

TAMWORTH REGIONAL COUNCIL

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

ORDINARY COUNCIL AGENDA

30 APRIL 2019

**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 of the Meeting to address the Council Meeting. Persons not registered to speak will not be able to address Council at the Meeting.

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 9 April 2019, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

- 4 **DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

- 5 **MAYORAL MINUTE**

Nil

- 6 **NOTICE OF MOTION**

Nil

OPEN COUNCIL REPORTS

- 7 **ENVIRONMENT AND PLANNING**

Nil

- 8 **INFRASTRUCTURE AND SERVICES**

- 8.1 **URBAN STREET TREE MANAGEMENT PLAN - ADVISORY GROUP – FILE NO SF9274**

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Paul Kelly, Manager Sports and Recreation

RECOMMENDATION

That in relation to the report “Urban Street Tree Management Plan – Advisory Group”, Council:

- (i) *authorise the creation of the Urban Street Tree Advisory Group using relevant industry leaders and community stakeholders;*
 - (ii) *accept all nominees to join the Urban Street Tree Advisory Group as listed in this report;*

(iii) nominate up to three Councillors to be represented on the Urban Street Tree Advisory Group; and

(iv) stipulate that one of the nominated Councillors be required to Chair the group and that the Chair be elected by the group.

SUMMARY

The purpose of this report is to establish a new advisory group which will assist in the development of Council's Urban Street Tree Management Plan.

The proposed Urban Street Tree Advisory Group (the advisory group) is to be created so that the suite of urban tree management documents can be reviewed by industry leaders, community stakeholders and Councillors to provide feedback and guide the development of the Urban Street Tree Management Plan.

This proposed advisory group will be required until all the documents that form part of the Urban Street Tree Management Plan have been adopted by Council. Thereafter the advisory group's continued operation will be reviewed.

COMMENTARY

Council staff have commenced the development of an Urban Street Tree Management Plan to cover the Tamworth regional area. This plan will include a suite of documents that provide policy and guidance on how Tamworth Regional Council (Council) manage and improve the urban street trees throughout the towns and villages.

The Urban Street Tree Management Plan will be made up of multiple documents covering specific components, including:

- Street Tree Hierarchy;
- Street Tree Species List;
- Tree Removal Policy;
- Notification Plan for Tree Removal;
- Tree Planting Plan;
- Open Space Trees Plan;
- Minimum Design Standards for Developers;
- Main Street Tree Replacement Plan;
- Tree Risk Management Plan; and
- The Register of Significant Trees.

Documents will be drafted by Council's technical staff based on research and industry best practice and then provided to the advisory group for advice and feedback prior to them being presented to Council and subsequent public exhibition.

The advisory group is proposed to comprise key industry representatives and community stakeholders as well as up to three Councillors. The industry leaders and community stakeholders have been identified through an expression of interest from local arborists, tree specialists, Essential Energy and community members, while Council will elect up to three Councillor representatives.

Once the industry leaders, community stakeholders and Councillors have been selected, an initial meeting will be conducted to discuss terms of reference for the advisory group and the frequency of meetings. The terms of reference will stipulate that one of the three nominated Councillors will Chair the group.

An expression of interest period was run from 4 March to 25 March 2019, and was extended to 1 April 2019.

During this period Council received 10 expressions of interest with five being from industry leaders and five from interested community members. The following list provides the names of the people who submitted expressions of interest:

Name	Member Type
Mr Greig Meyer	Community Stakeholder
Mr Kerry Lowe	Community Stakeholder
Mr Robert Chandler	Industry Leader
Mrs Pam McCann	Community Stakeholder
Mr Aiden McGregor	Industry Leader
Mr David McKinnon	Industry Leader
Mrs Susan Moore	Community Stakeholder
Mr Daniel McArdle	Industry Leader
Mrs Sue Wood	Community Stakeholder
Mr Roy Cody	Industry Leader

The above list of names is recommended to Council as being the members forming the advisory group.

