

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 **Tamworth Town Hall, 28 Fitzroy Street, Tamworth**, commencing at **6.30pm**.

ORDINARY COUNCIL AGENDA

28 NOVEMBER 2023

**PAUL BENNETT
GENERAL MANAGER**

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

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

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 24 October 2023, copies of which were circulated be taken as read and confirmed as a correct record of the proceedings of the Meeting.

4 **DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

5 **MAYORAL MINUTE**

5.1 **EXTENSION OF HEADS OF AGREEMENT BETWEEN UNIVERSITY OF NEW ENGLAND AND COUNCIL**

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Russell Webb, Mayor

Reference: Ordinary Meeting 12 June 2018 - 14.6 Development
Opportunity for the Old Velodrome Site

1 ANNEXURES ATTACHED

2 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Extension of Heads of Agreement between University of New England and Council”, Council agrees to provide an extension to the agreement.

SUMMARY

A letter has been received by Tamworth Regional Council (Council) from the University of New England (UNE) regarding the extension of the Heads of Agreement (HoA) between the parties in relation to Part Lot 73, DP1107041, previously referred to as the Old Velodrome.

COMMENTARY

Council has received a formal letter, see **ENCLOSED** refer **CONFIDENTIAL ENCLOSURE 1**, from the Vice-Chancellor of the University of New England (UNE) requesting an extension to the current Heads of Agreement (HoA) regarding Part Lot 73, DP1107041, also known as the Old Velodrome, which has been selected as the proposed site for a UNE Tamworth Campus.

The current HoA, see **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 2**, was signed on 24 February 2022. Over the past months, Council has continued to work closely with UNE in the establishment of a UNE campus in Tamworth and its related works. UNE is seeking ongoing support from Council which includes;

- Council commitment to subdivide the Land to create a registered lot suitable for transfer to UNE;
- Remediation activities and earth works that will be undertaken by Council which will be completed by 30 June 2024; and
- continued commitment re the Exclusivity of the Land as per the original HoA.

In October 2023 UNE provided Council with the initial architectural design concepts for the proposed UNE Tamworth campus. These concept plans were distributed for public display, see **ATTACHED**, refer **ANNEXURE 1**.

Next steps for Council includes the submission of a Development Application for remediation works to prepare the site for transfer.

(a) Policy Implications

Nil

(b) Financial Implications

As per the original HoA, Council agreed to allocate funds, not exceeding the agreed value \$889,750.00 (ex gst) for remediation works.

(c) Legal Implications

Following completion of the actions and obligations identified in the HoA the land will be formally transferred to the UNE.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 3: Prosperity and Innovation

6 NOTICE OF MOTION

6.1 NOTICE OF MOTION – CR MARC SUTHERLAND - STATEMENT OF AFFIRMATION

MOTION

That Tamworth Regional Council develop an opening ‘Statement of Affirmation’ that reflects the diversity of the region to replace the existing religious prayer at the beginning of the Tamworth Regional Council Ordinary Meeting.

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 28 November 2023.

SUPPORTING INFORMATION

The Tamworth Region is the home of a beautifully diverse region and Tamworth Regional Council is committed to building a community that is inclusive and respectful. Council has a tremendous responsibility to represent and reflect the diversity of all residents across our region.

Tamworth Regional Council takes pride in celebrating and supporting the diversity of residents across the region, this can be seen in events such as Fiesta la Peel and many others which highlight the Tamworth region being home for many peoples with diverse backgrounds and religious beliefs.

As well as being the tier of government most closely connected to the community Council has an obligation to providing people with access to cultural safe spaces across all public spaces. This focus on providing residents and visitors with access to culturally safe spaces can be seen across all parts of the organisation, and the Council Chambers should not be an exception.

By identifying and praying to a particular deity, it excludes all other deities that might be recognised by residents from across our region, limiting the diversity of people who may want to participate in Council meetings, in local government, and any endeavours to become a councillor.

Current census data shows that 60.5% of residents nominated a religion, and 31.3% said they had no religion. A further break down shows:

- Anglican 24%;
- Roman Catholic 22%;
- Christian 11%;
- Non-Christian 4%;
- No Religion 31%; and
- Not Stated 8%

This data shows that Christian beliefs make up a total 57%, this means that 43% of residents do not identify with Christian beliefs. In fact, over one third of residents are non-religious, with Buddhism and Islam beliefs being higher than the NSW average. The inclusion of the current meeting prayer excludes the beliefs of our non-religious residents and residents belonging to minority faiths across our region.

The NSW Local Government Act does not require councils to conduct religious prayers as part of meeting practice. In fact, Australian local government legislation emphasises the importance of equality and councils respecting the diversity of their populations. A recent survey of NSW Local Government areas has estimated that 44% of local councils across NSW have already replaced a religious based prayer with a Statement of Affirmation at the beginning of council meetings.

The Statement of Affirmation has been included by the NSW Office of Local Government at the 'Swearing in' of all elected councillors which is read out before the first meeting of the council after being elected.

A statement of affirmation is an alternative to an oath or prayer. It is also a verbal attestation to the truth of a statement, but it is made without reference to a God or a particular faith.

Replacing the meeting Prayer with a Statement of Affirmation would regularly reconnect councillors to the commitment made to faithfully and impartially carry out the functions, powers, authorities and discretions vested in each of us under the Local Government Act 1993, to the best of our ability and judgment while still respecting the religiously diverse region we represent.

Cr Marc Sutherland

22 November 2023

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 REVIEW OF TRAFFIC IMPACTS ASSOCIATED WITH ROAD ACCESS FROM ARCADIA ESTATE TO RODEO DRIVE

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Mitchell Gillogly, Team Leader – Strategic Planning
Nicholas Smith, Senior Transport Engineer

Reference: Item 7.2 to Ordinary Council 11 October 2022 - Minute 293/22
1 ANNEXURES ATTACHED
1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That Council, in relation to the report “Review of Traffic Impacts Associated with Road Access from Arcadia Estate to Rodeo Drive”, adopts the following:

- (i) retention of the road connection from Arcadia Estate to Rodeo Drive as adopted in the Tamworth Regional Development Control Plan 2010;*
- (ii) inclusion of an active transport connection between Arcadia Estate and the Sports and Entertainment Precinct as part of the Sports and Entertainment Precinct Transport Strategy; and*
- (iii) investigation of funding opportunities for the active transport connection between Arcadia Estate and the Sports and Entertainment Precinct.*

SUMMARY

Council Technical Officers have prepared a Traffic Impact Assessment to investigate traffic volumes associated with the previously adopted vehicle access from Arcadia Estate to Rodeo Drive and the impacts on the surrounding road network if this access was to be removed from the Tamworth Regional Development Control Plan 2010.

COMMENTARY

Background

At its Ordinary Council Meeting of 11 October 2022, Council resolved to adopt Amendment No. 16 to the Tamworth Regional Development Control Plan 2010 (TRDCP) on the basis that further investigations occur regarding the previously adopted vehicular access from Arcadia Estate to Rodeo Drive. This was based on concerns raised by residents of Rodeo Drive and Championship Place that future traffic volumes would impact pedestrian safety in the area when Arcadia Estate is developed and connected to Rodeo Drive.

At the same Council Meeting, Council resolved to adopt the proposed changes to the Tamworth Regional Local Environmental Plan 2010 (TRLEP) which included increasing the overall yield of the Arcadia Estate from 1670 dwellings to 2350 dwellings.

The connection of Rodeo Drive to Arcadia Estate was identified in the previous Arcadia Site-Specific Development Control Plan that was exhibited and adopted by Council in 2017. The connection of Rodeo Drive to Arcadia Estate was therefore not a new outcome of the adopted Development Control Plan – Amendment No. 16.

Furthermore, pursuant to legislative requirements the amended TRDCP and TRLEP were placed on public exhibition concurrently from 14 March 2022 to 14 April 2022. All property owners in Rodeo Drive and Championship Place were notified in writing. In response Council received one submission from a resident in Rodeo Drive/Championship Place.

Following the Council resolution of 11 October 2022, Council's technical officers prepared a Traffic Impact Assessment (TIA) which investigated the likely traffic impacts on the surrounding road network if the Rodeo Drive access was removed. The TIA also investigated pedestrian safety and potential active transport options from Arcadia Estate to the Sports and Entertainment Precinct. The TIA is **ATTACHED**, refer **ANNEXURE 1**. The outcome of this investigation is discussed within the body of this report.

Longyard Trails (Rodeo Drive/Championship Place)

The Longyard Trails was a 46 lot residential subdivision (DA0012/2014) approved by Council under delegated authority on 13 September 2013. A modification (MOD2017/0074) to include an additional lot (47 lots in total) was approved by Council under delegated authority on 5 April 2017. The as built subdivision has approval provisions in place for road access, gravity sewer, water and stormwater infrastructure to be connected through to Arcadia via an extension of Rodeo Drive. The consent also includes the ultimate replacement of existing temporary low pressure sewer mains to gravity sewer for those lots at the western end of Rodeo Drive and Championship Place.

Rodeo Drive and Championship Place are existing “rural residential” roads which encompass an 8m wide seal (2 x 3.5m travel lanes + 2 x 0.5m shoulders), infrastructure and open swale drains in a 20m wide road reserve. Neither Rodeo Drive or Championship Place include street lighting.

Council has received correspondence from Rodeo Drive and Championship Place residents since the Ordinary Council Meeting of 11 October 2022 reiterating concerns regarding future traffic volumes and pedestrian safety, these concerns are discussed later in this report. The correspondence from Rodeo Drive and Championship Place residents is **ATTACHED**, refer **CONFIDENTIAL ENCLOSURE 1**.

Traffic Impact Assessment

The TIA investigated the impact on the surrounding road network if the access point from Arcadia Estate to Rodeo Drive was to be removed.

The Arcadia Estate will include an access node onto Burgmanns Lane, Duri Road, Bylong Road and Rodeo Drive. The four access nodes are shown in Figure 1 below:

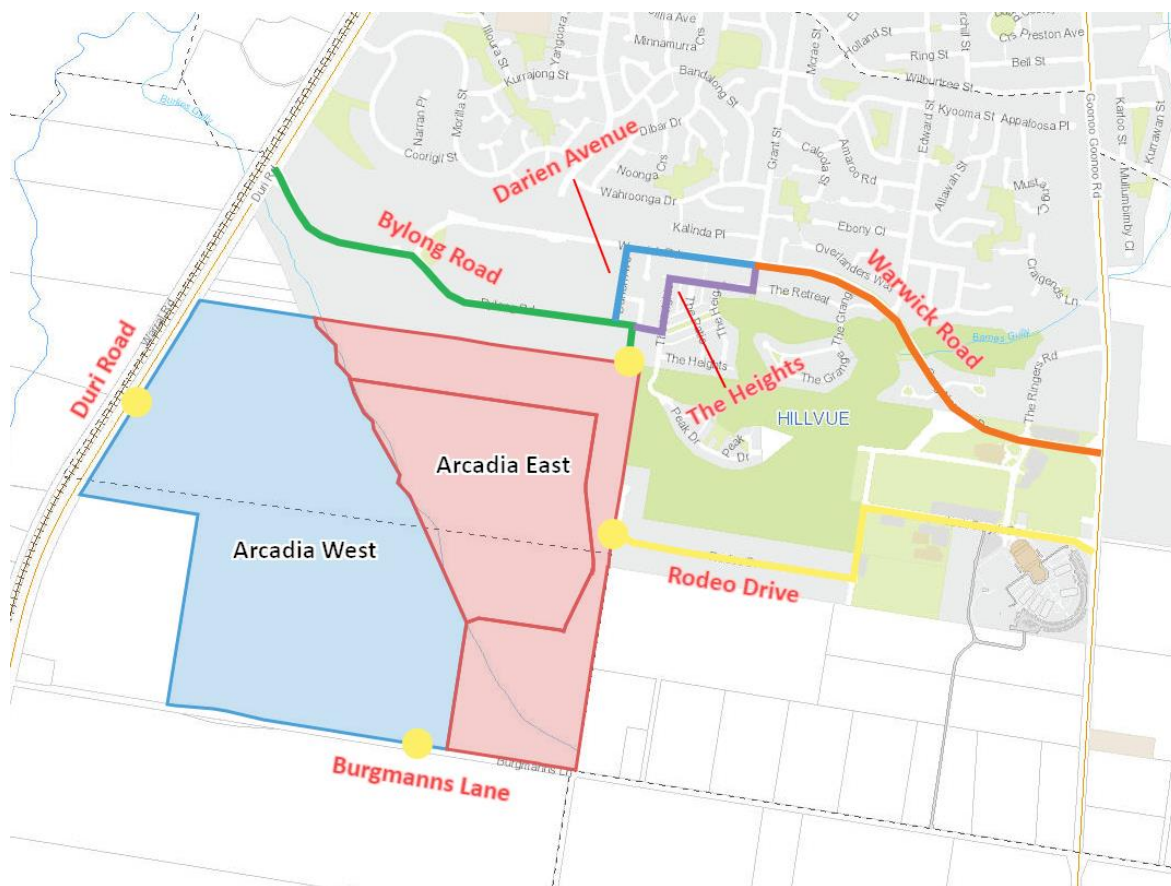


Figure 1 – Proposed four new access nodes for Arcadia Estate (Yellow dots)

The Arcadia Estate will provide for 2350 dwellings, however is split by Burkes Gully into two distinct areas, being Arcadia West (1500 dwellings) and Arcadia East (850 dwellings). This is an important consideration when evaluating the likely impacts on the potential removal of the Rodeo Drive access as it would concentrate all the Arcadia East traffic onto Bylong Road until such time one of the bridges across Burkes Gully is constructed.

Based on the total lot yield of 2350 dwellings, the TIA investigated the peak hour traffic volumes with and without access from Rodeo Drive which is shown below in Table 1:

Primary Road	Existing (veh/hr)	Peak	Access to Rodeo Drive	No Access to Rodeo Drive
			Ultimate Peak (veh/hr)	Ultimate Peak (veh/hr)
Darien Avenue	18		154	268
Bylong Road	117		170	170
Rodeo Drive	37		233	40
The Heights	98 (estimate)		181	279

Table 1 - Peak hour comparison for Darien Avenue, Bylong Road, The Heights & Rodeo Drive – with/without access to Rodeo Drive.

Advisory Note: The “peak” is defined by a one-hour period that correlates to the highest volume of traffic in a given one-hour period – typically split into an AM peak and a PM peak. Outside of these peaks, hourly traffic is typically much lower – often around 30-50% of the peak hour total.

As shown in Table 1, retaining access to Rodeo Drive results in peak-load sharing between Darien Avenue, Bylong Road, The Heights and Rodeo Drive. However, when access to Rodeo Drive is removed, the peak volume on Darien Avenue in particular is more than twenty times the existing base load. This would impact an estimated 200+ dwellings being approximately five times more than the Rodeo Drive area. The reason for the substantial increase on Darien Avenue is based on many trip attractors located to the east and north-east of Arcadia, with motorists utilising Darien Avenue/The Heights to access Warwick Road and continue east towards trip attractors such as the Sports and Entertainment Precinct, Tamworth CBD and Calala.

It is considered that retaining the Rodeo Drive and Bylong Road access nodes will result in a positive planning outcome for all residents surrounding the Arcadia Estate. It will mean not one group of residents is more negatively impacted or receiving more benefit than the other. Removing either one of these access nodes or detracting from its use will negatively impact the other node (e.g., the forecast volumes will be redistributed).

Furthermore, Rodeo Drive will serve as an important link from Arcadia Estate to the Sports and Entertainment Precinct by providing access for many residents who will use these facilities. Similarly, the connection of Rodeo Drive into the Arcadia Road network provides similar benefits to the residents of Rodeo Drive, as a result of having improved options to access Burgmanns Lane, Duri Road and South Tamworth, as well another escape route in the event that Rodeo Drive is closed.

It is also important to point out that the connection to Rodeo Drive is not envisaged to occur for several years. This is based on the location of existing lead in infrastructure (water and sewer) being located in the north western corner of Arcadia. This will mean that the subdivision is likely to progressively develop from the north to the south with Bylong Road initially utilised as the primary access for those lots east of Burkes Gully. The future connection to Rodeo Drive will either be triggered when the development meets up with Rodeo Drive or by the release of a certain number of lots. The lot trigger will be considered as part of the assessment of the future development application and is subject to staging and timing of the construction of the two bridges across Burkes Gully.

Key Community Concerns

Increased traffic volumes

The connection from Rodeo Drive to Arcadia Estate will result in an increase in vehicle movements based on Rodeo Drive currently only servicing 47 properties. The recent amendments to the TRLEP included increasing the density of Arcadia Estate from 1670 lots to 2350 dwellings. The TIA included an analysis of the peak vehicle volumes (fully developed Arcadia Estate) between the original transport model and the two recent transport models which indicate a slight decrease in vehicle movements for Rodeo Drive, as shown below in Table 2:

Report	Total No. Lots Assessed	Peak Volume (veh/hr)
Tamworth Strategic Transport Modelling Report (2017)	1670	275
Arcadia Traffic Model Update (2023)	2350	130
Traffic Impact Assessment – Arcadia Estate and Rodeo Drive (2023)	2350	233

Table 2 – Comparison of peak vehicle volume estimates for Rodeo Drive (fully-developed Arcadia Estate)

The reasons for the variances in the peak vehicle volume estimates shown in Table 2 include:

- different origin/destination journey assumptions;
- different knowledge of identified future developments which act as trip attractors;
- “conservativeness” applied (i.e. “worst-case”); and
- knowledge of future road layouts within Arcadia.

The traffic volumes on Rodeo Drive are expected to be similar to a number of existing rural-residential roads in the Tamworth Local Government Area (LGA) without taking into account future growth in each of these areas. Like many other roads in the LGA, Rodeo Drive will experience an increase in traffic volumes as development occurs in the area. A comparison of existing rural residential roads and peak vehicle volumes (lowest to highest veh/hr) is shown below in Table 3:

Road	Road Environment	Peak (veh/hr)	Veh/min (Peak hr)	Seal Width (m)	Corridor Width (m)
Darien Avenue (<u>Base</u>)	Rural Residential	18	1	9	20
Rodeo Drive (<u>Base</u>)	Rural Residential	37	1	8	20
Rodeo Drive (<u>Future – No Rodeo Drive Access</u>)	Rural Residential	40	1	8	20
Bournes Lane (West of Moore Creek Road)	Rural Residential	69	1	6	20
Warral Road (North of Heiligmans Lane)	Rural Residential	73	1	7	20

Road	Road Environment	Peak (veh/hr)	Veh/min (Peak hr)	Seal Width (m)	Corridor Width (m)
The Heights (<u>Base</u>)	Residential	98 (estimate)	2	10	20
Flagstaff Road	Rural Residential	114	2	7	20
Bylong Road (<u>Base</u>)	Rural Residential	117	2	7	20
Kingswood Drive	Rural Residential	129	2	8	20
Bylong Road (<u>Future</u>)	Rural Residential	170	3	7	20
The Heights (<u>Future</u>)	Residential	181 (estimate)	3	10	20
Forest Road (North of Browns Lane)	Rural Residential	184	3	6	25
Spains Lane (West of New England Hwy)	Rural Residential	217	4	6	20
Rodeo Drive (<u>Future</u>)	Rural Residential	233	4	8	20
Nundle Road (Nemingha - Piallamore)	Rural Residential	235	4	7	20
Darien Avenue (<u>Future</u>)	Rural Residential	236	4	9	20
The Heights (<u>Future – No Rodeo Drive Access</u>)	Residential	279 (estimate)	5	10	20
Forest Road (South of Browns Lane)	Rural Residential	365	6	9	30
Darien Avenue (<u>Future – No Rodeo Drive Access</u>)	Rural Residential	412	7	9	20

Table 3 - Peak hour comparison for other rural residential roads in Tamworth LGA (*Lowest to highest veh/hr*).

Note: With the exception of The Heights which Council does not have current traffic count data, all volumes are based on recent traffic count data (2018 – 2023)

As shown in Table 3, it is expected that a fully developed Arcadia Estate will result in four vehicles per minute along Rodeo Drive (one every 15 seconds). This is a similar peak volume to that currently experienced on other rural residential roads in the LGA. It is important to note that outside of the AM/PM peak periods, traffic volumes will be very low given the residential nature of Arcadia. Operationally, the existing Rodeo Drive formation can carry traffic volumes of magnitudes higher than what is expected to occur in the future. Therefore, it is not considered that the increase in traffic is unreasonable, will lead to a significant reduction in amenity, or reduce the level of service unsatisfactorily along Rodeo Drive.

Road width not suitable for increased traffic volumes

As shown in Table 3, the pavement width of Rodeo Drive is similar to many other higher trafficked roads within the LGA and in some instances is wider. Operationally, Rodeo Drive can carry traffic volumes much higher than what is expected to occur in the future, including buses. While vehicles can legally park on Rodeo Drive, it is considered the large lots (4000m²) enable adequate off-street parking to not necessarily require owners or visitors to utilise on street parking. As vehicle movements increase on Rodeo Drive, Council will continue to monitor the operation of the road and intervene, if necessary, to manage speeding vehicles and on street parking. This would involve prioritising the project against other similar roads within the LGA.

