1 May 2019. Minutes of this meeting are **ATTACHED**, refer **ANNEXURE 1**.

- the Library Manager reported on:
  - the status of public library funding;
  - a CNRL web page with links to information for the 2019 Country Women's Association (CWA) 'Country of Study' (Papua New Guinea);
  - the Barraba "One Stop Shop"; and
  - the progress of the radio frequency identification (RFID) rollout across the region.
- Information and Collections Librarian, presented the December 2018 and March 2019, quarterly reports;
- a comprehensive "*Living Learning Libraries Report*" was presented to the Committee. The report shows how CNRL is performing against state benchmarks for library service. The Committee indicated satisfaction with CNRL's performance; and
- a current year budget report was presented. State funding for CNRL member councils in 2018-2019, was in total, \$54,685 below the budget estimate. The CNRL Committee approved the release of \$54,685 from CNRL reserves to make up the state funding shortfall.

### (a) Policy Implications

Nil

### (b) Financial Implications

The CNRL Committee approved the release of \$54,685 from CNRL reserves to make up the state funding shortfall in the current budget.

State funding for CNRL member councils in 2018-2019, was in total \$54,685 below the budget estimate (the estimate was based on *previous year actual funding*). Increased state funding is expected in 2019-2020.

### (c) Legal Implications

Nil

### (d) Community Consultation

Nil

### (e) Delivery Program Objective/Strategy

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

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### **10.3 REVIEW OF BARRABA FESTIVAL S355 COMMITTEE – FILE NO SF2560**

**DIRECTORATE:** PLANNING AND COMPLIANCE  
**AUTHOR:** Kay Burnes, Senior Place Manager

#### **RECOMMENDATION**

*That in relation to the report “Review of Barraba Festival S355 Committee”, Council:*

- (i) disband the Barraba Festival S355 Committee established under Section 355 of the Local Government Act 1993, and withdraw the delegation under Section 377 of the Act to undertake Cultural Development within the community of Barraba through the planning and conduct of the Barraba Festival including, artistic workshops, performance workshops, artist concerts, exhibits, street procession and concert;*
- (ii) transfer any assets held by the Barraba Festival S355 Committee to Council;*
- (iii) transfer any liabilities accrued by the Barraba Festival S355 Committee to Council; and*
- (iv) make a donation to the Barraba Public Art Incorporated group equivalent to the balance of funds held in the Barraba Festival S355 Committee as at the date of disbanding.*

#### **SUMMARY**

The purpose of this report is to disband the Barraba Festival S355 Committee and withdraw a delegation in relation to undertake Cultural Development within the community of Barraba through the planning and conduct of the Barraba Festival including, artistic workshops, performance workshops, artist concerts, exhibits, street procession and concert.

#### **COMMENTARY**

Following a review of the Barraba Festival S355 Committee it is noted on 13 March 2017, the S355 Committee formally resolved to disband. The Barraba Festival was successful for 20 years and was a major celebration of the Barraba Community. The S355 Committee was formed in 1993, to celebrate the completion of the Barraba Main Street Program and the restoration of the Thomas Jones and Sons organ at St. Laurence's Church. The Festival was a great showcase for Barraba, and brought to the region music, dance and cuisine of cultures from all over the world.

The last Barraba Festival under the auspice of the S355 Committee was held in November 2013, celebrating the culture of The Philippines. The S355 Committee has been inactive since that event.

Discussions have been held with the contactable last known members of the S355 Committee in relation to the current financial funds held in their bank account. Whilst there would not be enough current members to form a quorum of the S355 Committee to submit a formal recommendation to Council, they feel that it would be appropriate to recommend that the balance of funds be provided to the Barraba Community Incorporated Group. Under the incorporated body sits the sub Committees of “Frost Over Barraba Festival Committee” and the “Barraba Public Art Incorporated” group who recently delivered the successful Barraba Silo Project to the local community. The S355 Committee members make particular recommendation to the Barraba Public Art Incorporated group as their projects complement the original objective of the Barraba Main Street Program, with the Silo Project proving to be a major drawcard to Barraba.