Combined with three Councillor nominees, it is recommended that this group arrange a conception meeting by end of May 2019, where the Chairperson will be elected and the group's Terms of Reference will be developed.

After the Urban Street Tree Management Plan (including all its associated documents) has been adopted by Council, the advisory group's role and operation will be reviewed.

Urban Street Tree Management Plan - Progress Update

A number of components are currently being worked on as part of the Urban Street Tree Management Plan, along with the development of the Advanced Tree Nursery (ATN). The following is an update on the progress:

- construction is underway for the potting shelter, potting mix bays and the potting benches for the ATN;
- shade house benches for the ATN are being constructed by Joblink Plus;
- propagation of seed and cuttings for plant material is underway with a large quantity of native seed being sown in early October to generate approximately 10,000 tube stock plants. These plants will be used as tube stock and a portion will be grown on to a larger size for specific projects. A partnership with the Tamworth Regional Landcare Association has helped to take cuttings of deciduous trees during the Winter;
- a purchase order has been raised for the purchase of selected plant species for stocking the ATN for a Spring planting of street and park trees. A significant number of these purchased plants will also be grown on to larger sizes for specific projects;

- it is planned that a Spring planting of street and park trees will occur across the region to replace trees that have been removed as part of the replacement street tree planting program. Planting will also be undertaken in several parks. This will be dependant up the Water Restriction Level for the particular community;
- the documentation component of the Urban Street Tree Management Plan has also begun with research being undertaken. Several of the documents will be ready to present to the advisory group once the group has been created; and
- the Minimum Design Standards for Developers relating to street trees has also been adopted as part of the update of the Engineering Design Minimum Standards for Subdivisions and Development.

(a) Policy Implications

Nil

(b) Financial Implications

There is an allocation of \$5,000 in the 2018/2019 Sport and Recreation Division budget to establish and operate the advisory group. The advisory group will have no budget accountability or authority to expend Council funds.

(c) Legal Implications

Nil

(d) Community Consultation

An expression of interest period was run for four weeks to receive resumes from interested industry leaders and community members.

(e) Delivery Program Objective/Strategy

A Spirit of Community - C21 Preserve and celebrate the character, heritage and culture of our city, towns and villages; C2106.01 Manage Council's streetscape to improve the visual appeal of our CBD and neighbourhoods - Develop a Regional Tree Management Plan which incorporates a mature tree nursery.

8.2 NORTHERN INLAND ACADEMY OF SPORT MAJOR PARTNERSHIP PROPOSAL – FILE No SF8891

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Northern Inland Academy of Sport Major Partnership Proposal”, Council:

- (i) waive the hire fee total of \$6,456 including GST associated with utilising Tamworth Regional Council sports facilities for the 2019 National Primary Games;***

- (ii) decline the request to financially support the National Primary Games with a cash contribution for 2019;*
- (iii) enter into negotiations with Northern Inland Academy of Sport regarding the renewal of their lease in Council's Parry House, 468-472 Peel Street, Tamworth; and*
- (iv) delay discussions regarding the leasing of office accommodation at the Northern Inland Centre of Sporting Excellence until after the Master Plan for this precinct is updated and approved by Council.*

SUMMARY

The Northern Inland Academy of Sport (NIAS) has proposed a major partnership with Tamworth Regional Council (Council) for the years of 2019 - 2021. As part of this partnership, NIAS requests:

- 1) the waiving of all hire fees associated with the use of sports facilities for its annual National Primary Games (NPG);
- 2) Council provide additional financial support for the NPG by way of a cash contribution of \$10,000 in 2019, increasing to \$15,000 for 2020 and 2021;
- 3) a commitment from Council that NIAS remains the main lease holder of the NIAS office space (in Parry House) at the current rate; and
- 4) NIAS will be the main lease holder when the office moves to the Northern Inland Centre of Sporting Excellence (NICSE) with the rate to be negotiated.