Construction Traffic

Construction traffic will be managed via a Construction Site Management Plan which will form part of the conditions of consent if a development application is approved. Civil construction will likely commence in the northern portion of the site given proximity to existing infrastructure, particularly water and sewer which will come from the north western corner of Arcadia. This would likely result in construction access entering from Duri Road/Bylong Road. However, it is considered that Rodeo Drive is of an adequate standard to accommodate construction traffic if and when necessary.

Pedestrian and cyclist safety and poor connectivity

As the Arcadia Estate is developed, there will be a large population catchment located adjacent to a highly important trip attractor in the Sports and Entertainment Precinct. Currently, Rodeo Drive does not have a footpath or shared path to provide a link between Arcadia Estate and the Sports and Entertainment Precinct. It is considered that the most efficient journey for Arcadia active transport users is likely to be via the Rodeo Drive. This highlights the key importance of providing an active transport connection between Arcadia and the Sports and Entertainment Precinct.

A draft layout of the future shared path (2.5m width) network for the southern edge of Tamworth has been developed. This is shown in Figure 2 below and is denoted by green showing proposed paths, and red showing existing. It is also worth noting that these locations are indicative and subject to change, however they represent the preferred active transport network at this point in time:

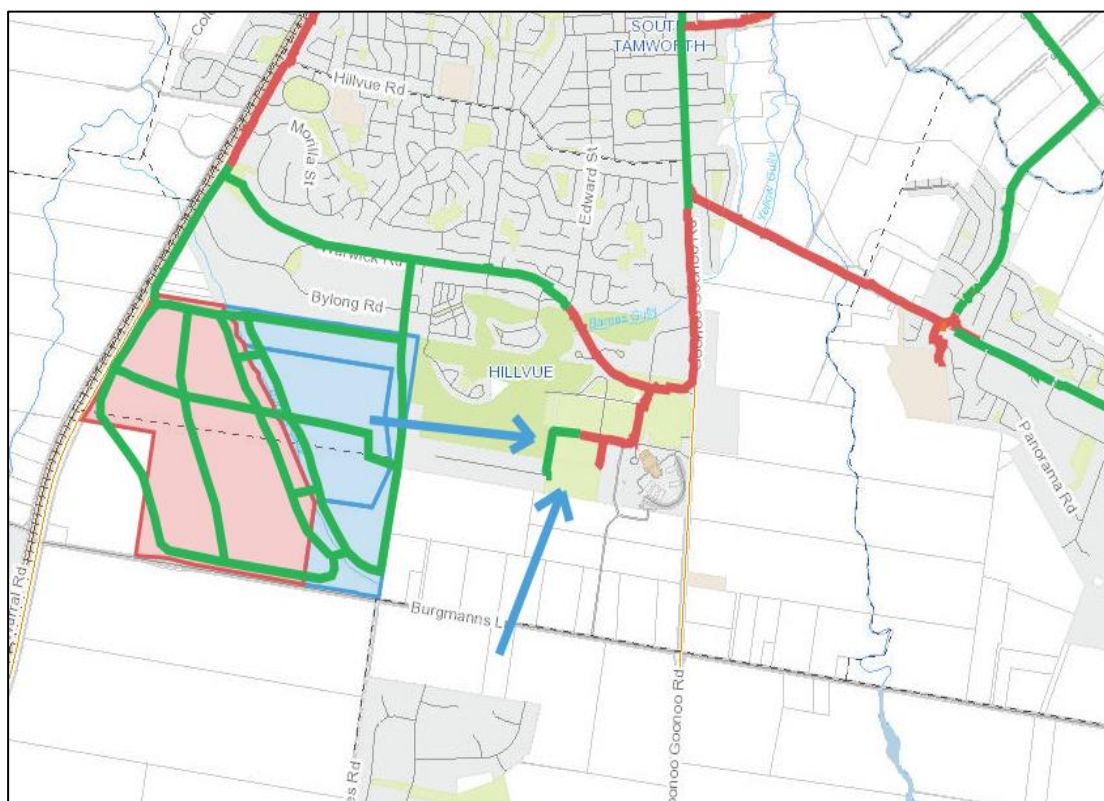


Figure 2 - Proposed draft shared path layout for southern Tamworth.

The blue arrows denote areas that require further investigation for their connections to the Sports and Entertainment Precinct. This includes Kingswood (including subsequent potential future development) and Arcadia Estate.

Council has investigated preliminary options for providing an active transport link between Arcadia Estate and the Sports and Entertainment Precinct. One of options includes a shared path within the Rodeo Drive Road reserve. The exact alignment and configuration will be subject to further investigation and will form part a wider Sports and Entertainment Precinct Transport Strategy.

Council will continue to investigate options for funding the future shared path and associated infrastructure works, which may include a combination of Federal and State grants and/or including the works in an updated Arcadia Section 7.11 Development Contributions Plan. It is important to note that an active transport link between Arcadia Estate and the Sports and Entertainment Precinct is not included in the works schedule of the current Arcadia Section 7.11 Development Contributions Plan 2018. Therefore, any development application approved prior to a revised Arcadia Section 7.11 Development Contributions Plan 2018 being adopted will not be levied a contribution towards an active transport link between Arcadia Estate and the Sports and Entertainment Precinct.

Based on the connection to Rodeo Drive not expected to occur for several years, this provides Council sufficient time to plan and develop a funding strategy for this important community link.

Speeding vehicles

It is proposed that this will be monitored by the Police in partnership with Council which will assist in providing traffic data when required (including speed breakdowns). Recent traffic

data collected on Rodeo Drive in April 2023, shows that the majority of speeding occurs during the hours of 7am – 8pm and is most likely local residents, with little evidence to suggest speeding outside of these hours and being attributed to non-local motorists. In the instance that speeding vehicles becomes excessive and repeated, Council can consider the possibility of installing traffic calming devices in the area.

RECOMMENDATION

It is recommended that a direct road connection from the Arcadia Estate to Rodeo Drive be retained in the Arcadia Estate Chapter of the TRDCP, based on the following benefits. The link:

- provides an important connection between Arcadia and the Sports and Entertainment Precinct;
- improves the amenity of those living in Arcadia by having alternate journey opportunities and providing a more direct route to certain trip attractors;
- reduces the negative impact on Darien Avenue (Warwick Road), Bylong Road and The Heights through the “spreading” of expected peak volume load;
- provides emergency services with a more efficient route to a catchment of dwellings within Arcadia, and similarly provides residents (in Arcadia East and Rodeo Drive) with an alternate entry/exit node during emergencies; and
- provides an improved linkage for Rodeo Drive properties into South Tamworth, Burgmanns Lane and Duri Road, and other attractors within the Arcadia Estate.

Finally, it is recommended Council include an active transport connection between Arcadia and the Sports and Entertainment Precinct as part of the Sports and Entertainment Precinct Transport Strategy and investigates funding opportunities.

(a) Policy Implications

It is proposed to include an active transport connection between Arcadia Estate and the Sports and Entertainment Precinct as part of the Sports and Entertainment Precinct Transport Strategy and to investigate funding opportunities.

(b) Financial Implications

There is currently no funding available to construct an active transport link between Arcadia Estate and the Sports and Entertainment Precinct.

(c) Legal Implications

Nil

(d) Community Consultation

The amendments to the Tamworth Regional Development Control Plan 2010 which relate directly to the road connection from Arcadia Estate to Rodeo Drive were placed on public exhibition firstly from 28 November 2016 to 31 January 2017, and secondly from 14 March 2022 to 14 April 2022. The road connection from Arcadia Estate to Rodeo Drive was adopted in 2017.

(e) Delivery Program Objective/Strategy

Focus Area 2 – A Liveable Built Environment

7.2 VOLUNTARY PLANNING AGREEMENT POLICY FOR RENEWABLE ENERGY PROJECTS

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Andrew Spicer, Manager - Future Communities
Reference: Item 5.1 to Ordinary Meeting 12 September 2023 - Minute No 219/23

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Voluntary Planning Agreement Policy for Renewable Energy Projects”, Council:

- (i) adopts the Voluntary Planning Agreement Policy for Renewable Energy Projects 2023;*
- (ii) note the progress of the Hills of Gold and Thunderbolt Windfarm community benefit sharing arrangements; and*
- (iii) make a submission to the Draft Energy Policy Framework exhibition in relation to the Guidelines for Community Benefit Sharing highlighting the benefits of an up-front lump sum payment to Councils to facilitate major works to benefit the most affected communities during construction or early operation of a renewable energy project.*

SUMMARY

The purpose of this report is to seek a resolution of Council to establish the approach to Voluntary Planning Agreements (VPAs) that are offered in association with proposed renewable energy projects in the Tamworth Regional Local Government Area (LGA). Tamworth Regional Council (Council) is receiving an increasing number of renewable energy proposals, some of which are on a massive scale and include significant impacts to the environment, community, infrastructure and agricultural land.

COMMENTARY

Councillors would be aware that the number of renewable energy projects within the Tamworth Region being proposed or in the process of applying for approval is significant and increasing. These projects have the potential to not only impact communities within close proximity, but also to create significant and lasting impacts on the wider Tamworth Region.

Council is increasingly working with other councils in the New England North West on a coordinated approach to such developments especially in terms of community benefit sharing arrangements. A common approach that is developing is the entry into voluntary planning agreements that apply a baseline payment to Council of 1.5% of Capital Investment Value (CIV) in addition to offers of community enhancement funds and the like.

In response to these developments, Council adopted as policy the following requirements for all renewable energy projects at its Ordinary Meeting of 12 September 2023. Refer to Minute 219/23.

- (i) the proponents enter into a Voluntary Planning Agreement (VPA) consisting of a lump sum of 1.5% of capital value (adjusted annually for CPI), 50% of which is to be paid to Council on commencement of construction and the remainder to be paid on an annual basis for the life of the development;

- (ii) this payment be additional to any agreed community benefit sharing arrangement such as a community enhancement fund; and
- (iii) Council's preference is that any community enhancement fund (and the like) be administered by a philanthropic Community Benefit Fund provider rather than Council, with Council holding a role as member.

Since the adoption of this policy a number of current projects have progressed significantly including Hills of Gold Windfarm and Thunderbolt Windfarm. Council currently has at least 10 renewable energy proposals within the LGA. It has become apparent that the nature of the proposals varies considerably in terms of type (solar, wind, battery and transmission lines), scale, impact and location, (particularly where the proposal affects land in both the Council LGA and a neighbouring LGA).

Consequently, it has become clear that the inclusion of provisions within the policy to provide for flexibility in Council's approach would be of significant benefit to attain the best outcome for the community. The existing policy position of Council provides a solid foundation for an update to the policy, the updated policy is **ATTACHED**, refer **ANNEXURE 1**.

The Hills of Gold proposal has progressed to its final stage and Council is advised that it will be referred to the Independent Planning Commission (IPC) this year for determination early next year. Council has been requested to specify terms of agreement to a potential VPA if the proposal is approved. The latest offer from the proponent includes a total of 1.5% of CIV equalling approximately \$9.6million. One quarter of this would be an up-front payment of \$2.4million to go towards a major project to benefit the communities of Nundle and Hanging Rock in the near future. The remaining payments to be made annually over the next 32 years.

The Thunderbolt Windfarm, located on the boundary of the Tamworth LGA at Kentucky is also nearing referral to the IPC for determination. In this case a proposal being put forward by Uralla Shire Council (USC) is to enter into a split VPA to share the benefits equally between Council and USC. This acknowledges that there are significant impacts from the development on Kentucky residents even though the turbines are predominately located in the Tamworth LGA. It also recognises that a second stage is proposed to be located in Uralla LGA and if developed that VPA would be on the same 50/50 terms. The principal road affected is the New England Highway compared to the significant impact expected on Council roads by the Hills of Gold development.

Just on these two examples, which are similar sized windfarms, it is clear how much proposals can vary and emphasises the need for Council to be flexible, agile and responsive to varying circumstances.

The Department of Planning and Environment (the Department) are exhibiting a draft Energy Policy Framework relating to renewable energy developments including a draft Benefit Sharing Guideline. The guideline propose a per megawatt basis to determine the value of the contribution by the proponent. The guidelines do not appear to provide for up-front payments.

It is the Department's strong preference for councils and proponents to agree in principle to terms of a potential VPA prior to referral to the IPC. However, if terms cannot be agreed, the IPC has the power to issue a consent with a condition specifying the terms including the amount and operation of the VPA. The implications of the Department's draft guidelines are yet to be fully understood including any impact of potential funding.

It is recommended that Council make a submission to the Department's exhibition of the draft Energy Policy Framework emphasising that, while a per megawatt basis may have merit in

some circumstances, there is still a place for the percentage of CIV approach and the potential for up-front payments.

As a matter of standard governance each proposed VPA will be reported to Council before any formal agreement is entered into. For transparency and to avoid doubt, VPA funds are held in a separate fund as restricted funds to be applied in accordance with the terms of the agreement.

The VPA's that Council is a party to are reported in the Council Annual Report including the account balance, the amount received in the year and expenditure details. In addition to the Council's finance systems, the VPA income (including interest), expenditure and balance will be recorded in Council's development contributions register so that a complete record is available in one place over the decades that the development operates and until Council ultimately exhausts all funds paid.

(a) Policy Implications

This policy provides a consistent approach to all renewable energy projects proposing to locate within the Tamworth Region and clarifies Council's requirements for all proponents while still providing for flexibility to address the varying nature of renewable energy projects.

(b) Financial Implications

This policy goes some way to minimise the potential adverse financial imposition that can result as a consequence of a major renewable energy project, particularly in respect of Council infrastructure over the life of a project.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 6 – Working with and Protecting our Environment

Focus Area 9 – Open and Collaborative Leadership.

8 INFRASTRUCTURE AND SERVICES

8.1 FEE WAIVER REQUEST - REGION 1 LITTLE ATHLETICS CHAMPIONSHIPS

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Samuel Eriksson, Sports and Recreation Strategy Officer

RECOMMENDATION

That in relation to the report “Fee Waiver Request - Region 1 Little Athletics Championships”, Council;

- (i) decline the request for a full fee waiver for the event; and*
- (ii) subsidise the event in line with Tamworth Regional Council’s Significant Sport Event Subsidisation Policy.*


SUMMARY

Little Athletics NSW are hosting the Region 1 Championships at the Tamworth Regional Athletics Centre. This will be the third year the event has taken place at this facility and will attract upwards of 800 athletes to the region.

COMMENTARY

Little Athletics NSW have selected the Tamworth Regional Athletics Centre as the preferred location for the 2024 New England Region 1 Championships. This athletics carnival has taken place in Tamworth for the previous three years and provides school aged children the opportunity to participate against others from the New England and northern regions of NSW.

Little Athletics NSW has advised that the competition will attract upwards of 800 participants from across the region. Based on sport tourism industry standards, this will bring an economic benefit of \$362,000 to the region as displayed in Figure 1 below:

Event Impact Summary export 			
Tamworth Regional Council - Modelling the effect of \$243,200 from a Sports and Recreation Activities event with Region significance			
	Output (\$)	Value-added (\$)	Local Jobs (annual jobs)
Direct impact	209,055	93,850	1.8
Industrial impact	108,441	47,096	1.0
Consumption impact	45,442	22,776	0.3
Total impact on Tamworth Regional Council economy	362,938	163,722	3

Source: National Institute of Economic and Industry Research (NIEIR) ©2022. Compiled and presented in economy.id by .id (informed decisions).

Figure 1 – Event impact summary

It is anticipated that the cost of hiring the Tamworth Regional Athletics Centre for this event will be approximately \$1,510.

Sports and Recreation technical staff have applied Tamworth Regional Council’s (Council) Sports Event Subsidisation Policy (SESP) to this event. This policy provides a fair and equitable way of assessing and subsidising events based off the industry standard parameter. Figure 2 outlines this policy and Figure 2 outlines the scoring range. Table 1 outlines the events parameters and the score for each of these. A sport event must score at least 7 or

more on the scoring range to be eligible to be considered for a full fee waiver. When assessed against the criteria, this event meets the requirements for a subsidisation of 20%.

Sport Event Subsidisation Policy Parameters			
Parameter	Score		
	0	1	2
Level of Event	Regional	State	National
Participants	101 – 150	151 – 300	301+
Bed nights	1	2	3+
Event economic benefit	\$151 – 300	\$301 - \$450	\$451+
TOTAL			TOTAL

Figure 2 – SESP parameters

Sport Event Subsidisation Policy Scoring Range				
Score	0 – 2	3 – 4	5 – 6	7+
Subsidisation %	0%	20%	30%	40%
		(Maximum \$1,000)	(Maximum \$2,000)	(Maximum \$3,500)

Figure 3 – SESP scoring range

Parameters	Score	
Level of Event	Regional	0
Participants	800	2
Bed nights	2	1
Event economic benefit	\$362,938	1
Total		4

Table 1 – Event score

It is therefore recommended that Council declines the full fee waiver request and supports the event in line with the SESP, which in this instance is a subsidy of \$302.

(a) Policy Implications

Nil

(b) Financial Implications

The Sports and Recreation division has an annual budget allocation for events subsidised under the SESP and the total subsidisation amount will be covered by this budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 2 – A liveable and built environment

8.2 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - 10 OCTOBER 2023

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Steven Marshall, Strategy, Assets and Design Engineer

Reference: Item 8.5 to Ordinary Council 22 August 2023 - Minute No 208/23

3 ANNEXURES ATTACHED
1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting - 10 October 2023”, Council:

- (i) approve the installation of new BL2 line marking on Ebsworth Street, Taminda;*
- (ii) approve the relocation of No Stopping signs and the installation of new pedestrian refuges, kerb blisters, line marking, signage and pavement markers on Carthage Street and White Street, East Tamworth;*
- (iii) approve the relocation of No Stopping signs and the installation of new pedestrian refuges, kerb blisters, line marking, signage and pavement markers on Upper Street and White Street, East Tamworth; and*
- (iv) approve the Summer Triathlon in Kootingal and the subsequent traffic guidance scheme for Saturday afternoons (4.00pm to 8.00pm) and Sunday mornings (5.00am to 10.00am) from 14 October 2023 to 25 March 2024.*

SUMMARY

The purpose of this report is to advise Council of the four recommendations made by the Tamworth Regional Local Traffic Committee (the Committee) during an out of session meeting held on 10 October 2023.

COMMENTARY

The minutes from the out of session Committee meeting held on 10 October 2023, are **ENCLOSED**, refer **ENCLOSURE 1**. It is recognised that a number of items (72/2023, 73/2023 and 74/2023) in this report are being considered by Council post commencement. The traffic impacts were reviewed in detail by Tamworth Regional Council (Council) at its ordinary Meeting held 22 August 2023 and referred to the Committee for consideration. Despite the delay, these items are now presented in this report in order to formalise Council’s endorsement of the traffic impacts.

16/2023 – Centreline marking on Ebsworth Street, between Crown Street and Plain Street, Taminda

Transport for NSW (TfNSW) has requested new BL2 line marking be installed on Ebsworth Street, Taminda (between Crown Street and Plain Street). Overtaking is not possible at this location due to the proximity of the adjoining intersections, as seen in Figure 1 below, hence it should be improved to remove the overtaking option to motorists. Figure 2 below illustrates BL2 linemarking:



Figure 1: Existing line marking on Ebsworth Street, Taminda, NSW (between Plain Street and Crown Street)

Line type	Name	Dimensions (m)	Colour
BL1	Double one-way barrier Line		White
BL2	Double two-way barrier line		White
BL5	Double one way barrier line (special purpose)		White

Figure 2: Extract from TfNSW Quality Assurance (QA) Specification R145; Appendix 1 to illustrate a BL2 line.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the installation of new BL2 line marking on Ebsworth Street, Taminda to remove the overtaking option.

72/2023 – School Zone Infrastructure – White Street and Carthage Street, East Tamworth

At the Council Meeting held 22 August 2023, Council approved “the relocation of existing No Stopping signs and the installation of a new pedestrian refuge with associated line marking, signage and pavement markers on Carthage Street and the installation of a new pedestrian refuge, kerb blisters and associated line marking, signage and pavement markers on White Street, East Tamworth”.

The Project Manager would like to advise that the design for the site has been modified to include additional kerb and gutter works, and an additional pedestrian refuge on Carthage Street. The additional refuge will address one of the recommendations from a road safety audit undertaken looking into this design.

As shown below in Figure 3, and within the **ATTACHED** design, refer **ANNEXURE 1**, the additional refuge is proposed at an existing crossing location:



Figure 3: An additional Pedestrian refuge (shown in red) is proposed at the White Street and Carthage Street intersection, East Tamworth

No Stopping signs around the intersection will be relocated resulting in the following changes to on street parking:

- loss of one parking space in front of 124 Carthage Street (White Street frontage);
- loss of two parking spaces in front of 41 White Street (Carthage Street frontage);
- loss of one parking space in front of 28 White Street (Carthage Street frontage);
- loss of two parking spaces in front of 122 Carthage Street (Carthage Street frontage); and
- loss of one parking space in front of 122 Carthage Street (White Street frontage).