The last financial balance of the S355 Committee reflects a total sum of \$1,219.95 held in their bank account, which has not been accessed since 13 March 2017.

The current function delegated to the Barraba Festival S355 Committee is:

- to undertake Cultural Development within the community of Barraba through the planning and conduct of the Barraba Festival including, artistic workshops, performance workshops, artist concerts, exhibits, street procession and concert.

The following process is recommended with the additional process for the transfer of assets and liabilities from the Barraba Festival S355 Committee:

- that Council withdraw the delegation under Section 377 of the Local Government Act 1993, to the Barraba Festival S355 Committee to undertake Cultural Development within the community of Barraba through the planning and conduct of the Barraba Festival including, artistic workshops, performance workshops, artist concerts, exhibits, street procession and concert;
- that Council transfer any assets held by the Barraba Festival S355 Committee to Council;
- that Council transfer any liabilities accrued by the Barraba Festival S355 Committee to Council;
- Council disband the Barraba Festival S355 Committee; and
- that Council make a donation to the Barraba Public Art Incorporated Group equivalent to the balance of funds held in the Barraba Festival S355 Committee as at the date of disbanding.

**(a) Policy Implications**

It is a policy decision of the Council to amend any Section 355 Committee's functions and practices having regard to Council's community governance structure and Section 355 of the Local Government Act 1993.

**(b) Financial Implications**

That an amount equivalent to the total cash asset returned to Council from the Barraba Festival S355 Committee be forwarded to the Barraba Public Art Incorporated Group as a donation.

**(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 the Council. This is used in conjunction with Section 377 of the Act to formally delegate functions to the appointed committee.

**(d) Community Consultation**

With consideration to no S355 Committee activity being recorded since March 2017, and recent discussion with S355 Committee members, there is no requirement to issue a notice of intention.

**(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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## **11 REPORTS FROM DELEGATES**

Nil

## **12 QUESTIONS ON NOTICE**

## **13 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.*

### **13.1 EXPRESSION OF INTEREST E112/2019 - PROPOSED LEASE OF 15-21 BRIDGE STREET, TAMWORTH – FILE NO E112/2019**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Kirrilee Ringland, Acting General Counsel

**Reference:** Item 13.2 to Ordinary Council 11 September 2018 - Minute No 192/18

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

#### **SUMMARY**

The purpose of this report is to advise Council of the outcome of an Expression of Interest process in relation to the property known as 15-21 Bridge Street, Tamworth, and authorise the negotiation of a new Lease on terms acceptable to Council.

### **13.2 PROPOSED DISPOSAL OF COUNCIL LAND – FILE NO LF5873**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Kirrilee Ringland, Acting General Counsel

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

#### **SUMMARY**

The purpose of this report is to advise Council of an offer to purchase Council land and seek Council's further advice regarding the progression of the possible disposal of the land in question, being Council's carpark at Dowe Street.

**13.3 EXPRESSIONS OF INTEREST - POSSIBLE LEASE OF LOTS 14 AND 15 DP236844  
LOUIS JOHNSON HOUSE, COURT STREET MANILLA NSW – FILE NO E115/2019**

**DIRECTORATE: PLANNING AND COMPLIANCE**

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

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)ii of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a competitor of Council.

**SUMMARY**

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

**13.4 PROPOSED SURRENDER AND NEW LEASE OF TELECOMMUNICATION FACILITY - PART  
LOT 6 SECTION 4 IN DP 758951 – FILE NO SF636**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Kirilee Ringland, Acting General Counsel**

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

**SUMMARY**

The purpose of this report is to advise Council of an approach by Optus to surrender the current lease of part of the roof space at 437 Peel Street Tamworth, and enter into a new Lease on the terms and conditions as outlined in the body of this report.

## **CLOSED COUNCIL**

### **Confidential Reports**

#### **(Section 10A(2) of The Local Government Act 1993)**

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representations to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act provides that Council, or a Committee of the Council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10B(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matters referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the Council or committee.

#### **Resolutions passed in Closed Council**

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.