In return for the above, the partnership proposal details that NIAS will commit to:

- the NPG remaining in Tamworth for the year(s) of the agreement;
- hosting at least two major academy events with one being the annual academy awards in Tamworth; and
- a minimum of 10 of NIAS' 12 sporting programs to hold training camps in Tamworth.

COMMENTARY

NIAS has proposed a three year major partnership with Council for the years of 2019 – 2021 and is **ATTACHED**, refer **ANNEXURE 1**.

A major component of this proposal is the support of NIAS' NPG event which hosts approximately 2,000 athletes in Tamworth for a weekend of sport. This large sporting event provides for a strong economic benefit to the Tamworth community and, as a result, NIAS are seeking an agreement to have:

- 1) the waiving of all hire fees associated with the use of sports facilities for its annual NPG; and
- 2) Council provide additional financial support for the NPG by way of a cash contribution of \$10,000 in 2019, increasing to \$15,000 for 2020 and 2021.

In relation to item one above, and based on current booking information, Council has estimated that the total cost for sports facility hire for this event is approximately \$29,500. After applying the community sports subsidisation (80% for turf sports fields) as well as the Significant Sport Event Fee Subsidy (an additional 40%) the total charges that NIAS are seeking a waiver for is \$6,456 including GST – see Table 1 below.

Table 1

	Cost
Total cost of turf sports field hire before Council subsidisation	\$ 23,444.37
Sports Dome hire	\$ 6,072.00
Sub Total	\$ 29,516.37
80% subsidy for community sport organisation (turf only)	-\$ 18,755.50
Sub Total	\$ 10,760.80
Additional 40% subsidy for Significant Sport Event Fee subsidy	-\$ 4,304.32
Propose Fee waiver value TOTAL including GST	\$ 6,456.48

Utilising the Event Impact Calculator on profile.id, with the information submitted by NIAS and Council's agreed tourism and sport estimated average spend, the NPG is forecast to generate \$1,072,987 total impact on the Tamworth economy, refer Image 1.

Image 1 profile.id Event Impact Calculator

The screenshot shows the 'profile.id' Event Impact Calculator interface. The input fields are as follows:

- Event name: National Primary Games
- Type of event: Sports and Recreation Activities
- Significance of event: State
- Start date: 20/07/2019
- Length of event (days): 2
- Est. attendance per day: 2100
- Est. avg daily spend (\$): 151
- Event total spend: \$634,200

The 'Event Impact Summary' table is as follows:

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	507,360	236,516	4.2	--
Industrial impact	304,264	124,337	1.2	--
Consumption impact	261,364	116,517	1.3	--
Total impact on Tamworth Regional Council economy	1,072,987	477,371	6.6	--

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

In recognition of this event it is recommended that Council approve the waiving of sports facility hire fees for 2019 for the NIAS NPG. The waiver of any future fees for the 2020 and 2021 event is recommended to be addressed on an annual basis, once more definitive booking and cost implication information is known.

In relation to addressing NIAS' second proposal, refer item two above, of a cash contribution for the NPG event, it is recommended that this not be approved for 2019.

Council acknowledges \$1,072,987 is a significant contribution to the Tamworth economy. However, there are multiple sporting events each year that have a significant economic benefit to the community which do not receive hosting fees or are paid a cash contribution to conduct the event. It is believed that the waiving of sports facility hire fees assist NIAS significantly with their event and that the event has successfully been run under these arrangements for the past three years without a cash contribution.

In addition to the NPG event, NIAS' proposal also seeks to obtain a Council commitment for its current office space rental as well as any future office accommodation that may form part of Council's NICSE. As such NIAS' proposal requests:

- 3) a commitment from Council that NIAS remains the main lease holder of the NIAS office space (in Parry House) at the current rate; and
- 4) NIAS will be the main lease holders when the office moves to NICSE with the rate to be negotiated.