Additional BL2 linemarking has been proposed for the southern approach along White Street.

Community consultation has been completed with all properties that are affected by the works.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the relocation of No Stopping signs and the installation of new pedestrian refuges, kerb blisters, line marking, signage and pavement markers on Carthage Street and White Street, East Tamworth.

73/2023 – School Zone Infrastructure – White and Upper Street, East Tamworth

At the Council Meeting held 22 August 2023, Council approved “the relocation of existing No Stopping signs, the installation of a new kerb ramp on Upper Street and and the installation of a new pedestrian refuge and associated line marking, signage and pavement markers on White Street, East Tamworth”.

The Project Manager would like to advise that the design for the site has been modified to include additional pedestrian refuges on Upper Street. These refuges will address one of the recommendations from a road safety audit undertaken looking into this design.

As shown below in Figure 4, and within the **ATTACHED** design, refer **ANNEXURE 2**, the additional refuges are proposed at an existing crossing location:



Figure 4: Additional pedestrian refuges (shown in red) are proposed at the White Street and Upper Street intersection in East Tamworth.

No Stopping signs around the intersection will be relocated resulting in the following changes to on street parking:

- loss of two parking spaces in front of 44 White Street (White Street frontage);
- loss of two parking spaces in front of 44 Upper Street (Upper Street frontage); and
- loss of two parking spaces in front of 53-55 White Street (Upper Street frontage).

Additional BL2 linemarking has been proposed for the northern approach along White Street.

Community consultation has been completed with all properties that will be affected by the planned works.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the relocation of No Stopping signs and the installation of new pedestrian refuges, kerb blisters, line marking, signage and pavement markers on Upper Street and White Street, East Tamworth.

74/2023 – Kootingal Triathlon, 14 October 2023 - 25 March 2024

Council has been approached by the Tamworth Triathlon Club regarding the 2023-2024 Summer Triathlons in Kootingal.

The event, which is similar to previously held events, includes the following details:

- event location: Kootingal War Memorial Pool, Denman Avenue;
- dates: Saturday afternoons and Sunday mornings between the 14 October 2023 and 25 March 2024;
- event times: Saturdays 4.00pm to 8.00pm, and Sundays 5.00am to 10.00am;

- roads affected: Denman Avenue, Irvine Street, Station Street and Kootingal-Limbri Road; and
- Number of Participants: 100.

The proposed route for the triathlon can be found within the **ATTACHED** traffic guidance scheme, refer **ANNEXURE 3**.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the event and the subsequent traffic guidance scheme for Saturday afternoons (4.00pm to 8.00pm) and Sunday mornings (5.00am to 10.00am) from 14 October 2023 to 25 March 2024.

(a) Policy Implications

Nil

(b) Financial Implications

74/2023 – Shall be funded by the event organiser.

72/2023 and 73/2023 – Shall be funded by the Australian and State Government under the School Zone Infrastructure Program.

16/2023 – Shall be funded by the Road Infrastructure Maintenance budget.

(c) Legal Implications

Nil

(d) Community Consultation

72/2023 and 73/2023 – Community consultation for these projects is undertaken with the property owners adjacent to the site by Council's Project Planning and Delivery division to ensure the projects can be delivered this year to meet the funding program.

(e) Delivery Program Objective/Strategy

Focus Area 5 – Connect our region and its citizens

8.3 URBAN STREET TREE MANAGEMENT PLAN - ADVISORY GROUP - MINUTES - 9 OCTOBER 2023

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Urban Street Tree Management Plan - Advisory Group - Minutes - 9 October 2023", Council receive and note the minutes from the Urban Street Tree Management Plan Advisory Group:

SUMMARY

The purpose of this report is to present the minutes from the 9 October 2023 meeting of the Urban Street Tree Management Plan – Advisory Group (the Advisory Group) and note the key outcomes of the meeting.

COMMENTARY

The Advisory Group was created to support Tamworth Regional Council (Council) with the greening and cooling of the region through the advancement of tree plantings across the Local Government area (LGA).

On 9 October 2023, the Advisory Group met for its bi-monthly meeting. The minutes from the meeting are **ATTACHED**, refer **ANNEXURE 1**. Key discussion items of the meeting included:

2023 Winter Greening Strategy

Planting was completed with the available stock. Unfortunately, some plant material was not available at the time of planting for Calala Lane and Ebsworth Street. These plantings have been moved to the 2024 Greening Strategy.

2023 Spring Greening Strategy

The spring plantings have been completed as per the Greening Strategy, with the replacement tree planting being well underway. Due to the lack of rain in late winter and early spring, the trees are being watered on a regular basis to aid establishment.

2024 Greening Strategy

A draft 2024 Greening Strategy was distributed to the Advisory Group for comment and requests for tree plantings. Discussion took place around the lack of rain and whether or not the further planting of trees should be held off or proceed.

General Business

Anzac Park tree planting was moved from the 2024 Greening Strategy and will be undertaken during the spring 2023 planting.

The Advisory Group has been nominated for the Keep Australia Beautiful Tidy Towns Awards 2023 which are to be held in Scone from 3-5 November 2023.

(a) Policy Implications

Nil

(b) Financial Implications

The proposed tree plantings are currently funded through Council's existing projects and operational budgets.

(c) Legal Implications

Nil

(d) Community Consultation

The Advisory Group is comprised of members of the community.

(e) Delivery Program Objective/Strategy

Focus Area 2 – Liveable built environment

8.4 EASEMENT CREATION FOR POWER SUPPLY UPGRADE NECESSARY FOR THE STAGED UPGRADE OF SEWAGE PUMPING STATION 3C

DIRECTORATE: WATER AND WASTE
AUTHOR: Naomi Schipanski, Manager - Projects, Strategy and Infrastructure

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Easement Creation for Power Supply Upgrade Necessary for the Staged Upgrade of Sewage Pumping Station 3C”, Council:

- (i) authorise the Mayor and General Manager to approve the creation of easements for electricity supply relating to the staged upgrade of Sewage Pumping Station 3C; and*
- (ii) authorise the affixing of the Seal of Council to any plans, instruments or any other documents required to give effect to Council’s resolution.*

SUMMARY

The purpose of this report is to seek Council’s approval to grant easements to the relevant electricity supply authority, within the Drainage Reserve at 66 Harrier Parade Calala, Lot 40 in Deposited Plan 1073420, and within Lot 64 in Deposited Plan 1279510.

COMMENTARY

The Tamworth Sewer Strategy 2018 identified that the pump capacity at Sewer Pumping Station 3C (SPS 3C) is considerably less than the current peak demand. The strategy document recommended that SPS 3C be upgraded to meet both current demand, and ultimate development in the catchment area.

The existing electrical power supply cannot service the upgraded SPS 3C. A new padmount substation, high voltage connection, and underground powerlines must be installed to provide electrical supply to the upgraded pump station.

In order to facilitate the installation of this infrastructure, Essential Energy requires the creation of easements for an electrical installation and underground powerlines on Lot 40 in Deposited Plan 1073420, and on Lot 64 in Deposited Plan 1279510, as detailed in the **ATTACHED**, refer **ANNEXURE 1**.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

The Seal of Council is required to be affixed to the documents to effect Council’s recommendation.

The Local Government (General) Regulation 2021, Clause 400(4), requires that the Seal of Council must not be affixed to a document unless the document relates to the

business of Council and Council has resolved (by resolution specifically referring to the document) that the Seal be so affixed.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus area 1 – Our water security

8.5 NEW DUNGOWAN PIPELINE - OWNERSHIP AND OPERATION

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager - Water and Environmental Operations
Reference: Item 8.3 to Ordinary Council 25 January 2022 - Minute No 18/22
Item 12.5 to Ordinary Council 22 February 2022 - Minute No 56/22
Item 8.2 to Ordinary Council 12 July 2022 - Minute No 206/22
Item 12.5 to Ordinary Council 9 May 2023 - Minute No 97/23

RECOMMENDATION

That in relation to the report “New Dungowan Pipeline - Ownership and Operation”, Council:

- (i) receive and note the report;*
- (ii) accept the ownership of the completed New Dungowan Pipeline as detailed in the body of the report;*
- (iii) authorise the General Manager to prepare a letter to the NSW Government accepting ownership of the completed New Dungowan Pipeline as per the vesting order process detailed in the report; and*
- (iv) authorise the Director Water and Waste to finalise and execute a Memorandum of Understanding between Council and Water Infrastructure NSW regarding the acquisition of easements for the New Dungowan Pipeline.*

SUMMARY

Construction of the first stage of the new Dungowan Pipeline, referred to as Stage 1 has recently reached completion. Stage 1 of the new pipeline construction is from the Calala Water Treatment Plant (CWTP) to the point where the Chaffey Dam Pipeline meets the existing Dungowan Pipeline near the Dungowan Recreation Ground. The pipeline was successfully commissioned in September 2023 with the new pipeline section delivering water directly to the Calala Water Treatment Plant via raw water balance tanks and also delivering water to the raw water storage dam at the CWTP. Water Infrastructure NSW (WINSW) are in the final stages of finalising the construction contract with contractor MPC Kinetic and have commenced the process of transferring the new pipeline asset to Council to own and operate. This report discusses and provides recommendations to Council in respect to the pipeline asset ownership, construction contract defect management and easement acquisition for the new pipeline.

COMMENTARY

Construction of the first stage of the new Dungowan Pipeline, referred to as Stage 1 has recently reached completion. Stage 1 of the new pipeline construction is from the CWTP to the point where the Chaffey Dam Pipeline meets the existing Dungowan Pipeline near the Dungowan Recreation Ground. The pipeline was successfully commissioned in September 2023 with the new pipeline delivering water directly to the CWTP via raw water balance tanks and also delivering water to the raw water storage dam at the treatment plant. WINSW are in the final stages of finalising the construction contract with contractor MPC Kinetic and have

commenced the process of transferring the new pipeline asset to Council to own and operate.

The initial scope for the new Dungowan Dam and Pipeline Project included three stages of pipeline design and construction occurring as follows;

Stage 1 was to include:

- detailed design of the new pipeline (full length) from the CWTP to the new Dungowan Dam site; and
- construction of the new pipeline from CWTP to the connection of the existing Dungowan Pipeline and the Chaffey Dam Pipeline. A total pipeline length of approximately 21 Kilometres.

Stage 2 was to commence following completion of Stage 1 and proposed to include:

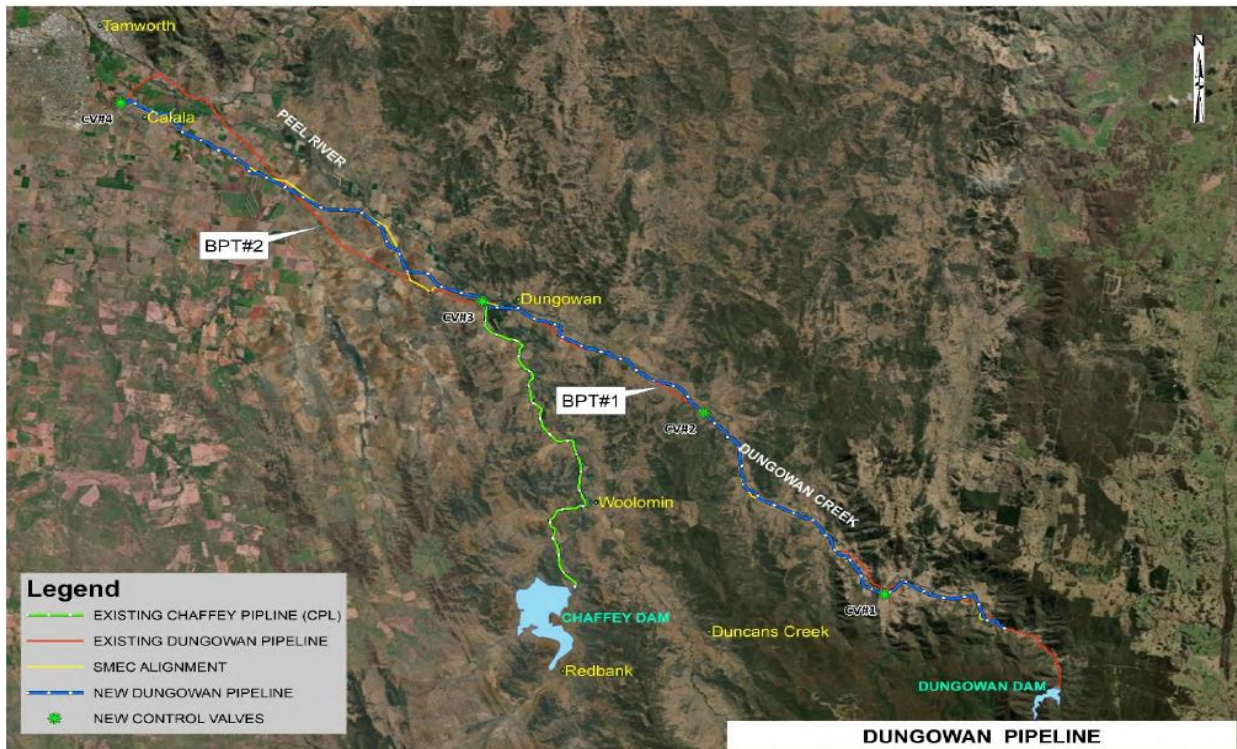
- continuation of construction of the new pipeline from the connection point/end of stage 1 to the downstream side of the new dam site. A total pipeline length 32km.

Stage 3 was to occur following completion of the new dam and proposed to include:

- connection of the new pipeline from Stage 2 to the outlet structure of the new Dungowan Dam.

Given the announcement in May 2023 by both the NSW and Federal Governments that the new Dungowan Dam Project would not be proceeding, the final scope of the new Dungowan Pipeline Project was limited to Stage 1. The completion of Stage 1 included the following works;

- final design route for the new pipeline from the CWTP to the new Dungowan Dam site;
- detailed design and all associated approvals for Stage 1 of the new pipeline:
 - the pipeline was designed to provide a maximum flow rate of 71 ML/day to the CWTP and was designed to be constructed primarily of high-density polyethylene with an external pipe diameter of 900mm;
 - through urban areas of Calala, the pipeline was designed to be constructed of ductile iron cement lined pipe with a diameter of 600mm; and
 - the new pipeline route, existing pipeline location and Chaffey Dam Pipeline are shown in the following image.



- the project constructed approximately 21km of new pipeline as per the completed detail design. The pipeline construction incorporates a fibre optic cable installed adjacent to the pipeline for communications i.e., data transfer for pipeline operation; and
- approximately 2.1 kilometres of slip lining the existing Dungowan pipeline with a new 160mm polyethylene water main was undertaken to service properties that had an existing Dungowan Pipeline water connection but could not be serviced by the new pipeline. The works are shown in red below.



- Stage 1 of new pipeline include three pipeline flow and pressure control systems as follows;
 - control valve building constructed at the CWTP which provides the desired water flow rate to be delivered to the CWTP or raw water storage. Images of this infrastructure are provided below.



- pressure reducing valve building located at the Dungowan Recreation Ground. This building also incorporates the connection point for the Chaffey Dam Pipeline.

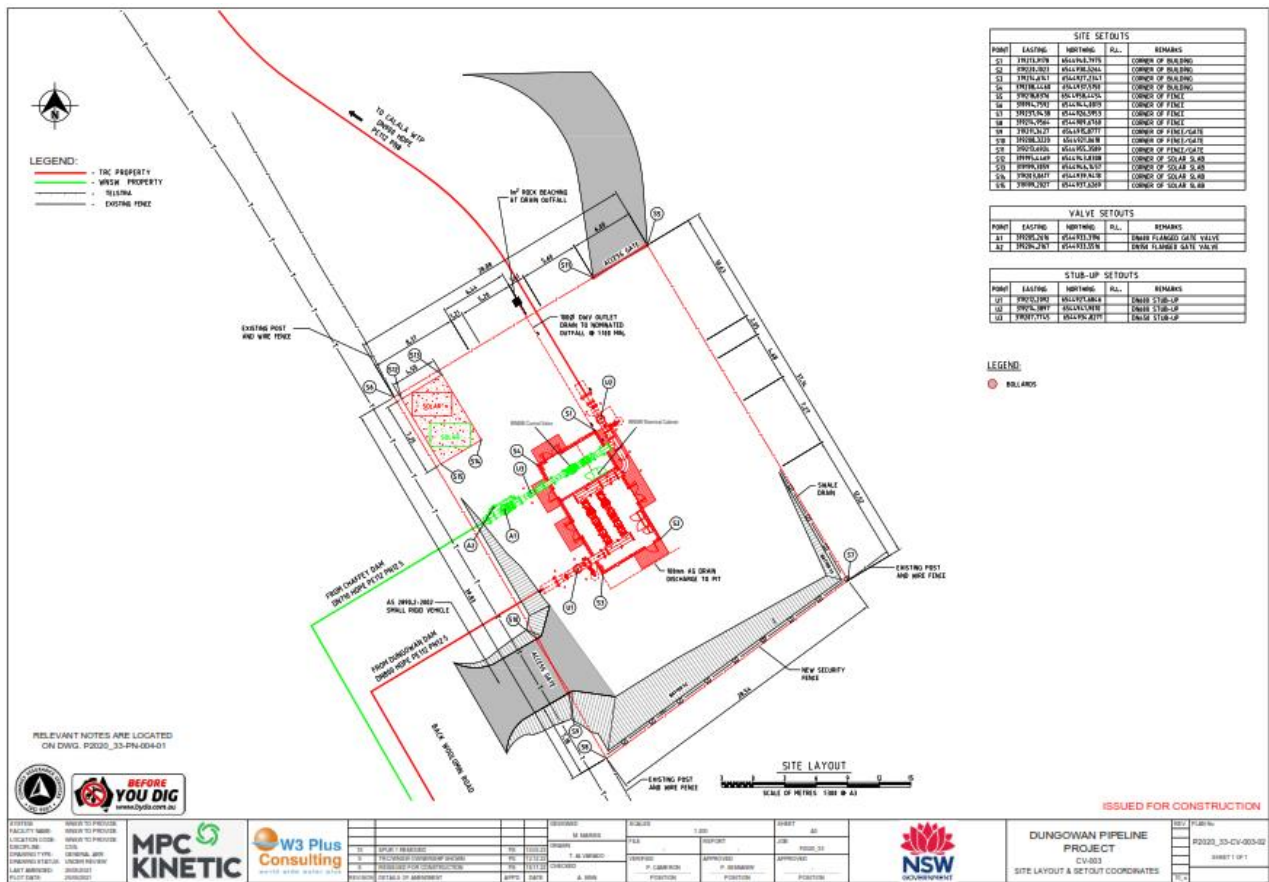
WaterNSW has ownership and operational responsibility of the connection point and associated valving. Images of this infrastructure are provided below.



- a temporary pressure reducing valve station was installed at Dungowan village (Nundle Road). This infrastructure was required to be installed to facilitate the operation of the new pipeline and reduce water pressure in a section of the existing pipeline from Dungowan village to the Dungowan Recreation Ground. This system was planned to be removed from service on the completion of Stage 2 of the new pipeline project. It will be required to be maintained until the remainder of the existing pipeline is renewed.

As previously reported to Council, any existing water connections to the Dungowan Pipeline were to be provided a raw water connection to the new pipeline. In addition, Council resolved to amend its previous policy of not allowing any additional raw water connections to the Dungowan Pipeline and to allow new connections on the new Dungowan Pipeline should a property be traversed by the new pipeline. Any new connections were required to enter in to a raw water supply agreement. The new pipeline incorporates approximately 50 metered raw water connection points.

In summary, should Council resolve to accept ownership of the new Dungowan Pipeline, Council would own and operate all infrastructure constructed as part of Stage 1 with the exclusion of the Chaffey Dam Pipeline extension and connection point to the new Dungowan Pipeline at the Dungowan Recreation Ground. These assets would be the ownership of WaterNSW. The separation of assets between Council and WaterNSW at this point is shown in the plan below with assets in red being owned by Council i.e., new Dungowan Pipeline and assets in green owned by WaterNSW i.e. Chaffey Dam Pipeline:



Financial Implications of Pipeline Asset Transfer

As resolved by Council at its Meeting of 12 July 2022, Council would accept ownership of the new Dungowan Pipeline if it was gifted to Council at no cost. It should be noted that Council made this resolution on the assumption the new Dungowan Dam and Pipeline Project would be completed in entirety. The NSW State Government is proposing to transfer the assets to Council at no cost. WINSW have advised that the capital cost of Stage 1 of the new Dungowan pipeline was \$53 million. Council, once taking ownership of the pipeline asset, will be required to revalue the asset in accordance with Council’s accounting policies and procedures. It is most likely the asset replacement value will be lower than the provided costs given the projects initial scope i.e. full design of the entire pipeline length to the new dam etc. Based on the provided pipeline asset capital costs the following high level financial implications are provided to Council:

- asset depreciation based on the project design standard of a 100-year design life i.e. 1% per annum = \$530,000/annum;
- current depreciation for existing full length of the existing Dungowan Pipeline is \$336,000/annum;
- ongoing depreciation of the existing pipeline that has not been replaced = \$121,000 per annum;
- existing pipeline annual operation and maintenance costs are \$250,000. It is expected the new pipeline, in conjunction with the remaining existing pipeline, will have similar annual operating costs;

- increase in income to cover depreciation increase = \$409,000 (\$530,000 – \$121,000); and
- average income from Tamworth, Moonbi/Kootingal to water fund last 5 years was \$17.8 million.