In addressing point three, it is noted that NIAS' current lease expired in February 2019. It is therefore recommended that Council enter into negotiations separate to this report regarding their future tenancy at Council's Parry House building.

Similarly, item four of NIAS' proposal to establish a lease arrangement as part of any office accommodation at NICSE should be negotiated following the updating of the NICSE's Master Plan, when a clearer vision for office accommodation will be known.

(a) Policy Implications

Nil

(b) Financial Implications

\$6,456 including GST will be absorbed into the Sports and Recreation Operational budget and expenses will be monitored along with other such subsidised events.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.3 BASKETBALL NSW FEE SUBSIDISATION REQUEST – FILE NO SF8788

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

RECOMMENDATION

That in relation to the report “Basketball NSW Fee Subsidisation Request”, Council subsidise the fees associated with the National Junior League events held 4 and 5 May, 11 and 12 May and 26 to 30 June 2019 totalling \$5,040.00 including GST.

SUMMARY

Tamworth Regional Council's Significant Sport Event Fee Subsidy Policy (SSEFSP) provides sports with the opportunity to apply for up to three significant events to be subsidised in a given financial year.

In the current 2018-2019 financial year, Basketball NSW has already received three event subsidies for significant events held in July 2018, October 2018 and March 2019.

Basketball NSW are seeking to bring another three rounds of their Northern Junior League competition to Tamworth between now and the end of June 2019. To secure these events Basketball NSW have requested a significant sports event fee subsidisation for these three additional events.

COMMENTARY

Tamworth Regional Council (Council) offers fee subsidisation to sports via the SSEFSP. This policy provides sports user groups with the opportunity to apply for a subsidisation to the fees associated with their event.

This policy has an annual budget of \$40,000 to support significant sporting events and as of 30 April 2019, there has been expenditure of \$16,205 including GST, with a possible further \$4,304 including GST awaiting approval, refer Table 1 below.

Table 1 – 2018-2019 Register of Significant Sport Event Fee Funding

Booking Client	Event		Significant Sport Event Fee Subsidy	
	Name	Date	% Subsidy	Subsidy applied \$
NSW Basketball Association	Northern Junior League Finals	7 and 8 July 2018	40%	\$1,728
Tamworth Tri Colours Rugby	Junior Rugby Union Gala Day	5 August 2018	40%	\$260
Tamworth Cycling Club	Tamworth Cycling Festival	31 August 2018	40%	\$3,591
NSW Basketball Association	2018 John Davidson Under 12's Jamboree	29 September 2018 to 2 October 2018	40%	\$2,543
Central North Cricket Zone	Northern NSW Cricket Carnival	29 September 2018 to 2 October 2018	30%	\$1,216
Netball NSW	2019 State Masters	19 and 20 October 2018	40%	\$3,427
NSW Basketball Association	Northern Junior League Finals	16 and 17 March 2019	40%	\$2,016
Tamworth Baseball Association	June Long Weekend Baseball Carnival	8 to 10 June 2019	40%	\$1,424
SUB TOTAL				\$16,205
Event awaiting approval	Event awaiting approval	To be confirmed	To be determined	Estimated \$4,304
GRAND TOTAL				\$20,509

A condition of the SSEFSP is “a Sport or associated body is only eligible for three successful Significant Sport Event Fee Subsidisations per financial year”. As displayed in Table 1 above, Basketball NSW has already had three events approved for subsidy to date over the 2018-2019 financial year.

Basketball NSW has recently written to Council to seek an exemption to the policy condition of only having three events subsidised each year, as they have the potential between now and the end of June to bring three additional rounds of their Northern Junior League (NJL) competition to Tamworth.

The impact of this exemption would result in an additional \$5,040 including GST being approved to be expended from the SSEFSP budget, refer Table 2 below.