Based on the above the expected potential increase to water charges would be approximately 2.7% to cover the increased depreciation charge. Council could elect to increase water charges by this amount, as part of the 2023/2024 budget considerations, or absorb this amount within the current budget. Given that Council's water income for the past 5 years has been heavily impacted by drought followed by extended wet conditions it is recommended this increase cost be absorbed at present. Further, it is proposed to not change any water charges until a decision regarding the renewal of the remainder of the pipeline and existing Dungowan Dam is made. To allow Council to make an informed decision, this will require the completion of the following two projects currently underway;

- Dungowan Dam Safety Review – as the new Dungowan Dam is not proceeding, Council, at its Meeting of 8 August 2023, resolved to proceed with commencing a safety review for the existing Dungowan Dam. This work aims to address outstanding recommendations from previous studies regarding the long-term safety of the dam; and
- Water Security Plan Project – Council is working with NSW State Government Agencies in relation to identifying the best long-term source of raw water and alternative water use options for Tamworth.

It is expected that both of the above projects will take two years to complete and following completion Council will be able to consider renewal options and associated funding opportunities for renewal/replacing the existing Dungowan Pipeline.

Asset Ownership Transfer Process

NSW State Government Agencies completed a detail review of the best process to transfer the ownership of new Dungowan Pipeline asset to Council. The identified best approach was deemed to be to transfer of the asset from the Department of Planning and Environment to Council, via WaterNSW, by the way of ministerial vesting orders.

The proposed vesting order process is a two-step process. The steps are to occur consecutively on the same day in the following sequence:

1. ministerial vesting order to transfer all assets, rights and liabilities held by DPE to WaterNSW pursuant to s 28(1) of the *WaterNSW Act* (being Order 1); and
2. ministerial vesting order to transfer constructed assets, all associated assets, rights and liabilities held by WaterNSW to Council pursuant to s 28(2) of the *WaterNSW Act* (effectively, the Minister transfers the 'full bundle' to Council), (being Order 2).

In respect to the above, liabilities included previous documents and contracts not under Council's control for example, the pipeline construction contract that WINSW had with MPC Kinetic, will remain the responsibility of the NSW Government.

Prior to signing of the vesting order, the voting shareholders of WaterNSW must give their concurrence to the making of the order, as required under sections 28(1) and 28(2) of the Act.

The voting shareholders of WaterNSW are the Treasurer (Daniel Mookhey MLC) and the Minister for Finance (Courtney Houssos MLC).

The Minister for Water (Rose Jackson MLC), on behalf of the State, and Council must consent to the transfers as required by section 28(3) of the Act.

Construction Contract Defects Period

The construction contract between WINSW (NSW Government) and MPC Kinetic has defect rectification clauses i.e., any defects identified during the 12-month period from the contract completion date requires MPC Kinetic to rectify.

Should Council accept the asset ownership, WINSW would continue to manage the construction contract defects with MPC Kinetic for the 12-month defect period. Under this arrangement Council would own and operate the pipeline and any defects would be reported by Council staff to WINSW project management staff to coordinate defect repairs. Any identified defects would be classified as;

- minor – repairs could be completed by Council staff. Any costs to be paid by WINSW/MPC Kinetic; and
- major – repairs could not be completed by Council staff without MPC Kinetic involvement. WINSW would manage contractor repairs in consultation with Council staff.

It should be noted this operational procedure has been informally operating since the early commissioning stages of the new pipeline in August 2023.

Easement Acquisition

Given the uncertainty of long-term asset ownership when the new Dungowan Dam and Pipeline Project commenced, to facilitate construction commencement, WINSW entered in to construction leases with all impact properties i.e. those properties the new pipeline traversed. On completion of the project these leases converted to a three-year operating lease to allow the acquisition of easements of the new pipeline assets including slip lined assets and building compounds.

25 construction leases were executed between WINSW and impacted landowners to provide property access for pipeline construction and commissioning. Leases provided payment for annual land rent, a one-off signup fee, legal costs, construction disturbance payment. All costs were borne by the project and WINSW.

All construction leases terminated as of 18 September 2023, and converted to operational licences to allow WINSW, and Council access properties to operate and maintain the pipeline. In accordance with these licences, WINSW will pay the landowner an annual rent and one-off legal costs. The operational licences have a maximum term of three years on similar terms to the construction lease. The primary purpose of this period is to allow for the acquisition of easements for the new pipeline assets. Easement widths were included in the construction leases and are proposed to be 10 metres in width on pipeline assets. The operational licences will terminate once an easement has been established.

To facilitate the easement acquisition, it is proposed all acquisitions will be managed and all associated costs paid for by WINSW. To detail any agreement, the associated process and responsibilities of the parties, it is proposed a Memorandum of Understanding (MOU) will be entered into between WINSW and Council. All costs associated with the easement acquisition will be funded by WINSW. It should be noted that as the asset owner Council may be responsible for initial payment, however, this would be immediately reimbursed by WINSW.

It should also be noted that WINSW has now legal powers to compulsorily acquire easements if agreement cannot be reached with impacted landowners. Council does have such powers and therefore should Council agree to the MOU it may be possible that Council will be required to request the appropriate State Minister agree to acquire easements via compulsory acquisition where agreement cannot be reached with individual landowners. In this case the process followed would be the same as for previous compulsory acquisitions initiated by Council. Again, WINSW will be responsible for management of this process and any costs incurred.

It is expected that the easement acquisition will commence in December 2023, with property owner engagement from early 2024.

(a) Policy Implications

Nil

(b) Financial Implications

The financial implications and associated staff recommendations for accepting the ownership of the new Dungowan Pipeline are included in the report.

(c) Legal Implications

Assuming Council accepts ownership of the new section of the Dungowan Pipeline, Council is required to resolve to formally accept ownership of the new Dungowan Pipeline to allow the transfer of ownership of the pipeline to Council to proceed.

Should Council agree an MOU between Council and WINSW will be developed to coordinate the process of pipeline easement acquisition.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 1 – Our Water Security

8.6 RESOURCE RECOVERY AND WASTE FACILITIES – PROPOSED CHANGES TO GREEN WASTE FEES AT RURAL WASTE FACILITIES

DIRECTORATE: WATER AND WASTE
AUTHOR: Tess Dawson, Manager, Waste and Resource Recovery

RECOMMENDATION

That in relation to the report, “Resource Recovery and Waste Facilities – Proposed Changes to Green Waste Fees at Rural Waste Facilities”, Council:

- (i) agree to place on public display for a period of not less than 28 days the following proposed changes to fees and charges at Council’s Rural Waste Facilities:*
 - a. reduce 2023-2024 fees associated with green waste disposal as detailed in the body of the report;*
 - b. reduce the fee structure from 6 classifications for green waste to three classifications as detailed in the body of the report; and*
 - c. introduce a new minimum charge of \$5.00 for green waste only.*
- (ii) following the closure of the period for public submissions, request the Director, Water and Waste provide a further report on submissions received, if any objections to the changes are received. If no objections are received then adopt the new charges and fee structure.*

SUMMARY

The purpose of this report is to advise Council of an inequity between fees for green waste disposal at Forest Road Waste Facility (FRWF) and at Rural Waste Facilities (RWF). Rural sites are not equipped with weighbridges, thus quantities to be disposed of are measured by vehicle size and type. At FRWF loads of green waste being charged by weight are minimal, unlike the fixed charges at the RWF.

COMMENTARY

As per Councils adopted Fees and Charges for the 2023/2024 financial year, the minimum charge for any material brought into FRWF is \$17 per tonne, except for green waste. Green waste only loads, brought into FRWF are weighed and charges levied are based on the weight multiplied by \$70/tonne. Because of the relatively light weight of green waste charges may be as low as \$1 to \$2 dollars. The minimum charge at RWF is \$10 for a ute/car of sorted green waste or \$15 for a ute/car of branches, trees, shrubs, weeds, etc. Under the current arrangements it doesn’t matter how little green waste (for green waste only loads) is presented at the rural waste facility the minimum charge of \$10 or \$15 is applied depending on the type of green waste presented. Whereas at the Forest Road facility customers, with only green waste, will pay a charge based on the weight of the green waste.

The green waste fee structure for FRWF is as follows:

Domestic – green waste (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per tonne	70/T	Commercial – green waste (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per tonne	70/T
Domestic – Green waste - processed green waste (shredded/mulched)(Lawn clippings, processed green waste material -any type) per tonne	23/T	Commercial - green waste - processed green waste (shredded/mulched)(lawn clippings, processed green waste material - any type <150mm particle size) per tonne	23 /T

The fee structure for rural sites, with no weighbridge is as follows:

Clean green waste ute/car (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per visit	15 /T	Commercial - clean green waste ute /car (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per visit	15 /T
Clean green waste ute/car with single axle trailer (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per visit	20 /T	Commercial - clean green waste ute /car with single axle trailer (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per visit	20 /T
Clean green waste ute/car with double axle trailer(bulk) (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per visit	45 /T	Commercial - clean green waste ute /car with double axle trailer(bulk) (branches, trees, shrubs, bushes, grass, weeds, leaves, flowers, palms) per visit	45 /T
Clean green waste ute/car (sorted and shredded /mulched <150mm particle size)(lawn clippings, processed green waste material -any type) per visit	10 /T	Commercial - clean green waste ute/car (sorted and shredded /mulched <150mm particle size)(lawn clippings, processed green waste material -any type) per visit	10 /T
Clean green waste ute/car with single axle (sorted and shredded /mulched<150mm particle size)(lawn clippings, processed green waste material -any type) per visit	18 /T	Commercial - clean green waste ute/car with single axle (sorted and shredded /mulched<150mm particle size)(lawn clippings, processed green waste material - any type) per visit	18 /T
Clean green waste ute/car with double axle (sorted and shredded /mulched <150mm particle size)(lawn clippings,	38 /T	Commercial - clean green waste ute/car with double axle (sorted and shredded /mulched <150mm particle size)(lawn clippings,	38 /T

processed green waste material -any type) per visit		processed green waste material - any type) per visit	
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A further consideration is rural communities, at present do not receive green waste kerbside collections, thus their only method of accessing council services for green waste disposal is at the rural facilities on allocated opening days. Tamworth urban community members receive kerbside green waste collections, plus have access to FRWF seven days a week.

To address this anomaly, it is proposed a new minimum charge of \$5 be introduced for the disposal of all types of green waste only at RWF. Further, that the fee structure be simplified from six classifications to three classifications and fees be reduced for each classification as shown below:

Clean green waste ute/car per visit	5	Commercial - clean green waste ute/car per visit	5
Clean green waste ute/car with single axle) per visit	10	Commercial - clean green waste ute/car with single axle per visit	10
Clean green waste ute/car with double axel per visit	15	Commercial - clean green waste ute/car with double axel per visit	15

Presentation of commercial green waste at RWF is very limited. It is anticipated the proposed changes to commercial charges will have very little effect. There is a possibility that commercial operators from Tamworth will start to deliver green waste to RWF under the new cost structure, however staff at these facilities can direct commercial operators to take green waste to Forest Road if the quantity being delivered to a particular RWF is considered excessive.

No changes are proposed to the green waste fees and charges levied at the Forest Road Waste Facility.

(a) Policy Implications

Nil

(b) Financial Implications

An income loss estimated at \$60,000 ex GST per year is estimated (see details below), however presentation rates of green waste at RWF's may increase with reduced fees and charges.

Product description	Act. Trans in FY 22/23	Fee per load - as per current F&C for FY 23/24	Prop. fee per load	Est. Income for FY 23/24	Adjust. Income for FY 23/24	Est. yearly Loss
Commercial Green Non-Shred	14	\$45	\$15	\$630	\$210	-\$420

Product description	Act. Trans in FY 22/23	Fee per load - as per current F&C for FY 23/24	Prop. fee per load	Est. Income for FY 23/24	Adjust. Income for FY 23/24	Est. Loss	yearly
- Car/Ute + Double Axle Trailer							
Commercial Green Non-Shred - Car/Ute + Single Axle Trailer	4	\$20	\$10	\$80	\$40	-\$40	
Commercial Green Non-Shred - Car/Ute	37	\$15	\$5	\$555	\$185	-\$370	
Commercial Green Shredded - Car/Ute + Double Axle Trailer	5	\$38	\$15	\$190	\$75	-\$115	
Commercial Green Shredded - Car/Ute + Single Axle Trailer	6	\$18	\$10	\$108	\$60	-\$48	
Commercial Green Shredded - Car/Ute	15	\$10	\$5	\$150	\$75	-\$75	
Domestic Green Non Shredded - Car/Ute	4367	\$15	\$5	\$65,505	\$21,835	\$43,670	
Domestic Green Non Shredded - Car/Ute + Double Axle Trailer	324	\$45	\$15	\$14,580	\$4,860	\$9,720	
Domestic Green Non Shredded - Car/Ute + Single Axle Trailer	279	\$20	\$10	\$5,580	\$2,790	-\$2,790	

Product description	Act. Trans in FY 22/23	Fee per load - as per current F&C for FY 23/24	Prop. fee per load	Est. Income for FY 23/24	Adjust. Income for FY 23/24	Est. Loss yearly
Domestic Green Shredded - Car/Ute	344	\$10	\$5	\$3,440	\$1,720	-\$1,720
Domestic Green Shredded - Car/Ute + Double Axle Trailer	1	\$38	\$15	\$38	\$15	-\$23
Domestic Green Shredded - Car/Ute + Single Axle Trailer	14	\$18	\$10	\$252	\$140	-\$112
Grand Total	5,410			\$91,108	\$32,005	\$59,103

(c) Legal Implications

Nil

(d) Community Consultation

Should Council agree with the recommendations contained in this report then the amended fees and charges will be placed on public display for a period of not less than 28 days seeking public comment on the proposed changes, before the changes, if any, are formally adopted.

(e) Delivery Program Objective/Strategy

Focus Area 6 – Working with and protecting our environment

8.7 NORTHERN INLAND ACADEMY OF SPORT - YOUR LOCAL CLUB ACADEMY GAMES BID 2025 - 2027 FINANCIAL ASSISTANCE REQUEST

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

RECOMMENDATION

That in relation to the report “Northern Inland Academy of Sport - Your Local Club Academy Games Bid 2025 - 2027 Financial Assistance Request”, Council:

- (i) approve a fee waiver for Tamworth Regional Council operated sporting venues; and*
- (ii) support the bid with a \$20,000 cash contribution per annum for three years.*

SUMMARY

The Northern Inland Academy of Sport (NIAS) is one of eleven regional academies located throughout NSW who provide pre-elite athlete development programs and support performance pathways for talented regional athletes. Each year they hold a combined Academy Games known as “Your Local Club Academy Games”, which brings more than 1,300 pre-elite athletes from within these academies to a single location to compete against each other. Supporting these athletes are an additional 2,000 spectators, coaching and support staff and state sporting organisation executives.

The Your Local Club Academy Games are currently open for bids to host the event on a three-year term between 2025 – 2027. NIAS is seeking Tamworth Regional Council’s (Council) support and financial assistance to bring this exciting event to Tamworth for three consecutive years.

COMMENTARY

NIAS is one of eleven regional Academies of Sport (nine of which including NIAS are independent) operating across New South Wales, who collectively cover more than 100 Local Government areas, providing support services for over 2,000 athletes and 300 coaching and program staff.

Since 2005, these Academies of Sport meet each year in a single location to host the inter-academy games which have become known as the Your Local Club Academy Games. These games bring the best talented young athletes, coaches and support staff from a collection of sports into one location to compete against each other.

Wagga Wagga will host the event for the third consecutive year in April 2024. During this event they will announce the destination to host the event from 2025 – 2027. NIAS is seeking to submit a bid to host this three day event which will incorporate the following sporting competitions:

- netball at the Tamworth Sports Dome;
- basketball at the Tamworth Sports Dome;
- triathlon at the Tamworth Regional Athletics and Cycling Centre;
- hockey at the Tamworth Regional Hockey Centre;

- golf at both the Tamworth Golf Course and Longyard Golf Course;
- road cycling/mountain bike at the Tamworth Cycling Centre;
- football (soccer) at Scully Park Oval;
- tennis at the Treloar Park Regional Tennis Centre; and
- volleyball at Tamworth High School.

In addition, NIAS’s bid proposes to showcase the sport of equestrian with a few of their athletes (non competition) which will also provide as an opportunity to expose the broader visitors to Tamworth’s Australian Equine and Livestock Events Centre (AELEC) facility.

To submit a bid to host these games NIAS is seeking Council’s support and financial assistance to waive venue hire fees at the facilities Council operates, as well as a cash contribution, detailed in Table 1 below:

Item	Description	Proposed fee
Venue hire	Tamworth Sports Dome hire	\$5,000
	Tamworth Athletics Centre hire	\$1,000
	Tamworth Cycling Centre hire	\$1,000
Cleaning/bins	Additional bins and servicing	\$1,500
Cash contribution	Offset the cost of hosting the event	\$20,000
TOTAL		\$28,500

Table 1: Fee calculation

Through planning discussions with NIAS, it is believed that Tamworth’s national quality facilities, most of which are centrally located at the Sports and Entertainment Precinct, make it the perfect location to host such a premier event.

The opportunity to showcase our facilities to NSW’s emerging athletes, along with the coaching, support and executive staff of a range of peak state sporting organisations also in attendance, enables Tamworth to further position itself as a premier destination for major sporting events. This includes the potential prospect of hosting a team/s to train here in the lead up to the 2032 Olympics in Brisbane.

Based on the estimated attendance from the Your Local Club Academy Games being held in recent years, the economic impact of such an event is expected to bring more than \$1 million to the local economy each year, as displayed in Figure 1 below:

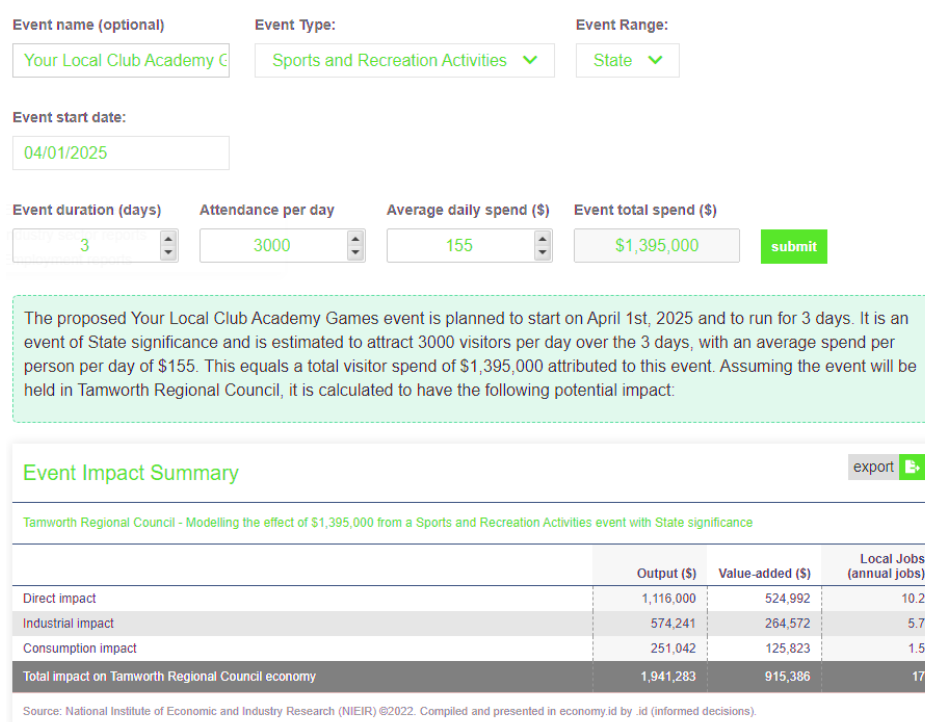


Figure 1 – Economic benefit

In addition to the exposure Tamworth would receive from hosting this event, NIAS proposes that Council, as a major sponsor of this event, would include the below listed benefits:

- opportunity to align our brand with a high-profile state event, showcasing NSW’s most talented young sportspeople;
- social media coverage across regional academies Facebook pages, including NIAS;
- acknowledgement as a major partner on the front cover of the official games program made available to up to 3,000 visitors attending the games;
- a logo on the Your Local Club Academy Games website;
- mentioned in all media releases and in interviews where appropriate;
- logo on all print and digital collateral;
- prominently display our branded signage at the academy games venues;
- invitation to the academy games media launch; and
- 4 x VIP invitations for the academy games official opening ceremony and networking.

NIAS have successfully reached out to three other organisations to also become joint major sponsors, including Regional Australia Bank, UNE and Wests Entertainment group. In addition, NIAS have also received letters of support from various organisations across Tamworth and the region for their bid, including:

- Mr Kevin Anderson MP – Member for Tamworth;
- Tamworth Business Chamber;
- University of New England;

- Rural Fit;
- Wests Entertainment Group;
- Regional Australia Bank;
- Golf NSW and Jack Newton Junior Golf; and
- various local sporting associations.

Given the significant economic boost that this event could bring to the Tamworth region, as well as the opportunity to showcase our first-class facilities to NSW pre-elite athletes and administrators, it is recommended that Council support NIAS's bid to host the Your Local Club Academy Games from 2025 - 2027 through the waiving of venue hire fees of \$8,500 as well as a cash contribution of \$20,000 for each of the 3 years of the event.

(a) Policy Implications

Nil

(b) Financial Implications

The Sports and Recreation division has an annual budget allocation for events subsidised under the Sport Event Subsidisation Policy. Venue hire fees, estimated to be approximately \$8,500 (including GST), will be deducted from this budget, should Council approve and should the NIAS bid be successful.

Similarly, the \$20,000 cash contribution would be funded from the Events Reserve.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 4 – Resilient and diverse communities

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 SCHEDULE OF COUNCIL MEETINGS FOR 2024

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

RECOMMENDATION

That in relation to the report “Schedule of Council Meetings for 2024”, Council fix the dates and times for Council Meetings for 2024 as follows:

	Time	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024
Ordinary Council	6:30 pm	-	13	12	9	14	-	9	13	10	-	12	10
		-	27	26	23	28	25	23	27	-	22	26	-

SUMMARY

The purpose of this report is to confirm the dates and times for the Council Meetings for the 2024 calendar year. Council may change the dates by resolution.

COMMENTARY

Section 365 of *Local Government Act 1993*, states:

“The Council is required to meet at least 10 times each year, each time in a different month”.

Tamworth Regional Council’s Code of Meeting Practice 2.1.3, allows for changes to dates and times for Meetings:

Council may, by resolution, vary the time, date and place of Ordinary Meetings should circumstances exist to warrant the change in time, date or location.

However, Ordinary Meetings of Council will generally be held on the second and fourth Tuesday of each month, commencing at 6:30pm at the Lands Building Nemingha Room, 25-27 Fitzroy Street, Tamworth NSW.

Typically, there are no Council Meetings held in January and only one Council Meeting held in December.

The first Ordinary Council Meeting for 2024 is proposed on Tuesday, 13 February 2024.

Council relies on the statutory role of the Mayor as stated in Section 226 (d) of the *Local Government Act 1993*, “to exercise, in cases of necessity, the policy-making function of the governing body of the council between Meetings of the council”, should the exercise of this role of the Mayor be required during the month of January.

Council also relies on the statutory role of the General Manager as stated in Section 335 (a) of the *Local Government Act 1993*, “to conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council”.

The Easter Public Holiday falls on 31 March and 1 April 2024 and will not affect the Council Meeting dates proposed. ANZAC Day falls on Thursday, 25 April 2024 and will not affect the Council Meeting dates proposed. The National General Assembly is scheduled for 11-14 June

2024, which falls on the second Tuesday of the month, a Council meeting has not been scheduled on this date. The LG NSW Annual Conference is scheduled for 17-20 November 2024, and will not affect the current Meeting schedule.

The report lists only one Meeting for December, being 10 December (second Tuesday of the month). The fourth Tuesday of December falling on 24 December, being Christmas eve therefore no meeting is to be held.

The Local Government Election is scheduled for 14 September 2024. The expected timeframe for the declaration of the polls is two to three weeks meaning a result is not expected until 28 September to 5 October 2024. Following the declaration of the poll, Councillor induction and oaths and affirmations need to be completed prior to the first Meeting. For this reason, there are no Council Meetings scheduled for the fourth Tuesday in September or the second Tuesday in October 2024.

It should be noted that caretaker mode for the 2024 Local Government Election commences on 16 August 2024. During this time there are two Council Meetings scheduled on 27 August and 10 September 2024. Council can meet during caretaker mode however, section 393B of the *Local Government (General) Regulation 2021* sets out the restrictions placed on decision making during caretaker mode. The restrictions are as follows:

393B Exercise of council functions during caretaker period

- (1) The following functions of a council must not be exercised by the council, or the general manager or any other delegate of the council (other than a Joint Regional Planning Panel, the Central Sydney Planning Committee or a local planning panel), during a caretaker period—
 - (a) entering a contract or undertaking involving the expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger),
 - (b) determining a controversial development application, except where—
 - (i) a failure to make such a determination would give rise to a deemed refusal under the *Environmental Planning and Assessment Act 1979*, section 8.11(1), or
 - (ii) such a deemed refusal arose before the commencement of the caretaker period,
 - (c) the appointment or reappointment of a person as the council's general manager (or the removal of a person from that position), other than—
 - (i) an appointment of a person to act as general manager under section 336(1) of the Act, or
 - (ii) a temporary appointment of a person as general manager under section 351(1) of the Act.
 - (2) Despite subsection (1), such a function may be exercised in a particular case with the consent of the Minister.
 - (3) In this section—

caretaker period means the period of 4 weeks preceding the date of an ordinary election.
-

controversial development application means a development application for designated development for which at least 25 persons have made a submission during community consultation.

designated development means designated development within the meaning of the *Environmental Planning and Assessment Act 1979*, section 4.10.

local planning panel has the same meaning as in the *Environmental Planning and Assessment Act 1979*.

A copy of the proposed 2024 Schedule of Dates, is listed below:

	Time	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024
Ordinary Council	6:30 pm	-	13	12	9	14	-	9	13	10	-	12	10
		-	27	26	23	28	25	23	27	-	22	26	-

(a) Policy Implications

Council may, by resolution, vary the time, date and place of Ordinary Meetings should extenuating circumstances exist which would prevent the Ordinary Meetings of the Council being held.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Public Notices advising of the dates and times of the Council Meetings (and/or Extraordinary) will be placed on the Tamworth Regional Council website.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership.

9.2 PLACE MANAGEMENT AND SECTION 355 COMMITTEE ACTIVITIES

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Lisa Hannaford, Place Manager
Jodie Archer, 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:

<i>Attunga Public Hall and Youth Hall Committee AGM</i>	<i>8 August 2023</i>
<i>Attunga Public Hall and Youth Hall Committee</i>	<i>8 August 2023</i>
<i>Attunga Public Hall and Youth Hall Committee</i>	<i>10 October 2023</i>
<i>Barraba Showground Management Committee AGM</i>	<i>30 August 2023</i>
<i>Barraba Showground Management Committee</i>	<i>30 August 2023</i>
<i>Dungowan Hall Committee</i>	<i>20 February 2023</i>
<i>Dungowan Hall Committee</i>	<i>15 May 2023</i>
<i>Dungowan Hall Committee AGM</i>	<i>21 August 2023</i>
<i>Dungowan Hall Committee</i>	<i>21 August 2023</i>
<i>Duri Progress Association</i>	<i>15 August 2023</i>
<i>Duri Progress Association</i>	<i>19 September 2023</i>
<i>Duri Progress Association</i>	<i>17 October 2023</i>
<i>Kootingal Recreational Reserve Committee AGM</i>	<i>20 September 2023</i>
<i>Kootingal Recreational Reserve Committee</i>	<i>25 October 2023</i>
<i>Manilla Showground Committee</i>	<i>24 May 2023</i>
<i>Moore Creek Hall and Reserve Committee</i>	<i>4 October 2022</i>
<i>Moore Creek Hall and Reserve Committee</i>	<i>9 November 2022</i>
<i>Moore Creek Hall and Reserve Committee</i>	<i>20 April 2023</i>
<i>Moore Creek Hall and Reserve Committee</i>	<i>31 July 2023</i>
<i>Piallamore Recreation Reserve Committee</i>	<i>31 August 2023</i>
<i>Weabonga Hall and Recreation Reserve Local Committee</i>	<i>13 July 2023</i>
<i>Weabonga Hall and Recreation Reserve Local Committee AGM</i>	<i>12 September 2023</i>
<i>Weabonga Hall and Recreation Reserve Local Committee</i>	<i>12 September 2023</i>
<i>Woolbrook Hall and Park Committee</i>	<i>23 May 2023;</i>

(ii) appoint the following executive members and members to the Attunga Public

Hall and Youth Hall Committee as an outcome of the Committee’s Annual General Meeting held on 8 August 2023:

Chairperson	Lorraine Abra
Deputy Chairperson	Margret Markwick
Secretary	Ian Regan
Treasurer	Vinnie Todd
Booking Officers	Darron Johnson and Margaret Markwick
New members: Kate Howard and Emily Tobin;	

(iii) appoint the following executive members and members to the Barraba Showground Management Committee as an outcome of the Committee’s Annual General Meeting held on 30 August 2023:

Chairperson	Campbell Tonkin
Deputy Chairperson	Sinclair Hughson
Secretary	Don Roberts
Treasurer	Albert Graves
Booking Officers	Don Roberts
Meter Reader	Dave Penna

Delegates:

Show Committee	Tim Crowley and Dave Penna
Jockey Club	Sinclair Hughson and Leon Cummins
Trainers	Greg Smith
Pony Club	Leah Watkins and Di Etheridge
Barraba Community Campdraft (BCC)	

Kylie Stanger, Warren Lavender and Brie Stanger

Committee Members: T Crowley, D Penna, T Alderton, L Watkins, D Etheridge, T Bucknell, B Stanger, D Wilson, D Brittain, P Sherwood;

(iv) appoint the following executive members and members to the Dungowan Hall Committee as an outcome of the Committee’s Annual General Meeting held on 21 August 2023:

Chairperson	Alison Leckie
Deputy Chairperson	John Thompson and Michael Lollback
Secretary	Liz Lollback
Assistant Secretary	Marie Goodwin
Treasurer	Jacqui Gidley-Baird
Booking Officers	Alex Steinbeck and Marie Goodwin

Committee Members: Di Brown, Robyn Thompson, John Thompson, Michael Lollback, Alex Steinbeck, Lyn Sommerville, Suzanne O’Keefe, Wendy McRea;

- (v) *appoint the following executive members and members to the Kootingal Recreational Reserve Committee as an outcome of the Committee's Annual General Meeting held on 20 September 2023:*

Chairperson	Don Grant
Deputy Chairperson	Lad Jones
Secretary	Greg Crowe
Treasurer	Verona Grimbergh
Booking Officer	Melissa Woods

Committee Members: Alan Betts, Melissa Woods, Kevin Seery, Yvonne Meintjes and a representative from Kootingal Moonbi Rugby League Football Club, Kootingal and District Football Club, Manilla and District Kennel Club, New England Celtic and All Breeds Kennel Club and Kootingal Motor Club;

- (vi) *accept the resignation of Martin Russell from the Moore Creek Hall and Reserve Committee as an outcome of the Committee's General Meeting held on 4 October 2022;*
- (vii) *appoint the following executive member to the Moore Creek Hall and Reserve Committee as an outcome of the Committee's General Meeting held on 9 November 2022:*

Booking Officer	Tom Fulwood
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- (viii) *appoint the following executive member and members to the Moore Creek Hall and Reserve Committee as an outcome of the Committee's General Meeting held on 20 April 2023:*

Treasurer	Tom Fulwood
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New members: Judy Shorten and Sonia Bennik;

- (ix) *appoint the following members to the Moore Creek Hall and Reserve Committee as an outcome of the Committee's General Meeting held on 31 July 2023:*
- Doug Barry and Mick Barry;

- (x) *appoint the following new members to the Weabonga Hall and Recreation Reserve Local Committee as an outcome of the Committee's Ordinary Meeting held on 13 July 2023:*

Ben Healy, David Pitt, Olivia Wozgo, Sarah Rumble and Shane Thompson; and

- (xi) *appoint the following executive members and members to the Weabonga Hall and Recreation Reserve Local Committee as an outcome of the Committee's Annual General Meeting held on 12 September 2023:*

Chairperson	Mia Jenkins
Secretary	Shane Thompson
Treasurer	Sara Rumble
Booking Officers	Dennis Chenowith and Garry Mahoney.

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 24 sets of Minutes requiring items for adoption, from Section 355 Committees. The Meeting Minutes are **ATTACHED**, refer **ANNEXURE 1**, for Council's information.

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

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

- a number of committees have been reminded to report items outside of their delegated function directly to Council. In addition to this they are also advised fees and charges may not be set on case-by-case scenarios;
- **Attunga Public Hall and Youth Hall Committee** – Council officers are working with the committee regarding site maintenance and noted community projects;
- **Duri Progress Association** - in reference to the "gift money" from Council, this relates to the committee's unspent balance from a previously approved Facility Improvement Fund application for the sportsground.

New insurance refers to Council's Risk and Safety Officer.

The committee has been reminded that fees need to be approved at a committee meeting;

- **Moore Creek Hall and Reserve Committee** - the fundraiser suggestion was for an externally organised event during covid;
- **Manilla Showground Committee** - the committee highlighted a safety risk from a dead ironbark tree in the gully. The tree has now been removed;
- **Piallmore Recreation Reserve Committee** - the committee highlighted a safety risk due to an overgrown eucalypt tree which has been inspected by Council staff and subsequently trimmed.

Work on the new amenities building is currently in the preliminary stage addressing administration requirements; and

- **Weabonga Hall and Recreation Reserve Local Committee** – it should be noted the committee has submitted meeting minutes 13 July 2023, duly corrected as the original minutes presented to Council on 26 September 2023, were not finalised at the time and omitted to include all new members elected. The committee was unaware of the submission error until recently.

Council's Place Management Team has assisted the following committees with recent successful community fundraising events:

- Dungowan Hall Committee – opening of Covered Outdoor BBQ Area (COBA) and Bingo night held 28 October 2023;
- Dungowan Recreation Reserve Committee – assisted Dungowan Village Fair hirer with recreation ground matters for Dungowan Fair held 21-22 October 2023;
- Duri Progress Association – Duri Gymkhana held 29 October 2023;
- Kootingal Recreational Reserve Committee – Kootingal Country Fair held 3 September 2023;
- Loomberah Hall Committee – Loomberah's Got Talent held 27 October 2023; and
- Piallamore Recreation Reserve Committee – Melbourne Cup Day gathering held 7 November 2023.

(a) Policy Implications

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

(b) Financial Implications

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

(c) Legal Implications

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

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Karen Litchfield, Internal Auditor

1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Audit, Risk and Improvement Committee”, Council receive and note the Minutes of the meeting held 26 October 2023.

SUMMARY

The purpose of this report is to present to Council the Minutes of the Audit, Risk and Improvement Committee meeting held Thursday, 26 October 2023.

COMMENTARY

The quarterly meeting of the Audit, Risk and Improvement Committee was held on Thursday, 26 October 2023. The Minutes of the meeting are **ENCLOSED**, refer **ENCLOSURE 1**.

(a) Policy Implications

Nil

(b) Financial Implications

Costs associated with the Internal Audit function are included in the 2023/2024 Annual Operational Plan.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Group 9 - Open and collaborative leadership.

9.4 COUNCIL INVESTMENTS OCTOBER 2023

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services
Lauren McPherson, Senior Accountant

1 ANNEXURES ATTACHED

RECOMMENDATION

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

SUMMARY

In accordance with *Local Government (General) Regulation 2021*, Clause 212, the purpose of this report is to provide Council with a register of investments held as at October 31, 2023 and provide Responsible Accounting Officer certification that investments comply with the *Local Government Act 1993*, *Local Government (General) Regulation 2021* and Council’s Investment Policy. The register and accompanying certification can be found **ATTACHED**, refer **ANNEXURE 1**.

COMMENTARY

Inflation in Australia remains stubbornly high, the Reserve Bank at its meeting on 7 November 2023, once again lifted interest rates to encourage inflation to return to the target range of 2 to 3 per cent. An economic update presentation by the National Australia Bank has suggested that this will not be the last rate rise required to curb inflation and there will be in their opinion another 50 basis points to come, at the same presentation they were predicting rates might start to drop late in 2024. It is interesting to note that the new Reserve Bank Governor Michele Bullock is also predicting that CPI inflation will be at 3.5% by the end of 2024 in the Reserve Banks November media release.

The register **ATTACHED**, refer **ANNEXURE 1** shows Council’s cash and investment holdings as at 31 October, 2023.

During the month, Council’s portfolio performed above the industry average, returning 4.92% against the three-month Bank Bill Swap rate (3mBBSW) of 4.35%.

(a) Policy Implications

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

(b) Financial Implications

Increases in interest rates will have a positive impact on the return on Council investments, however these are negated by persistent inflationary pressures.

(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
- *Local Government Code of Accounting Practice & Financial Reporting* – Update No 15 dated June 2007.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership

9.5 ANNUAL OPERATIONAL PLAN 2023/2024 BUDGET VARIATION REPORT - OCTOBER 2023

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

Reference: DOCUMENT TABLED
Item 9.5 to Ordinary Council 29 June 2023 - Minute No 146/23

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2023/2024 Budget Variation Report - October 2023”, Council note and approve the variations to the existing budget as listed in ANNEXURE 1 attached to the report.

SUMMARY

This report seeks Council approval for budget variations identified during October 2023, for which there has been no previous specific report or approval.

COMMENTARY

Council adopted the original budget included in the Annual Operational Plan for 2023/2024 at the Ordinary Meeting of Council held 29 June 2023. Any changes to the budget must be approved by Council at a later ordinary meeting. The budget forms the basis for future forecasts and the legal authority for staff to commit expenditures. Constant monitoring and updating of the budget is important for sound financial management.

Readers of this report are reminded that its contents should not be viewed in isolation. Quarterly Budget Review Statements provide additional revised information for budget forecasts and actual year-to-date results. The quarterly report for the September quarter will be tabled at the Meeting.

A relatively quiet month for adjustments, of note are an additional \$689,684 in the form of Federal Assistance Grants with \$250,524 of this to be utilised on roads infrastructure the remainder will assist to counteract increased costs due to continuing inflationary pressures. There has been an increase to the budget to allow for additional income for construction certificates which is reflective of the increased activity in the local economy; given this is the

first quarter of a new financial year it indicates high levels of work must be scheduled to take place.

Variations identified September 2023

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Entertainment Venues	99,822	0	9,822	0	90,000
Events	0	(15,000)	15,000	0	0
AELEC	15,113	0	0	0	15,113
General Purpose Inc	(866,210)	(866,210)	0	0	0
Development Engineering	(72,900)	(78,900)	6,000	0	0
Future Communities	792	0	792	0	0
Strategy Assets & Design	10,000	0	10,000	0	0
Water & Wastewater	(92,660)	0	0	0	(92,660)
TOTAL	(906,043)	(960,110)	41,614	0	12,453

Black budget variation will **reduce** Council's forecast operating result and/or bank account

Green budget variation will **increase** Councils forecast operating result and/or bank account

(a) Policy Implications

Nil

(b) Financial Implications

The variations included in the report have the following impact on forecast results for 2023/2024 by fund of:

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(960,110)	41,614	0	105,113
Water	0	0	0	0
Sewer	0	0	0	(92,660)
Total	(960,110)	41,614	0	12,453

(c) Legal Implications

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

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

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership

9.6 2023/2024 QUARTERLY BUDGET REVIEW STATEMENTS TO 30 SEPTEMBER 2023

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

Reference: Item 9.5 to Ordinary Council 29 June 2023 - Minute No 146/23
Item 9.1 to Ordinary Council 24 October 2023 - Minute No 273/23

4 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “2023/2024 Quarterly Budget Review Statements to 30 September 2023”;

- (i) Council receive and note the report and related statements;*
- (ii) Council approve the revotes carried forward to 2023/2024 as per ATTACHED refer ANNEXURE 2; and*
- (iii) Council receive and note the incomplete works carried forward to 2023/2024 as per ATTACHED refer ANNEXURE 3.*

SUMMARY

The purpose of this report is to present to Council the Quarterly Budget Review Statements for Tamworth Regional Council for the period ended 30 September 2023, in accordance with Clause 203 of the *Local Government (General) Regulation 2021*.

A financial summary has also been provided for the Tamworth Global Gateway Park **ATTACHED**, refer **ANNEXURE 4** in accordance with the financial reporting requirements documented in Section 4.2.2 of the Business Case Study.

ANNEXURE 2 and **3** together detail the carry over amounts (Revotes plus Incomplete Works) shown in the tables below.

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 2023/2024 financial year, and comparisons to actual transactions year to date. Each statement includes a review of the main budget variances for the quarter.