Table 2 – 2018-2019 Significant Sport Event Fee Proposed Funding

Booking Client	Event		Significant Sport Event Fee Subsidy	
	Name	Date	% Subsidy	Subsidy applied \$
NSW Basketball Association	Northern Junior League	4 and 5 May 2019	30%	\$1,260
NSW Basketball Association	Northern Junior League	11 and 12 May 2019	30%	\$1,620
NSW Basketball Association	Northern Junior League	28 to 30 June 2019	40%	\$2,160
TOTAL including GST				\$5,040

These three events that are proposed by Basketball NSW bring approximately 250-300 participants to Tamworth each weekend from all over Northern NSW. Utilising the Event Impact Calculator on profile.id, with the information submitted by NSW Basketball and TRC's agreed tourism and sport estimated average spend, the these events combined are forecast to generate approximately \$400,000 total impact on the Tamworth economy, refer Image 1, Image 2 and Image 3 below.

Image 1 profile.id Event Impact Calculator, NJL Round 4 and 5 May 2019

Event name: NJL Round 2.1 | Type of event: Sports and Recreation Activities | Significance of event: State | Start date: 04/05/2019

Length of event (days): 2 | Est. attendance per day: 240 | Est. avg daily spend (\$): 151 | Event total spend: \$72,480

Event Impact Summary

Tamworth Regional Council - NJL Round 2.1 - Modelling the effect of \$72,480 from a Sports and Recreation Activities event with State significance

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	57,984	27,030	0.5	--
Industrial impact	34,773	14,210	0.1	--
Consumption impact	29,870	13,316	0.1	--
Total impact on Tamworth Regional Council economy	122,627	54,557	0.8	--

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

Image 2 profile.id Event Impact Calculator NJL Round 11 and 12 May 2019

Event name: NJL Round 2.2 | Type of event: Sports and Recreation Activities | Significance of event: State | Start date: 11/05/2019

Length of event (days): 2 | Est. attendance per day: 240 | Est. avg daily spend (\$): 151 | Event total spend: \$72,480

Event Impact Summary

Tamworth Regional Council - NJL Round 2.2 - Modelling the effect of \$72,480 from a Sports and Recreation Activities event with State significance

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	57,984	27,030	0.5	--
Industrial impact	34,773	14,210	0.1	--
Consumption impact	29,870	13,316	0.1	--
Total impact on Tamworth Regional Council economy	122,627	54,557	0.8	--

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

Image 3 profile.id Event Impact Calculator NJL Round 26 to 30 June 2019

Event name:	Type of event:	Significance of event:	Start date:
NJL Round 4.1	Sports and Recreation Activities	State	29/06/2019
Length of event (days):	Est. attendance per day:	Est. avg daily spend (\$):	Event total spend:
2	300	151	\$90,600

Submit

Event Impact Summary export reset

Tamworth Regional Council - NJL Round 4.1 - Modelling the effect of \$90,600 from a Sports and Recreation Activities event with State significance

	Output (\$)	Value-added (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	72,480	33,788	0.6	--
Industrial impact	43,466	17,762	0.2	--
Consumption impact	37,338	16,645	0.2	--
Total impact on Tamworth Regional Council economy	153,284	68,196	0.9	--

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

In light of the above economic benefit and the fact that there are considerable unspent funds in the SSEFSP budget, it is recommended that exemption be given to Council’s policy in this instance to enable the hosting of these events in Tamworth.

(a) Policy Implications

Exemption to Council’s Significant Sports Event Fee Subsidisation Policy

(b) Financial Implications

Currently the Significant Sport Event Fee Subsidy budget (\$40,000) has expenditure of \$16,205 including GST with a possible further \$4,304 including GST pending approval. With no other known events or submissions for the SSEFSP in the 2018-2019 financial year, subsidising the three additional basketball events, although outside of the policy, is regarded an appropriate use of the unspent funds.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Spirit of Community – C12 Provide high-quality sporting facilities to meet the diverse needs of the community; C1201.02 Increase participation and utilisation at Sports Dome.