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

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

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

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

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

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

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

General Fund

- summary of budget variations year to date:

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Income	(114,330,891)	(4,070,230)	(219,643)	(118,620,764)
Operating Expenses	117,803,217	6,125,513	2,584,927	126,513,657
Operating Result before Capital: (Surplus)/Deficit	3,472,326	2,055,283	2,365,284	7,892,893
Capital Income	(19,631,507)	(16,739,428)	12,466,148	(23,904,787)
Operating Result: Surplus)/Deficit	(16,159,181)	(14,684,145)	14,831,432	(16,011,894)
Non Cash Adjustments: Depreciation/Leave Accruals	(30,784,546)	0	(3,820)	(30,788,366)
<i>Non-Operating Cash</i>				

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
<i>Adj.</i>				
Loans raised to fund Capital Expenditure	(21,295,000)	0	729,724	(20,565,276)
Proposed Land Sales	(5,028,218)	9,239	0	(5,018,979)
Leave Paid on Termination	578,000	0	2,779	580,779
Loan Principal Repayments	7,691,402	0	0	7,691,402
Capital Expenses	73,249,314	33,868,060	(8,516,018)	98,601,356
Net Cash Result: (Surplus)/Deficit	8,251,771	19,193,154	7,044,097	34,489,022
Breakup of Cash Result				
Current Cash: (Surplus)/Deficit:	(429,325)	0	7,670,574	7,241,249
Unexpended Grants: (Surplus)/Deficit	2,518,878	0	9,110,752	11,629,630
Reserves: (Surplus)/Deficit	8,349,182	18,630,330	(9,725,002)	17,254,510
Developer Contributions: (Surplus)/Deficit	(2,185,188)	160,540	(12,227)	(2,036,875)

- Key Financial Results

	Opening Balance 1/7/23	Less Projected Result	Projected Balance 30/6/24	Minimum Balance
Current Cash	14,432,278	7,241,249	7,191,029	6,000,000
Unexpended Loans: (Surplus)/Deficit	(1,776)	402,284	0	400,508

Net Result	Cash	8,251,771	19,193,154	7,044,097	34,489,022
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Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works. The projected balance of 30/6/2024 at the end of the first quarter exceeds the minimum balance.

- Recurrent Results

	Operating Cash Result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
General Activities	(18,323,377)	22,862,768	8,933,512	4,394,121
Fleet Operations	(4,855,155)	3,448,419	(1,406,736)	0
Airport Operations	(1,613,299)	2,804,288	1,381,024	190,035
Waste Services	(4,713,958)	1,671,767	(3,042,191)	0
Pilot Training Facility	1,327,558	1,124	1,728,250	399,568

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals (as measured by annual depreciation).

The table breaks the General Fund down into the main activities that are expected to be self-funding, providing a clear picture of the general activities that must be funded by general purpose revenues.

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

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

Much of what Council provides to the community by way of infrastructure assets such as roads or recreational facilities generates no income or insufficient income to cover the cost of providing the service, this means rate revenue has to be used to cover any shortfall. The issue with rate revenue is that increases are regulated by IPART via rate pegging and it has failed to keep pace with cost increases associated with staffing and materials. Council has a real

financial dilemma; it has to navigate a path forward that overcomes the economic problem of satisfying the unlimited wants of the community with limited resources. Assets need to be maintained in order for them to be safe and functional. Recreational assets and festivals provide economic stimulus attracting visitors and making the region a desirable place to visit and live. Council will address this financial challenge through a proposal to apply for a Special Variation that is tabled before the Council tonight in a separate report.

One indicator of Council's General Fund's struggle is evident in the Recurrent Results table which shows that General Activities are not bringing in sufficient cash to cover depreciation, leave accruals and loan principal repayments. Whilst depreciation is not an actual cash expense it is an indicator of what funds Council should be putting away annually to cover renewal of its assets. Grant funds do help; however they are not guaranteed and are dependent on the pervading political and economic climate. Fleet operations are going well and spare capacity can be utilised elsewhere within General Fund.

Waste Services is performing well but it needs to be noted that the recurrent results table does not include the future cost of remediating Council's waste facilities. In the 2022/2023 financial year the estimated cost of remediation increased by over \$5 million dollars with the majority of this being for Council's waste sites. Waste needs to ensure that it continues to operate at a surplus in order to generate sufficient reserves not only for future asset renewal but to ensure compliance with NSW Environment Protection Authority remediation requirements.

Finally, the Recurrent Results table for the Pilot Training Facility has not been amended from original budget forecasts to reflect any lease developments that occurred late in the first quarter.

The original budget predicted an increase in current cash of \$429,325, the projected result is now a reduction in current cash of \$7,241,249 this is due to the repayment of \$8M to the plant reserve. The transfer of \$8M from the plant reserve to current cash on 30 June 2023, and subsequent repayment in the current financial year were authorised by Council at the Meeting held on 24 October 2023, item 9.1 minute number 273/23. The transfer to current cash is reflected in the large opening balance of \$14.4M the repayment is reflected in the projected result figure of \$7.2M. After adjusting for the repayment of the \$8M, it is projected that current cash at 30 June 2024 will increase by \$758,751 a slight improvement on the original forecast.

Water Fund

- Summary of budget variations year to date:

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Income	(24,023,725)	(36,550)	(106,808)	(24,167,083)
Operating Expenses	24,851,259	654,070	27,335	25,532,664
Operating Result before Capital: (Surplus)/Deficit	827,534	617,520	(79,473)	1,365,581
Capital Income	(2,202,500)	(120,803)	120,803	(2,202,500)
Operating Result: (Surplus)/Deficit	(1,374,966)	496,717	41,330	(836,919)

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Non Cash Adjustments: Depreciation/Leave Accruals	(6,406,355)	0	0	(6,406,355)
<i>Non-Operating Cash Adj.</i>				
Loans raised to fund Capital Expenditure	0	0	0	0
Proposed Land Sales	0	0	(3,264,222)	(3,264,222)
Leave Paid on Termination	0	0	0	0
Loan Principal Repayments	1,697,973	0	0	1,697,973
Capital Expenses	8,212,477	9,150,133	872,962	18,235,572
Net Cash Result: (Surplus)/Deficit	2,129,129	9,646,850	(2,349,930)	9,426,049
Breakup of Cash Result				
Current Cash: (Surplus)/Deficit:	(196,495)	0	(103,487)	(299,982)
Unexpended Grants: (Surplus)/Deficit	0	0	144,997	144,997
Reserves: (Surplus)/Deficit	918,807	3,905,419	0	4,824,226
Developer Contributions: (Surplus)/Deficit	(676,691)	5,855,378	(2,391,440)	2,787,247
Unexpended Loans: (Surplus)/Deficit	2,083,508	(113,947)	0	1,969,561
Net Cash Result	2,129,129	9,646,850	(2,349,930)	9,426,049

- Key Financial Results

	Opening Balance 1/7/23	Plus Projected Result	Projected Balance 30/6/24	Minimum Balance
Current Cash	2,018,350	299,982	2,318,332	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works. The projected balance for 30/6/2024 at the end of the first quarter exceeds the optimum minimum balance.

- Recurrent Results

	Operating cash result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(6,872,420)	6,406,355	(466,065)	1,697,973

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

Council's water fund is predicted to make a small surplus for the year however this is still insufficient to cover the principal on loan repayments and fully cover the future renewal of water infrastructure as it falls due as is indicated by depreciation. The four-year budget for water is showing this shortfall will be the case for the current and next financial year due to funds being directed to a Water Security Plan. Following the completion of this plan the Water Fund should return to a more solid financial footing albeit at the mercy of climatic conditions.

Sewer Fund

- Summary of budget variations year to date:

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Income	(28,401,258)	(31,130)	(268,831)	(28,701,219)
Operating Expenses	19,281,568	249,098	34,694	19,565,360

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Result before Capital: (Surplus)/Deficit	(9,119,690)	217,968	(234,137)	(9,135,859)
Capital Income	(1,013,000)	(121,225)	(28,910)	(1,163,135)
Operating Result: (Surplus)/Deficit	(10,132,690)	96,743	(263,047)	(10,298,994)
Non Cash Adjustments: Depreciation/Leave Accruals	(6,006,518)	0	0	(6,006,518)
<i>Non-Operating Cash Adj.</i>				
Loans raised to fund Capital Expenditure	0	0	0	0
Proposed Land Sales	0	2,729	0	2,729
Leave Paid on Termination	0	0	0	0
Loan Principal Repayments	(26,456)	0	0	(26,456)
Capital Expenses	6,310,169	9,507,249	41,455	15,858,873
Net Cash Result: (Surplus)/Deficit	(9,855,495)	9,606,721	(221,592)	(470,366)
Breakup of Cash Result				
Current Cash: (Surplus)/Deficit	(349,646)	0	(240,103)	(589,749)
Unexpended Grants: (Surplus)/Deficit	0	0	0	0
Reserves: (Surplus)/Deficit	(9,438,996)	7,578,190	18,511	(1,842,295)
Developer Contributions: (Surplus)/Deficit	(888,018)	2,028,531	0	1,140,513
Unexpended Loans: (Surplus)/Deficit	821,165	0	0	821,165

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Net Cash Result	(9,855,495)	9,606,721	(221,592)	(470,366)

- Key Financial Results

	Opening Balance 1/7/23	Plus Projected Result	Projected Balance 30/6/23	Minimum Balance
Current Cash	2,045,647	589,749	2,635,396	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works. The projected balance at 30/6/2024 at the end of the first quarter exceeds the minimum balance.

- Recurrent Results

	Operating Cash Result (Surplus)/Deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(16,451,824)	6,006,518	(10,445,306)	3,173,544

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals. It relies on depreciation being a reasonable measure of asset renewal requirements.

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

The Recurrent Results table shows that the Sewer Fund is well able to meet its financial commitments as they fall due, unlike the Water Fund its main income stream is not closely connected to unpredictable weather conditions.

(a) Policy Implications

Nil

(b) Financial Implications

The body and **ATTACHED**, refer **ANNEXURE 1**, of this report provide details of the projected financial results for the 2023/2024 Budget. The variances recorded for the different funds will have implications for the Long-Term Financial Plan and the 2024/2025 budget. Further review of the variances will be presented in the second quarter budget review following a review of the currently schedule capital expenditure budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.7 2022/2023 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS FOR AUDIT

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

6 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “2022/2023 General Purpose and Special Purpose Financial Reports for Audit”, for the period ending 30 June 2023, Council:

- (i) resolve to present the Audited General Purpose and Special Purpose Financial Reports, together with the Auditors Reports at a Public Meeting to be held as part of Council’s Meeting on 12 December 2023, in accordance with Section 419 (1) of the Local Government Act 1993;*
- (ii) record as an opinion of Council pursuant to Section 413 (2c) of the Local Government Act 1993 (NSW) (as amended), that the General Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2023:*
 - (a) have been prepared in accordance with:*
 - the Local Government Act 1993 (as amended) and Regulations made thereafter;*
 - the Australian Accounting Standards and professional pronouncements; and*
 - the Local Government Code of Accounting Practice and Financial Reporting;*
 - (b) the General Purpose Financial Report presents fairly Council’s operating result and financial position for the year;*
 - (c) the General Purpose Financial Report accords with Council’s accounting and other records; and*
 - (d) the signatories are not aware of anything that would make the General Purpose Financial Report false or misleading in any way;*
 - (e) that in response to the Local Government Code of Accounting Practice and Financial Reporting 2022/2023, page 54 assessment requirements, Council has determined that they do not control Rural Fire Service equipment assets. In accordance with this assessment all Rural Fire Service Equipment assets have been excluded from these financial reports;*
- (iii) record as an opinion of Council pursuant to the Local Government Code of Accounting Practice and Financial Reporting, that the Special Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2023*
 - (a) have been prepared in accordance with:*
 - the NSW Government Policy Statement “Application of National Competition Policy to Local Government”;*
 - the Division of Local Government Guidelines “Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality”; and Financial Reporting;*
 - the NSW Office of Water “Best-Practice Management of Water*

Supply and Sewerage Guidelines”;

- (b) *the Special Purpose Financial Reports present fairly the operating result and financial position for each of Council’s declared Business Activities for the year;*
- (c) *the Special Purpose Financial Reports accord with Council’s accounting and other records; and*
- (d) *present overhead reallocation charges to the water and sewerage businesses as fair and reasonable;*
- (e) *the signatories are not aware of anything that would make the Special Purpose Financial Reports false or misleading in any way; and*
- (f) *the General Purpose Financial Reports are still in draft and Council is working with the NSW Audit Office to finalise the reporting of the Pilot Training Facility and impairment recognition of roads damaged by flood in September 2022. Should the final reported value of these assets as at 30 June 2023 vary materially from those presented in the attached Draft General Purpose Financial Statements Council authorises the:*
- *Mayor;*
 - *General Manager;*
 - *Responsible Accounting Officer;*
 - *and at least one other member of the Council;*

to sign the statement by Councillors and Management following any changes made to the value of these assets for reasons of impairment in accordance with this resolution. Any other material changes for reasons other than those outlined would require another resolution by Council at a future Council meeting.

SUMMARY

The purpose of this report is to comply with statutory requirements in relation to the General Purpose and Special Purpose Financial Reports for the year ended 30 June 2023 for Tamworth Regional Council.

The report will outline the reasons behind the delay and resultant request and granting of an extension, referred to in the **ATTACHED, ANNEXURE 5 and 6**, to 30 November 2023 to lodge council’s financial reports with the Office of Local Government (OLG).

This report seeks to notify Council that the Responsible Accounting Officer in consultation with the General Manager and Council’s Audit Risk and Improvement Committee (ARIC) have assessed that Council does not control the plant and equipment assets of the Rural Fire Service (RFS). In accordance with the Australian Accounting Standards, Council has excluded RFS plant and equipment assets from the financial reports. Failure to recognise RFS plant and equipment resulted in a qualified audit opinion in 2021/2022; there has been no evidence to suggest that the financial reports for 2022/2023 will not be qualified for the same reason.

COMMENTARY

The General Purpose and Special Purpose Financial Reports for Tamworth Regional Council for the year ended 30 June 2023, have been prepared and the audit process is approaching completion. The financial reports are meant to be fully completed by 31 October 2023. An extension to 30 November 2023 had to be requested to allow time for a more detailed valuation of the Pilot Training Facility (PTF) to be undertaken for financial reporting purposes and to allow the NSW Audit Office to evaluate the outcome and resultant adjustment. The valuation has been completed resulting in a \$5.6M decrement to the value of the PTF bringing the value down from \$21.5M to \$15.8M. The NSW Audit Office at the time of writing this report has not completed its evaluation of this movement. The value of the facility has been heavily discounted due to the lack of a medium to long term tenant, notwithstanding lease negotiations are currently being finalised with the Sydney Flight Training College.

Since applying for this extension, it was determined that Council had not recorded the loss and impairment of some road infrastructure assets due to the September 2022 flooding. This omission has since been rectified; however these changes are undergoing assessment by the NSW Audit Office and are yet to be finalised.

When the audit is completed, the NSW Audit Office will issue a Client Service Report which will be presented along with the audited financial reports to the Audit, Risk and Improvement Committee for review.

The audited financial statements and independent auditors report will be presented to Council and the public at the Ordinary Council Meeting to be held on 12 December 2023, in accordance with Section 419 (1) of the *Local Government Act 1993*.

A copy of the draft statements for the General Purpose and Special Purpose Financial Reports for Tamworth Regional Council are **ATTACHED**, refer **ANNEXURE 1** and **2**.

Section 413(2)(c) requires a Statement, signed by the General Manager, Responsible Accounting Officer, Mayor and one Councillor, in the form approved by the Council refer to the **ATTACHED, ANNEXURE 3**, as to its opinion on the General Purpose Financial Reports, Special Purpose Financial Reports and any such Special Schedules. It should be noted that the Statement reflects an opinion only and is not legally binding.

Rural Fire Service

For many years this Council has not included the plant and equipment assets of the RFS in its financial reports as it believes the control of these assets does not rest with Council. In accordance with the Australian Accounting Standards, a reporting entity should only record those assets that the entity controls. Control is deemed to exist if an entity has the ability to direct the use of an asset.

The reasons as to why Council believes it does not control Rural Fire Service Fleet Assets are **ATTACHED**, refer **ANNEXURE 4**. The State Government whilst acknowledging the issue of RFS assets is a contentious one believes that on balance Council's control these assets because section 119(2) of the Rural Fires Act 1997 "vests" all firefighting equipment to Council.

Council staff are of the opinion that the *Rural Fires Act 1997* ignores the economic reality of ownership and management of the RFS Fleet, and that the Act should be amended.

The NSW Audit Office have taken the stance that the position of the State Government is correct and have indicated that they will more likely than not qualify the financial reports of any NSW council that omits these assets.

The writer of this report, the Responsible Accounting Officer of Council, believes that to include these assets in the financial reports will distort the reported financial position of Council. Inclusion of the RFS plant and equipment assets would mean the financial reports have not been prepared in accordance with the Australian Accounting Standards.

Many councils across NSW are taking the same stance and refusing to incorporate the assets of the Rural Fire Service into their financial reports for the same reason.

Staff Certification

The General Manager, Mr Paul Bennett, and the Responsible Accounting Officer, Ms Sherrill Young, certify that to the best of their knowledge, the General Purpose and Special Purpose Financial Reports have been prepared in accordance with all statutory requirements and believe the reports present fairly the financial position of Tamworth Regional Council at 30 June 2023.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

A Statement by Councillors and Management authorised by this report is required to be included with Council's General Purpose Financial Statements and Special Purpose Financial Statements under Section 413(2)(c) of the *Local Government Act 1993* (as amended).

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership

9.8 PROGRESSION OF A SPECIAL RATE VARIATION APPLICATION FOR 2024/2025 AND ADOPTION OF AN UPDATED RESOURCING PLAN INCLUDING THE 2023/2024 - 2033/2034 LONG TERM FINANCIAL PLAN AND ASSET MANAGEMENT STRATEGY AND PLANS

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Rami Abu-Shaqra, Chief Financial Officer

Reference: Item 9.3 to Ordinary Council 29 June 2023 - Minute No 144/23
Item 9.7 to Ordinary Council 12 September 2023 - Minute No. 228/23

6 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Progression of a Special Rate Variation Application for 2024/2025 and Adoption of an Updated Resourcing Plan including the 2023/2024 - 2033/2034 Long Term Financial Plan and Asset Management Strategy and Plans”, Council:

- (i) receive and note this report and the Community Awareness and Engagement Strategy Outcomes Report ATTACHED, refer ANNEXURE 1. The report provides details of the outcome of the public exhibition process conducted between 13 September 2023 and 31 October 2023, in respect of Council’s intention to make application for a Special Variation (SV) for the 2024/2025 financial year and the exhibition of Council’s draft Long Term Financial Plan (LTFP) for 2023/2024 to 2033/2034;*
- (ii) make an application to the Independent Pricing and Regulatory Tribunal (IPART), under section 508A of the Local Government Act 1993 for an SV from the 2024/2025 financial year representing a permanent cumulative increase of 36.3 per cent over two years in the following manner:*
 - 1) a permanent 18.5 per cent increase for 2024/2025 (inclusive of the forecast 3.5 per cent rate peg for that year); and*
 - 2) a permanent 15.0 per cent increase for 2025/2026 (inclusive of the forecast rate peg of 2.5 per cent for that year);*
- (iii) implement the following adjustments to Council’s pensioner rate concessions, subject to the approval of the SV application by IPART:*
 - 1) increase the pensioner rate concession for eligible pensioner card holders for the 2024/2025 financial year by \$50;*
 - 2) increase the pensioner rate concession for eligible pensioner card holders from the 2025/2026 financial year by another \$50 (i.e. a total of \$100 increase from 2023/2024 base) per annum; and*
 - 3) review the voluntary component of pensioner rate concession annually.*
- (iv) adopt the Long-Term Financial Plan (LTFP) for 2023/2024 to 2033/2034 and the Asset Management Plan (Strategy) as part of Council’s updated Our Resourcing Plan, ATTACHED, refer ANNEXURE 2, and publish the updated Our Resourcing Plan on Council’s website;*
- (v) adopt the updated supporting Asset Management Plans for Transport, Building*

and Information Technology, ATTACHED, refer ANNEXURE 3, ANNEXURE 4, and ANNEXURE 5 respectively, and publish these on Council's website; and

(vi) receive and note the content of the Capacity to Pay Report, ATTACHED refer ANNEXURE 6.

SUMMARY

On 12 September 2023, Council resolved to:

- undertake community engagement for 28 days on a potential application to the Independent Pricing and Regulatory Tribunal (IPART) for a permanent Special Variation (SV) of 18.5 per cent in 2024/2025 and 15.0 per cent in 2025/2026.
- publicly exhibit the 2023/2024 to 2033/2034 Long Term Financial Plan (LTFP) as part of an updated Resourcing Plan for the same period.
- receive a further report regarding the outcomes of the community engagement before determining whether to make any SV application to IPART.

Since the community engagement concluded on 31 October 2023, all submissions and feedback have been reviewed and the outcomes presented in the Community Awareness and Engagement Strategy Outcomes Report **ATTACHED** refer **ANNEXURE 1**.

On the basis of the information in these reports, together with the information already contained in the updated Our Resourcing Plan, a permanent cumulative SV increase of 36.3 per cent over two years commencing in the 2024/2025 financial year provides Council the opportunity to secure its longer term financial sustainability

COMMENTARY

Background

The Community Strategic Plan (CSP) has been developed to deliver Blueprint 100, Tamworth Regional Council's (Council) strategy to grow Tamworth to a region of 100,000 by 2041. Since adoption in 2020, Council has worked on delivering the actions in these strategies to actively encourage population and economic growth in the Tamworth Region.