8.4 DROUGHT RESPONSE AND WATER SUSTAINABILITY ACTIONS – FILE No SF2733

DIRECTORATE: WATER AND WASTE
AUTHOR: Ian Lobban, Water Sustainability Officer
Reference: Item 8.2 to Ordinary Council 12 March 2019 - Minute No 327/18

RECOMMENDATION

That in relation to the report “Drought Response and Water Sustainability Actions”, Council:

- (i) receive and note the report;*
- (ii) agree that access to the bulk water filling station in a centre will cease to all customers, other than bulk water carters, when Level 4 water restrictions are reached in that centre;*
- (iii) agree access to the bulk water filling station will reopen, to all paying customers, once water restrictions in that centre are eased to a level less than Level 4; and*
- (iv) allocate \$210,000 from the Water Reserve to fund ongoing actions in response to the continuing drought.*

SUMMARY

The following report is presented to update Council on the drought responses in various centres across the Council and any future planned works.

COMMENTARY

The latest update is provided below:

Water Restrictions

Water restrictions presently in place at various centres are detailed below:

Area	Restrictions	Water Supply	Situation 18 April 2019
Barraba	Permanent	Split Rock Dam	Split Rock Dam level is currently sitting at 2.7% which equates to 13,629 Megalitres.
Bendemeer	Level 3	MacDonald River	Average monthly flow in the Macdonald River is currently six Megalitres. Airlie Road bore is now operational.
Nundle	Level 4	Peel River/Nundle Bore/Crawney Road Bore	Average monthly flow in the Peel River is currently zero megalitres. Crawney Road Bore is currently operational.
Manilla	Level 3	Namoi River/Manilla River	Average monthly flow in the Namoi River is currently 31 megalitres. Manilla River source is being fully utilised.

Attunga	Permanent	Attunga Bores	Bore levels are stable.
Tamworth/Moonbi-Kootingal	Level 3	Chaffey Dam/Dungowan Dam – Moonbi-Kootingal via Nemingha Pipeline	Chaffey Dam level is currently at 26.6%.

Bulk Water Refill Stations and access to Free Water

Installation of seven new bulk water refill stations is currently underway in Tamworth and regional centres. At the Ordinary Council Meeting of 12 March 2019, Council considered a report on the installation of bulk water filling stations and access to free water and resolved:

That in relation to the report New Bulk Water Refill Stations – Access to Free Water Council:

- (i) *close and remove the hydrant standpipes presently dispensing free water in a centre as a bulk water refill station is commissioned in that centre;*
- (ii) *continue to offer free water at the new bulk water refill stations under the following terms and condition:*
 - a) *Council will issue a card to access free water from the bulk water refill station;*
 - b) *cards will only be issued to property owners of property located within the Tamworth Regional Council area and who can provide a current NSW Local Land Services Rates notice for that property;*
 - c) *property owners of property connected to reticulated supply will not be issued with a card;*
 - d) *property owners of multiple properties where one of which is a property as per c) above will be eligible for a card;*
 - e) *an Agreement must be signed which details the following:*
 - *Council can withdraw the right to access water at no cost at any time with 24 hours notification;*
 - *the person signing the Agreement agrees that the water is only to be taken for the watering of stock or domestic purposes, not lawn or garden watering and that the card will only be used by them;*
 - *the card remains the property of Council; and*
 - *the following disclaimer:*

Water available from this filling station is potable (drinking) water and is suitable for human consumption at this point of supply and before it enters any receptacle or any other intervention by a potential user.

Council does not warrant that the water remains suitable for human consumption following its decanting from this station. Any use of the water after this point is the responsibility of the user and is done at their sole risk, and Council does not accept any liability for any loss or damage of any kind whatsoever that may arise from the use of this water for any purpose.

The use of contaminated containers to transport water can lead to contamination of the water which may render the water not suitable for drinking purposes and other uses and may be hazardous to health.

- f) *volume of free water taken will be limited to three Kilolitres per week;*
 - g) *a refundable \$50 bond to be paid before the card is issued; and*
 - h) *access to free water from a bulk water refill station will stop when Level 4 water restrictions are introduced in the centre where the station is located and*
- (iii) *end access to free water at all bulk water refill stations when more than 50% of the Council area is no longer drought declared; and*
- (iv) *erect signage to advise all users of the facility that they must comply with the appropriate road rules including weight loads.*

In accordance with Council's resolution, free water for farmers will cease when Tamworth/Moonbi Kootingal reaches Level 4 restrictions and will also cease in other centres when Level 4 restrictions are reached in a particular centre. Councillors should note this means that access to free water for farmers, at least in Tamworth and Moonbi Kootingal may end very soon after the bulk water refill stations in Tamworth and Moonbi Kootingal have been commissioned.

On going purchase of treated water from Bulk Water Filling Stations

Whilst access to free water, to approved customers, from the bulk water filling stations will cease when a centre reaches Level 4 restrictions there is nothing stopping the same user, or anyone else, from purchasing water from the same bulk water filling station. Council may like to consider when, if ever, that access should also cease. In consideration of this issue the following should be noted:

- water carting contractors will still have access to the bulk water filling stations, even under Level 4 restrictions. This is to allow these water carters to continue to supply water for stock and domestic purposes only to those properties not connected to a treated water supply.
It should be noted Council has written to all water carters advising them of the restrictions on the delivery of treated water as restrictions levels increase;
- the cost of 1,000 litres of water is only \$2.50, at least until the end of the current financial year. This price is not considered sufficient to deter some users who wish to keep a garden and/or lawn alive from purchasing water for that purpose, even a user who is already connected to a treated water supply;
- there are two outlets on each of the bulk refill stations, a large outlet of either 80mm or 50mm for filling commercial water carters, and a smaller 25mm outlet for customers with trailers. It would be possible to end the supply of water to those customers using smaller 1,000 litre tanks etc. by capping off the smaller diameter outlet at each bulk water refill station as a certain level of restriction is reached in each centre; and
- if Council was to decide to end access for small users at a certain level of restrictions then it would still be possible for users with small tanks to travel to a centre not yet on that level of restrictions to purchase water if they so desired.

It is considered reasonable for council to end access to treated water for all users other than bulk water carters when a particular centre reaches Level 4 water restrictions.

Additional works and additional funding

Residential audits

Council has previously agreed to fund audits of commercial and business operations which have previously consumed more than 3.5 Megalitres of treated water per year. A further

proposal for Council's consideration is for Council to offer rebates for residential customers who may like to engage a plumber to undertake an audit of their premises to:

- analyse consumption against size of property and number of occupants;
- identify leaks;
- find potential areas of waste or inefficiency that could be corrected;
- test current water appliances and products; and
- provide advice on upgrading water usage devices such as flow restrictors, toilets, rainwater tanks, hot water return systems, greywater reuse, etc.

Should Council agree to this proposal it would be managed through Council's current Residential Water Saving Rebate Scheme where a resident would be provided with a rebate of \$100 once they have provided documentary proof that a general water audit has been conducted at the residential property by a licensed plumber.

Estimated Cost: Unknown depending on the number of residents who take up the offer – allow \$5,000 initially

Further Groundwater Modelling in Tamworth

It is also proposed to undertake a groundwater model update and additional desktop investigation for Tamworth by Jacobs Group (Australia). Jacobs Group then trading as SKM was originally commissioned by Council to develop a numerical groundwater model of the Scott Road Wellfield in 2009. The model was successfully calibrated by matching model-predicted groundwater to measured groundwater levels in a number of observation wells located nearby. It was subsequently used to predict groundwater response to a number of possible future wellfield operation scenarios to help determine the rates at which water can be extracted from the wellfield and the associated impacts on river flow and on groundwater levels. It is proposed to engage Jacobs to provide additional modelling to:

1. confirm the validity of the original yield analysis; and
2. determine what the sustainable yield is for the wellfield when operated continuously:
 - a) when the river is in flow;
 - b) when there is no river flow;
3. provide an indication of timeframe if it is found the yield from the wells will drop over time ; and
4. whether there are other groundwater resources that could be accessed to supplement the Scott Road (Paradise) well supply. Jacobs will focus on aquifers within a 5km radius of the Calala Water Treatment Plant in order to minimise infrastructure costs.