Council has supported a steadily growing population and maintained its infrastructure and services within the scope of its revenue growth in line with the rate peg increases set by the State Government; in recent years this has become increasingly difficult.

The COVID pandemic, impacts on infrastructure due to recent weather events, historic low interest rates returning low returns on investments, and current inflationary pressures have increased Council's costs faster than its revenue growth. These issues have put considerable pressure on Council's budget.

In June 2022 following extensive community consultation, Council adopted its Integrated Planning and Reporting (IP&R) suite of documents. Those documents, the 2023/2025 Delivery Plan and 2023/2024 Annual Plan and Budget, expressed clearly the financial challenge ahead. Unrestricted cash funds for Council's General Fund are predicted to start declining from year two onwards. To counter this, Council explored all options available to it including the feasibility of a special rate variation.

The Financial Challenge

The IPART rate peg, for many years, has not been higher than 2-2.5% with the exception of 2023/2024 when it was 3.7%. As a result of years of rate pegging at these low rates, Council's financial performance was one of relatively persistent deficits. Its \$2B assets'

renewals were not funded sufficiently to maintain their current conditions and its unrestricted cash balances for day to day operations, has reduced over time. As it stands today, Council is projecting a General Fund average annual operating deficit, before capital grants and asset sales, of \$1.24M for the 10-period of 2024/2025 to 2033/2034 (LTFP - Base Case, **ATTACHED**, refer **ANNEXURE 2**).

In addition to the aforementioned deficit, Council needs to address its asset renewal program. In particular, there is a significant unfunded asset management gap in roads infrastructure. The annual capital renewal gap for the latter averages \$4.7M over the ten year forecast period. The annual operating expenditure gap for maintenances and operations averages \$4M over the forecast period. To counter this and provide adequate funding for its programs, Council has modelled a sustainability program. Without an SV, the Sustainability Scenario assumptions are not viable. Council would experience an average operating deficit of \$11M over the forecast period and run out of unrestricted cash around 2025/2026 (LTFP – Sustainability Scenarios, **ATTACHED**, refer **ANNEXURE 2**).

Council is not alone in this, many other councils in NSW are facing serious financial challenges just to maintain current service levels. As a result, IPART have just revealed significant changes to rate peg calculations to include more forward thinking indicators, a base rate calculation, and the introduction of components that impact councils' finances. Future calculations will also factor in Emergency Service Levy (ESL) adjustment components.

IPART announced on 21 November 2023 the rate peg for 2024/2025 using the new methodology. For Council, it will be 4.9% although Council has not been formally notified at the time of writing this report.

While these changes are welcomed, they will not address Council's financial challenge due to accumulated past rate peg mismatches.

Council's Response

Over the past few years, Council has implemented several cost optimising and revenue enhancement initiatives that have resulted in, and will continue to deliver, net benefits. Council has reconsidered key projects in its growth agenda pending further studies and grant funding. Unfortunately, these saving alone are not enough to bridge the projected deficit in the General Fund. Council must now consider increasing rates revenue to adequately fund its sustainability scenario.

In its 2023/2025 Delivery Program, which was adopted at the Ordinary Council Meeting of 29 June 2023, Council identified the need to consider an SV for rates to ensure its ongoing financial sustainability. Since then, further analysis has been undertaken in relation to Council's long term financial position and has established that an SV is required to achieve Council's financial sustainability and maintain fit for purpose infrastructure. Accordingly, Council's draft 2023-2034 LTFP has been developed and included as part of a revised Resourcing Strategy to reflect this further analysis and the options considered and is **ATTACHED**, refer **ANNEXURE 2**.

The draft LTFP has been prepared in accordance with the *Integrated Planning and Reporting Guidelines* issued by the Office of Local Government and prescribed under the Act, and includes three financial modelling scenarios. In addition to a base case scenario that is modelled on the rate peg only, the LTFP models two Special Variation scenarios to address Council's ongoing financial sustainability. The two SV options that were designed to ensure Council can successfully:

- generate an operating surplus, before capital income;

- fully fund all required asset renewals and maintenance;
- return to and maintain a positive unrestricted cash position; and
- deliver all improvement program initiatives.

The proposed SV increases in each of the two scenarios are largely similar; the key difference is the number of years required to implement the full extent of the rate increase.

Table 1, below, summarises the two scenarios:

SV Options	2024-25	2025-26	Cumulative increase over SV implementation period
Base Case	3.5% ¹	2.5%	11.5%
Sustainability Scenario – One-year SV	30.0%		30.0%
Sustainability Scenario – Two-year SV	18.5%	15.0%	36.3%

¹ At the time of writing this report, IPART published a rate peg of 4.9% for Tamworth Regional. Council has not yet been officially notified of this rate peg.

Table 1: Special Variation options considered by Council

On 12 September 2023, Council resolved to undertake community engagement on its preferred option, the **Sustainability Scenario – Two-year SV**. This is the preferred option as it balances Council's sustainability needs with reducing the shock to household budgets through implementing the SV over two years. Under this scenario, Council would apply to IPART for a permanent cumulative rate increase of 36.3 per cent over two years from 01 July 2024. If secured, the SV would assist Council in maintaining surpluses, meeting operating expenditure, and ensuring sufficient investment in infrastructure in the short to medium term.

Outcomes of Community Engagement

Consistent with Council's resolution on 12 September 2023, a comprehensive engagement and communications program was delivered to raise awareness of the need for an SV and the preferred SV option, being the Sustainability Scenario – Two-year SV.

During the engagement period, Council facilitated eight community information sessions, comprising six face to face sessions at Barraba, Manilla, Moonbi and Tamworth, respectively, along with two online webinar sessions.

Over the engagement period, various materials and resources in relation to the proposed SV were made available from Council's online consultation platform, MyTRC Online Community, including:

- engagement timeline;
- community fact sheet;
- frequently asked questions (FAQ) and responses to those FAQ;
- rates calculator;

- SV Background paper;
- SV Capacity to Pay report; and
- Organisation Sustainability Improvement Plan.

Central to the engagement program was an online survey, which allowed members of the community to provide feedback on the proposed SRV. In total, 872 responses to the survey were received. Key results of this survey include:

- 89 per cent of respondents indicated they understood why an SV was under consideration, compared to 11 per cent who did not;
- 97 per cent of respondents expressed opposition to the proposed SV, compared to 3 per cent who expressed support; and
- of the 97 per cent of respondents opposed to the proposed SV, all (100 per cent) understand that Council will need to review and potentially reduce services, service levels and asset conditions should an SV not be implemented.

The Community Awareness and Engagement Outcomes Report, **ATTACHED**, refer **ANNEXURE 1**, provides an overview of the engagement program delivered and communications activities undertaken to promote the engagement program, as well as the engagement findings and key issues raised.

Feedback on and Changes to 2023/2024 – 2033/2034 LTFP

Council received 30 submissions directly related to the exhibited LTFP, all of which related to feedback on the proposed SV, which has been included in the Community Awareness and Engagement Strategy Outcomes Report.

A key aspect of the feedback from the community engagement was concern over whether those with a fixed income were able to afford the proposed rate increases. This was particularly an issue in relation to pensioners who have a limited and fixed income, even though they may be significantly impacted by the proposed rate rise as a result of the land value in their homes. In addition to reviewing and updating its hardship policy, Council has undertaken further modelling on the impacts of increasing the voluntary component of the pensioner rate rebate to address specific concerns on the pensioners capacity to pay for the proposed increases.

Should Council resolve to proceed with an SV application and IPART approves the proposed rate increase, it is proposed that Council increase the voluntary component of the pensioner rate concessions as follows:

- increase the ordinary pensioner rate concession for eligible pensioner card holders for the 2024/2025 financial year by \$50.00 to \$300.00; and
- increase the ordinary pensioner rate concession for eligible pensioner card holders from the 2025/2026 financial year by another \$50.00 (i.e. total increase \$100.00) per annum to \$350.00.

These proposed increases will increase operating cost in 2024/2025 by \$221,600.00 and from 2025/2026 by \$443,200.00 annually. It is proposed that Council will apply those increases prospectively (i.e. no retrospective application for first time pensioners) and will continue to review the voluntary component of the ordinary pensioner rate concessions annually to ensure that it remains effective and affordable.

The final LTFP has been updated to reflect these proposed increases in the pensioner rate concessions.

Asset Management Plans

Council has updated its overarching Asset Management Plan (Strategy), which forms part of Council's Resourcing Plan, to ensure it aligns with both the timeframe and expenditure projections in the LTFP. To support the overarching Strategy, more detailed Asset Management Plans for Buildings, Transport and Information Technology have also been updated, **ATTACHED**, refer **ANNEXURE 3**, **ANNEXURE 4** and **ANNEXURE 5**, for Council's adoption.

Rate Payers' Capacity to Pay

The Capacity to Pay Report, **ATTACHED** refer **ANNEXURE 6**, examines the potential capacity of ratepayers to pay within Tamworth Regional Local Government Area (LGA) in relation to the proposed SV. The report provides an analysis and evaluation of the relative wealth and financial capacity of the community and the financial vulnerability and exposure of different community groups.

In summary, the report concludes that when compared to similar councils, Tamworth has relatively average levels of rates income as a percentage of operating expenses, indicating potential capacity for ratepayers to absorb rises. Council also has low levels of outstanding rates (it has been at 7% for 2021/2022 and the two previous financial years) and has been consistently below regional benchmarks (10%), indicating capacity and potential willingness to pay. This is also backed up by Council's community satisfaction survey which indicates that there is some willingness to pay increased rates, particularly in relation to improved economic outcomes within the LGA.

(a) Policy Implications

Nil

(b) Financial Implications

The 2023/2025 Delivery Plan and 2023/2024 Annual Plan and Budget express clearly the financial challenge ahead. Unrestricted cash funds for Council's General Fund are predicted to start declining from year two onwards. Without an SV, the Sustainability Scenario assumptions are not viable. Council would experience an average operating deficit of \$11M over the forecast period and run out of unrestricted cash around 2025/2026.

As shown in this report, and the Quarterly Budget Review Statement (QBRs) for the September 2023 quarter, operating performance ratio, unrestricted funds, assets renewal ratio and other performance indicators are under pressure and projected to get worse if no action is taken.

Section 8b of the *Local Government Act 1993* (the Act) requires Council to apply principles of sound financial management. Application of these principles means:

- Council must achieve a fully funded operating position;
- Council must maintain sufficient cash reserves;
- Council must have an appropriately funded capital program; and
- Council must maintain its asset base 'fit for purpose'

Each year that Council does not take decisive action to address the systemic funding and asset maintenance backlog issue, it becomes more expensive to address and thus the problem only grows, leaving a burden for future generations to inherit, and negatively impacting the economic performance of the region.

(c) Legal Implications

Nil

(d) Community Consultation

In making an application for an SV, Council must demonstrate that it has effectively informed and consulted the community on the possibility of an SV, including impact of both the proposed SV as well as not applying for an SV. In accordance with Council's resolution on 12 September 2023, a comprehensive engagement and communications program was delivered to raise awareness of the need for an SV and the preferred SV option, being the Sustainability Scenario – Two-year SV. Refer to above section on outcome of community consultation.

It should be noted that, should Council proceed in making application to IPART for an SV, IPART will seek its own community feedback separate from Council's processes and invite submissions from members of the public. This process is expected to take place in February – April 2024.

(e) Delivery Program Objective/Strategy

Focus Area 9 - Open and Collaborative Leadership

9.9 COMMENCEMENT OF MANDATORY NOTIFIABLE DATA BREACH REPORTING AT TAMWORTH REGIONAL COUNCIL

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Shaun Correy, Manager Business Solutions and Systems
3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Commencement of Mandatory Notifiable Data Breach Reporting at Tamworth Regional Council”, Council:

- (i) approve the DRAFT Data Breach Policy to be placed on public exhibition for a period of 28 days;*
- (ii) in the event that no submissions are received, adopt the policy; and*
- (iii) if any submissions are received, request the Manager Business Solutions and Systems prepare a further report to Council with details of the submissions.*

SUMMARY

Amendments to the *Privacy and Personal Information Protection Act 1998* (NSW) (PPIPA), relating to the Mandatory Notification of Data Breach Scheme (MNDBS), will come into effect across NSW on 28 November 2023. These amendments replace the existing voluntary data breach reporting scheme which Tamworth Regional Council (Council) has previously complied with.

The MNDBS, which applies to NSW Local Councils, requires specific actions to be taken prior to its commencement and mandatory obligations to be met thereafter and during its operation. A DRAFT Data Breach Policy (DBP) has been prepared to inform individuals and the community about the MNDBS, advise how Council will respond to an eligible data breach, and provide guidance to Council on the actions necessary should an eligible data breach be identified.

This DBP is required under the PPIPA to be published and be publicly available on Council's website from 28 November 2023. A 28 day public exhibition period of the DBP is proposed and this period will run concurrently with the commencement of Council's obligations under the MNDBS on 28 November 2023.

COMMENTARY

The problem

Amendments to the PPIPA, which introduce the NSW MNDBS, will come into effect on 28 November 2023. Commencement of the MNDBS replaces the previous voluntary reporting scheme, and applies to all NSW public sector agencies, including Council.

The Information and Privacy Commission NSW (IPC) has prepared a Guide to Preparing a Data Breach Policy (DBP), which provides a summary of the responsibilities that will apply to Council and a Fact Sheet of MNDBS Frequently asked Questions.

The Guide to Preparing a DBP is **ATTACHED** refer **ANNEXURE 1**.

The Fact Sheet of MNDBS Frequently asked Questions is **ATTACHED** refer **ANNEXURE 2**.

The MNDBS not only relates to the PPIPA, but also to breaches of the *Health Records Information Privacy Act 2002* (NSW) (HRIPA).

The following are the key preparatory compliance obligations for Council:

- preparation and publishing of a DBP in compliance with Section 59ZD of the PPIPA; noting that publishing means making the DBP publicly accessible;
- establishing an Internal Incident Register of eligible data breaches in compliance with Section 59ZE; and
- establish and maintaining a Public Notification Register of eligible data breaches in compliance with Section 59N (2).

The following is a summary of the key operational and investigation obligations for Council should an eligible data breach be identified or notified:

- assess suspected data breaches to determine whether an eligible notifiable data breach has or is likely to have occurred and undertake this assessment within 30 days;
- immediately take all reasonable efforts to contain a data breach, including taking mitigation steps to reduce the likelihood of harm to an individual;
- during the assessment period, make all reasonable attempts to mitigate the harm done by the suspected breach;
- notify the Privacy Commissioner and affected individuals of the eligible data breach; and
- comply with other data management requirements.

Council is legally bound to commence its operation of the MNDBS on 28 November 2023 and will commence a 28 day public exhibition period of the DBP. This public exhibition period will conclude after commencement of Council's obligations under the PPIPA and the MNDBS.

Impact of the problem

- whilst there are currently no financial penalties attached to a breach of the MNDBS, there is a likelihood of considerable reputational damage should a data breach occur;
 - The NSW Privacy Commissioner has extensive powers under the MNDBS, which at a very high-level summary includes;
 - the power to investigate, monitor, audit, and report, on an individual agency, i.e. Council. This may extend to the Privacy Commissioner conducting its own investigation and to direct a request to enter Council's premises to monitor and report on compliance including observing its data handling procedures and processes and to inspect documents relating to data handling policy and procedure; and
 - making a special report to NSW Parliament where serious, flagrant, or repeated breaches by an agency takes place.
- Should these actions be taken by the Privacy Commissioner it would be reputationally damaging to Council.,
- If not compliant with the MNDB Scheme, and if breaches are not properly managed, Council may be inundated with internal as well as public inquiries, which may require investigation, and require additional resourcing to manage.

How the proposed solution will resolve the problem

A DBP, that complies with the PPIPA, and other recommendations of the Privacy Commissioner, has been prepared and will inform individuals and the public about the MNDBS, advise how Council will respond to an eligible data breach, and provide guidance to Council on the actions necessary should an eligible data breach be identified. The DBP is **ATTACHED** refer **ATTACHMENT 3**.

The DBP will ensure Council is, and remains, compliant with the PPIPA and the requirements of the MNDBS.

It is proposed that the 28 day public exhibition period of the DBP runs concurrently alongside commencement of Council's obligations under the MNDBS. In circumstances where justifiable amendments to the DBP are required following this public exhibition period, a further report will be presented at a future Council Meeting to seek guidance and adoption of a final DBP. This approach is consistent with Council's obligations to review and make adjustments to the DBP at least annually or in circumstances where legislation may change.

What other options have been considered?

Option 1 – Do nothing

The introduction of the MNDBS puts legal obligations on Council from 28 November 2023 which cannot be ignored as there are no exemptions to the scheme. Public exhibition of the DBP is required. Accordingly, this is not a recommended solution.

Option 2 – Endorse the public exhibition of the DBP

The need to commence with Council's obligations under the MNDBS on 28 November 2023, and in compliance with its own DBP, requires that public exhibition period of the DBP also commence. This public exhibition period, running concurrently with Council's obligations under the scheme gives Council the best opportunity to ensure strong compliance with its obligations under the PPIPA. This option substantially reduces the risk of reputational damage whilst also allowing for adjustments to be made to the DBP after the public exhibition period has concluded. This is the recommended option.

Alignment to Councils Technology Blueprint

The solution recommended is compliance related and Council is bound to comply. Nonetheless, it is consistent with Initiative 3 – TechnologyOne Program – ECM, and Initiative 9 - Cybersecurity and the broader needs of an Information Security Management System.

Risks/constraints/assumptions

Type	Description	Mitigation/s	Owner
Risk	The impacts of introduction of the MNDBS are unknown in terms of the number of notifiable data breaches that may be reported and that require investigation	Assess impacts after the first month of commencement and thereafter, quarterly	S. Correy

(a) Policy Implications

The Privacy Management Plan and Document Management Policy may need to be updated to ensure consistency and compliance with the MNDBS and the DBP; this is currently underway. The introduction of the DBP will be a new publicly notifiable policy

for Council. Once the final DBP is adopted by Council it will be included in Council's General Policy Register and publicly available on Council's website.

(b) Financial Implications

All costs related to this report are for internal resources and are funded by existing operational budgets.

(c) Legal Implications

There may be legal implications should Council fail to achieve compliance with the MNDBS on 28 November 2023 and thereafter

(d) Community Consultation

Public exhibition of the DBP will commence and run concurrently with commencement of Council's obligation under PPIPA and the MNDBS. Any amendments required to the DBP will be made at the conclusion of the public exhibition period

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

10 COMMUNITY SERVICES

10.1 DRAFT TAMWORTH REGIONAL YOUTH STRATEGY AND ACTION PLAN - PUBLIC EXHIBITION

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: Hamish Slade, Economic Development Officer/Casual Events Officer
Reference: Item 10.1 to Ordinary Council Meeting 29 June 2023 - Minute No 151/23

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Tamworth Regional Youth Strategy and Action Plan - Public Exhibition”, Council:

- (i) approves the current Draft Tamworth Regional Youth Strategy and Action Plan for public exhibition for a period of 28 days; and*
- (ii) request the Director Growth and Prosperity prepare a further report to Council, at the conclusion of the public exhibition period, to adopt the final Draft Tamworth Regional Youth Strategy and Action Plan.*

SUMMARY

The draft Tamworth Regional Youth Strategy and Action Plan has been developed post extensive engagement with the Youth Council, stakeholders and the community. The documents are now ready to place on public exhibition to seek final community feedback prior to seeking Council adoption.

COMMENTARY

At its Ordinary Meeting held 29 June 2023, Council approved the allocation of funds and selection of specialist consultants from The Strategic Development Group to progress the development of the regions first Youth Strategy.

Council staff and the Youth Council have worked closely with The Strategic Development Group over the past several months to develop the Tamworth Regional Youth Strategy and Action plan 2024-2028 (YSAP), **ATTACHED**, refer **ANNEXURE 1**. Together with the YSAP, a Youth Strategy Action Plan Summary has also been created to provide a snapshot of actions, **ATTACHED**, refer **ANNEXURE 2**. Both documents reflect extensive engagement with the Youth Council, stakeholders and our community. These draft documents are now ready to be placed on Public Exhibition for a period of 28 days to seek final community feedback.

The vision for the four-year YSAP is described as:

A region that is well-connected and easy to access, with a welcoming, tolerant and accepting community that includes, respects, and values young people.

The YSAP has been designed around five key focus areas including;

- life ready;
- wellbeing;

- access and connectivity;
- community; and
- identity.

Each focus area has its own set of priorities and actions which will guide Council, in partnership with Local Service providers and stakeholders, in the delivery of prioritised youth related initiatives.

The YSAP strategically aligns to Councils Blueprint 100, Tamworth Tomorrow Strategy and the Regional NSW Youth Action Plan.

Feedback from the public exhibition period will be collated and presented to Council prior to final endorsement.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

A number of community and stakeholder consultation sessions were undertaken during the delivery of the Tamworth Regional YSAP. This consultation was delivered through a mix of face-to-face and online methods, to ensure that all possible inputs from across the wider LGA were collected.

(e) Delivery Program Objective/Strategy

Blueprint 100

Focus Area 4 – Resilient and Diverse Communities

Focus Area 5 – Connect our Regions and its Citizens

Focus Area 8 – A Strong and Vibrant Identity

Focus Area 9 – Open and Collaborative Leadership

10.2 TAMWORTH REGION ARTS ADVISORY COMMITTEE MEETING MINUTES - 5 OCTOBER 2023

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Bridget Guthrie, Director Art Gallery and Museums

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Region Arts Advisory Committee Meeting Minutes - 5 October 2023”, Council:

- (i) receive and note the meeting minutes; and*
- (ii) confirm its ongoing commitment to the Cultural Precinct/Performing Arts Centre project while acknowledge the project remains unfunded.*

SUMMARY

The purpose of this report is to present the minutes of the Tamworth Region Arts Advisory Committee (TRAAC) meeting held 5 October 2023, and to provide Council with an overview of the meeting outcomes.

COMMENTARY

An ordinary meeting of the Tamworth Region Arts Advisory Committee (TRAAC) was held on Thursday, 5 October 2023. The minutes of the meeting are **ATTACHED**, refer **ANNEXURE 1**.

At this meeting several presentations and updates were provided to the committee, follows:

- Council’s Marketing and Communications Officer provided an overview regarding improving the accessibility of Council’s communication platforms;
- Council’s Manager Entertainment Venues provided an update on the Cultural Precinct/ Performing Arts Centre. It was noted that there was some confusion in the community due to the project not being included in the proposed Special Rate Variation. It was requested that Council be asked to reconfirm its support for the project;
- Council’s Manager Cultural and Community Services and representative from Arts North West spoke to the development of Council’s new Cultural Plan, and upcoming community consultation;
- Megan Trousdale spoke in relation to the Nundle Art Show and upcoming Nundle events, including the launch of the Nundle Community Garden mural; and
- Council’s Director Tamworth Regional Gallery and Museums, outlined recent public art projects, including the launch of the Women, Life, Freedom mural.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The TRAAC includes six community members representing a broad range of art disciplines. The Committee provides strategic advice to Council in relation to 'Arts' matters within the region and makes recommendations regarding priority areas for development.

(e) Delivery Program Objective/Strategy

Focus Area 8 – A strong and vibrant identity

10.3 CENTRAL NORTHERN REGIONAL LIBRARY (CNRL) - MINUTES - ANNUAL GENERAL MEETING AND ORDINARY MEETING - 8 NOVEMBER 2023

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Kay Delahunt, Manager - Cultural and Community Services

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Central Northern Regional Library (CNRL) - Minutes - Annual General Meeting and Ordinary Meeting - 8 November 2023”, Council:

- (i) receive and note the minutes of the Annual General Meeting of the Central Northern Regional Library held on 8 November 2023;*
- (ii) receive and note the minutes of the Ordinary Meeting of the Central Northern Regional Library held on 8 November 2023;*
- (iii) approve the amended Tamworth Regional Council contribution for 2022/2023;*
- (iv) approve the proposed Tamworth Regional Council contribution for 2023/2024.*

SUMMARY

The purpose of this report is to present to Council the minutes of the Central Northern Regional Library (CNRL) Annual General Meeting (AGM) and Ordinary Meeting held 8 November 2023. This report summarises the key issues from the Minutes.

COMMENTARY

The Central Northern Regional Library (CNRL) is a resource sharing arrangement formed under Section 12(1) of the *Library Act*. The Regional Library is made up of six councils; Gwydir Shire Council, Liverpool Plains Shire Council, Narrabri Shire Council, Tamworth Regional Council, Uralla Shire Council and Walcha Council. Tamworth Regional Council is the Executive Council for CNRL.

AGM and Ordinary Meeting of 8 November 2023

The CNRL Annual General Meeting (AGM) and Ordinary Meeting were held in the Goonoo Goonoo room at the Lands Building, 25 Fitzroy Street, Tamworth on 8 November 2023. Minutes of the AGM are **ATTACHED**, refer **ANNEXURE 1**.

Cr Catherine Redding from Narrabri Shire Council was re-elected as the CNRL Chair and Cr Judy Coates from Tamworth Regional Council was re-elected as Deputy Chair.

The Annual Report for 2022/2023 and the Annual Financial Statements for 2022/2023 were received and noted at the meeting.

Minutes of the Ordinary Meeting are **ATTACHED**, refer **ANNEXURE 2**. In the Ordinary Meeting, the Manager's report included information about:

- a Macquarie University and State Library of NSW research project to explore the digital future of multicultural services and collections. Tamworth has been selected as a study site;
- Library infrastructure grant applications that have been submitted by the CNRL, Tamworth Regional Council and Walcha Council;
- usage of the new STEM kits (275 loans in the first 11 weeks);
- *Freedom to Read and Policy Framework for NSW*;
- updates to the *Central Northern Regional Library Regional Resources Policy* that include:
 - 2021 Census statistics;
 - changes to the *Request for Review of Library Resources* form;
 - updated list of policies, statements and guidelines;
 - The Library Council;
 - the addition of the *Speech Language Pathology Collection* and the *STEM Kits* to the library resources list; and
- the upcoming 75th anniversary of the formation of the regional library service (which will occur in 2025).

The quarterly report for September 2023 was received and noted.

A report outlining changes in population and a one-off increase in state funding in the current year was presented. It was recommended that CNRL continue with the same current year budget as presented in November 2022 but with reduced Council per capita contribution from \$13.20 per capita to \$13.00 per capita.

A draft 2024/2025 CNRL budget was presented to the Committee. The budget has been prepared on an estimated \$2.85 per capita subsidy and a \$13.10 per capita council contribution.

Delegates from across the region reported on the initiatives happening in their local library service.

(a) Policy Implications

The CNRL Committee approved the updated CNRL Regional Resources Policy.

(b) Financial Implications

Current year council contributions were revised downwards from \$13.20 to \$13.00 per capita. Based on a population of 62,782 the Tamworth Regional Council contributions at \$13.20 were estimated at **\$828,722** for 2023-2024. Actual population for Tamworth Regional Council is now 64,459 and with the revised contribution rate of \$13.00 the 2023/24 contribution is **\$837,967**.

As a result of population growth the CNRL will be able to achieve the 2023/24 budget with a lower per capita contribution.

2024/2025 Council contributions at \$13.10 per capita are estimated at **\$844,413**. Population growth now puts Tamworth Regional Council at 62% equity in the CNRL.

(c) Legal Implications

Nil

(d) Community Consultation

The CNRL conducted a User Survey in August 2023.

The results of the survey were presented at the CNRL Ordinary Meeting of 8 November 2023.

(e) Delivery Program Objective/Strategy

Focus Area 4 - Resilient and Diverse Communities

10.4 TAMWORTH REGIONAL YOUTH COUNCIL - 2023 ACTIVITIES REPORT AND APPOINTMENT OF INCOMING MEMBERS

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Haley Fenn, Coordinator Outside School Hours Care and Tamworth Regional Youth Centre

1 ANNEXURES ATTACHED

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Tamworth Regional Youth Council - 2023 Activities Report and Appointment of Incoming Members”, Council:

- (i) receive and note the report;*
- (ii) acknowledge and recognise the achievements of the 2023 Youth Council; and*
- (iii) appoint the incoming members of the 2024 Tamworth Regional Youth Council*
 - 1) Avalya Mathew*
 - 2) Bodin Wallace*
 - 3) Edward Duggan*
 - 4) Elle Woods*
 - 5) Ellie Jarman*
 - 6) Eva-Mae Davies*
 - 7) Matthew Barratt*
 - 8) Meg Foster*
 - 9) Mia Elliott*
 - 10) Mia Stokes*
 - 11) Molly Carey*
 - 12) Rory Davis*
 - 13) Sweta Rai; and*
 - 14) Thomas Sullivan*

SUMMARY

The purpose of this report is to:

- present to Council the activities and achievements of the 2023 Tamworth Regional Youth Council; and
- recommend to Council the appointment of incoming members to the 2024 Tamworth Regional Youth Council.

COMMENTARY

The Tamworth Regional Youth Council (TRYC) provides an opportunity for young people across the Tamworth region, between the ages of 15 to 18 years, to represent their peers in a local government setting. The group meets regularly to discuss issues facing young people in the community, put forward ideas to address particular issues, and to advocate for young people on local government related topics. The Youth Council also provides input and direction to Council in respect of a broad range of policy, plans and strategies, providing a youth leadership voice for the future of the Tamworth Region.

2023 Youth Council Activities Report

In 2023, TRYC members played a significant leadership role in influencing Council policy and future direction. Youth Councillors were engaged and consulted in the development of Council's:

- Tamworth Region Youth Strategy and Action Plan; and
- Environmental Sustainability Strategy

Youth Councillors were also consulted on a number of external stakeholder projects including:

- University of Newcastle's study into access to services for young people with a disability living regionally;
- Tamworth Parents and Friends for Climate Action, Climate Change Mitigation and Adaptation project;
- refracted under 30's LGBTQIA+ social support group; and
- Office of Regional Youth and Regional Youth Task Force, School Violence and Work Ready projects, respectively.

The TRYC delivered two major events in 2023 as part of the annual Youth Week Celebration including the Glow Party and Rainbow Run. Youth Week is an annual celebration organised by young people for young people, giving young people between the ages 12 to 24 a chance to share their ideas, attend events, have their voices heard, celebrate and have fun. The highlight of the 2023 Youth Week program was the RAINBOW RUN event held at Viaduct Park, featuring a challenging obstacle course with a potato sack race, slip and slide, foam bath and a chance to dive into a ball pit. The event was well supported by the local Youth Services sector, which also engaged young people in a range of activities, whilst promoting the diverse range of support services available to young people locally. Over 100 community members attended the event, with all participants leaving the event a new colourful shade of rainbow, and with a smile on their face.

In 2023, the TRYC successfully delivered several grant funded projects including:

- Youth Wellness Series, funded under the Children and Young People Wellbeing Recovery Initiative, through the Office of Regional Youth – Department of Regional NSW. Programs included author talks and writing workshops from Felicity Castagna and Gary Lonesborough; Strong Movement fitness program; Songlines Skateboarding Workshops; Beats for Wellbeing Workshop; Kenneth Nathan Anger Management and Mentoring Workshops; Australian School of Entrepreneurship workshop series; Youth Leadership Academy of Australia – Youth Council Retreat; and
- Youth Radio X Project, funded under the Regional Youth Radio program, an initiative of the Office of Regional Youth – Department of Regional NSW. The project was an

innovative initiative of the TRYC that promoted social connectedness in response to recent periods of isolation. The project was an appeal for a greater voice and input into decisions that affect future generations.

In 2023, the TRYC was successful in its application for several grant funded project proposals, including:

- \$5,280 for 'The Youthie' NAIDOC Celebrations and School Holiday Program, funded under the Regional Youth Winter Holiday Break Program 2023, an initiative of the Office of Regional youth – Department of Regional NSW; and
- \$4,636 for 2023 Youth Week Celebrations, funded under the annual youth week program, administered by the Department of Communities and Justice.

Appointment of Incoming 2024 Youth Council

In accordance with Section 5 – Membership, of the TRYC Terms of Reference **ATTACHED**, refer **ANNEXURE 1**, a maximum of 25 young people between the ages of 15 and 18 years who reside within the Tamworth Local Government Area (LGA), may be appointed to the TRYC.

In relation to the proposed members of the incoming 2024 Youth Council, it is recommended that all fourteen who lodged a relevant Expression of Interest (EOI) be appointed. In total there were 14 submissions received. A summary of the 14 profiles is **ANNEXED**, refer **CONFIDENTIAL ENCLOSURE 1**.

The recommended incoming members of the 2024 Tamworth Regional Youth Council are:

- Avalya Mathew
- Bodin Wallace
- Edward Duggan
- Elle Woods
- Ellie Jarman
- Eva-Mae Davies
- Matthew Barratt
- Meg Foster
- Mia Elliott
- Mia Stokes
- Molly Carey
- Rory Davis
- Sweta Rai
- Thomas Sullivan

In accordance with the adopted Terms of Reference, Youth Councillors may sit up to a two-year term of office. The following Youth Councillors, appointed in March 2023, will continue their term of office in 2024:

- Aimee Morris

- Dominic Fawcett
- Kaida McManus
- Lara Cowley
- Luke Suter
- Megan Swain
- Sophia Hanson
- Yvonne Sutton

(a) Policy Implications

The appointment of new Youth Councillors following an EOI process and evaluation of submissions is in accordance with the adopted Terms of Reference.

(b) Financial Implications

Funding for the activities of the Youth Council is provided from existing recurring youth services operational budgets, together with the \$10,000 non-recurring budget to deliver initiatives under the Youth Council Action Plan.

(c) Legal Implications

Nil

(d) Community Consultation

The Tamworth Regional Youth Council has representatives from High Schools across the region, and actively engages with members of community groups and service organisations.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership.

10.5 TAMWORTH CITY CENTRE WORKING GROUP UPDATE

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Gina Vereker, Director Liveable Communities

Reference: Item 10.2 to Ordinary Council 29 June 2023 - Minute No 152/23

1 ANNEXURES ATTACHED

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Tamworth City Centre Working Group Update”, Council:

- (i) receive and note the minutes of meeting held on 17 August 2023;*
- (ii) in conjunction with the planting of new trees in Brisbane Street, proceed to repave the footpath at the same time using Transport Operations funds, as part of Council’s Asset Renewal Program; and*
- (iii) subsequent to a recent Expression of Interest process, appoint Mr Charles Sfeir in the category of Commercial Property Owner and Mr Warwick Stimson in the category of Planning Consultant as industry representatives to the Working Group for the remainder of the current electoral term.*

SUMMARY

The purpose of this report is to:

- present the minutes of the Tamworth City Centre Working Group (TCCWG) meeting held on 17 August 2023;
- recommend when planting new trees in Brisbane Street, Council also repave the Brisbane St footpath at the same time using Transport Operations funds, as part of Council’s Asset Renewal Program;
- recommend the appointment of Mr Charles Sfeir as a Commercial Property Owner representative to the Working Group; and
- recommend the appointment of Mr Warwick Stimson as a Planning Consultant representative to the Working Group.

COMMENTARY

The following is a summary of the main items discussed at the TCCWG meeting held on 17 August 2023, as reported in the minutes **ATTACHED**, refer **ANNEXURE 1**:

- public art: Council’s Director Gallery and Museums provided an overview of public art in the region, including Council’s inaugural Public Art Policy, which is currently in development;
- beautification of Peel Street and the CBD: Investigations are being undertaken to determine suitable plant species to replace the hedges in Peel Street. There will be six Bradford Pear trees planted on Brisbane Street between Marius Street and Peel Street. In relation to this discussion, the Tamworth City Centre Working Group resolved to recommend to Council that in conjunction with this planting, Council consider repaving the footpath at the same time using Transport Operations funds, as part of Council’s Asset Renewal Program;
- Community Safety and Crime Prevention Management Plan: Council’s Community Safety and CCTV Specialist presented an overview of Council’s 2023-2028 Community

Safety and Crime Prevention Management Plan, with discussion taking place around graffiti and CCTV in the CBD;

- CBD Maintenance: Council's Manager Operations provided an overview of Council's routine maintenance schedule and maintenance carried out in response to requests received by Customer Service; and
- touchscreen kiosk: The Working Group discussed the benefits of a CBD touchscreen kiosk directory for residents and tourists, resulting in the suggestion being referred to the Growth and Prosperity Directorate for investigation.

Expressions of Interest

Due to a number of gaps in the Working Group membership, Expressions of Interest (EOIs) were invited for the following vacant positions:

- Commercial Property Owner;
- Planning Consultant;
- Landscape Architect; and
- Urban Designer.

The EOI submission period was initially open from 18 September 2023 to 17 October 2023, with the closing date extended for two weeks to 31 October 2023. Two submissions were received over this period that appropriately filled a vacant position. Unfortunately, no submissions were received from either a Landscape Architect or Urban Designer.

It is recommended that Council appoint Mr Charles Sfeir as a Commercial Property Owner representative and Mr Warwick Stimson as a Planning Consultant representative to the Working Group. See **ATTACHED** submissions, refer **CONFIDENTIAL ENCLOSURE 1**.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

A total of three Expressions of Interest were received from individuals wishing to become a member of the Working Group, one of which did not meet the requirements of the EOI.

The TCCWG presently includes five business delegates and seven community members who represent a broad range of industries and interests. The Working Group provides strategic advice to the Council in relation to matters affecting the city centre and makes recommendations regarding priority areas for enhancement.

(e) Delivery Program Objective/Strategy

Focus Area 2 – A liveable built environment.

Focus Area 9 – Open and collaborative leadership.

10.6 TAMWORTH REGION INCLUSIVE CULTURE ADVISORY COMMITTEE - EXPRESSION OF INTEREST OUTCOME

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Stephenie Crowell, Senior Business Support Officer
Reference: Item 10.1 to Ordinary Council 25 July 2023 - Minute No. 177/23
1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Tamworth Region Inclusive Culture Advisory Committee - Expression of Interest Outcome”, Council appoint Ms Yesy Sepulveda as a committee member to the Committee for the remainder of the current electoral term.

SUMMARY

The purpose of this report is to recommend the appointment of Ms Yesy Sepulveda as a committee member to the Tamworth Region Inclusive Culture Advisory Committee (TRICAC).

COMMENTARY

Expressions of Interest (EOIs) were sought for two vacant committee member positions on the Tamworth Region Inclusive Culture Advisory Committee (TRICAC). The EOI submission period was initially open from 18 September until 17 October 2023, with the closing date extended for two weeks until 31 October 2023. One submission was received during the advertised period.

It is recommended that Council appoint Ms Yesy Sepulveda as a committee member to the committee. See **ENCLOSED** submission, refer **CONFIDENTIAL ENCLOSURE 1**.

(a) Policy Implications

EOIs were sought from community members to fill vacant positions on the TRICAC.. The submission received was assessed in accordance with the Committee Terms of Reference and it is recommended that Ms Yesy Sepulveda be appointed to a vacant position.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

One EOI was received from the community during the advertised period from 18 September 2023 until 31 October 2023.

(e) Delivery Program Objective/Strategy

Focus Area 4 – Resilient and Diverse Communities

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.

PROPOSED LICENSE TO TAMWORTH OXLEY DOG TRAINING CLUB INCORPORATED OF PART OF LOT 37 IN DEPOSITED PLAN 753848

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Samuel Eriksson, Sports and Recreation Strategy Officer

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c) 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.

SUMMARY

The purpose of this report is to advise Council of the matters relating to the Oxley Dog Training Club Incorporated and the requirement for a new license agreement between the two parties.

PROPOSED PURCHASE OF LAND ON CALALA LANE

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: Nicholas Hawkins, Commercial Property Officer
Justin Lalor, Strategy Engineer

2 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c) 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.

SUMMARY

The purpose of this report is to seek Council authorisation to negotiate and enter into a contract for the purchase of land on Calala Lane. The proposed property to be purchased has been identified as a critical site for the construction of future stormwater and sewer infrastructure.

PROPOSED SURRENDER OF LEASE FOR COUNCIL OWNED PROPERTY IN BARRABA

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: Nicholas Hawkins, Commercial Property Officer

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c),(d)i&(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 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. and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

SUMMARY

The purpose of this report is to seek authorisation for the Mayor and General Manager to negotiate and enter into a surrender of lease between Council and the lessee.

COMPULSORY ACQUISITION OF A PORTION OF PROPERTY FOR THE CONSTRUCTION OF A NEW WATER RESERVOIR - CHURCHILL DRIVE

DIRECTORATE: WATER AND WASTE
AUTHOR: Justin Lalor, Strategy Engineer

7 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to seek Council direction in relation to the purchase of a portion of a parcel of land adjacent to the New England Highway in Kootingal, to allow for the future construction of a water reservoir.

SUPPLY AND DELIVERY OF THREE MOTOR GRADERS

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Sebastian Lees, Technical Officer - Plant and Supply

1 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 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.

SUMMARY

This tender is for the replacement of three existing motor graders. These replacements are scheduled in accordance with Tamworth Regional Council's (Council) Plant and Fleet Asset Management Plan. The new motor graders will primarily be utilised for specific civil construction project works along with the heavy patching of Council's sealed road network. On occasions, these units may also be utilised for unsealed road maintenance.

SUPPLY AND DELIVERY OF THREE BACKHOE LOADERS

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Sebastian Lees, Technical Officer - Plant and Supply

Reference: T125-2023

1 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 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.

SUMMARY

This tender is for the replacement of three existing backhoe loaders. These replacements are scheduled in accordance with Tamworth Regional Council's (Council) Plant and Fleet Asset Management Plan. The new backhoe loaders will primarily be utilised for work within Council's network of cemeteries, Civil Construction projects and footpath maintenance and construction.