Estimated Cost: \$35,000

Auditing of Council's operations

Council is currently in the process of auditing 53 of the region's Large Water Users (LWUs). These LWUs are defined as any business, commercial or industrial operation consuming in excess of 3.5 Megalitres per annum. Once these commercial operations have been audited it is considered Council should receive an independent review of some of its own properties and operations.

Estimated Cost: Based on cost of audits for business and commercial, auditing 20 Council facilities would cost \$45,000.

Trial of Automatic Meter Reading

Council will shortly release an expression of interest for the supply of Automated Meter Reading (AMR) across the Council area. AMR allows the rapid reading of each water meter to more accurately gauge the treated water consumption of particular property. Rather than the traditional means of water reading, which involves someone physically visiting every water meter and reading the numbers to work out consumption, an AMR meter can be read remotely at any time.

In addition AMR meters have the capacity to store up to one month's data with readings at 15 minute intervals.

When this information is downloaded, analysis can be undertaken to see how much, and when, water was actually flowing through the water meter. As a result AMR meters can be used, amongst other things, to check for water restrictions compliance.

Whilst the EOI will inform a Council decision on whether AMR meters are rolled out, and if so, in which areas, there is an opportunity for Council to trial a number of AMR meters during the current drought.

Should Council agree approximately 100 AMR capable meters will be purchased. These meters will be installed, initially on properties suspected of non-compliance with water restrictions. Water usage data from the AMR meter will be collected by a drive-by process, either daily, weekly, fortnightly or monthly. Sustainability staff will review the data from the AMR and action any suspected breaches by alerting Compliance staff.

It is proposed AMR meters will be installed progressively from 6 May 2019, with data collection commencing 6 May 2019.

Estimated Cost: \$52,000.

Further community education resources

It is proposed to increase the amount and variety of community education materials to be used as part of Council's ongoing drought response. These funds would be used for materials to include:

- residential mail outs of water saving fact sheets and shower timers;
- signage and collateral for use at the Annual Operation Plan information stands;
- shower timer giveaways;
- accommodation provider room kits including shower hangers, fact sheets, stickers; and
- production and printing of Council water sustainability projects fact sheets.

Estimated Cost: \$73,000.

(a) Policy Implications

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

(b) Financial Implications

The total funding request for identified projects and actions in response to the ongoing drought and water sustainability situation is \$210,000. There is no funding available in current budget to fund this work. Accordingly should Council agree to the proposed works, funding would have to be provided from the water reserve.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.5 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - GENERAL - 3 APRIL 2019 – FILE No SF1387

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Infrastructure and Projects

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General - 3 April 2019”, Council:

- (i) approve the following parking arrangements on Crown Street Taminda:*
 - a No Stopping zone on the Barnes Street corner western side, for 10 metres from the corner, then two parallel parks to a total of 23 metres from the corner;*
 - yellow No Stopping linemarking to be installed in the No Stopping zones;*
 - 60 degree angle rear to kerb parking on the western side of Crown Street, and parallel parking on the eastern side of Crown Street to be installed; and*
 - a No Stopping zone from the Ebsworth Street intersection, back to the start of the parking areas;*
 - (ii) approve the installation of additional Left Lane Must Turn Left and Left Lane Ends Merge Right signage, at the Goonoo Goonoo Road shared cyclepath pedestrian refuge on Greg Norman Drive, as part of the pedestrian refuge construction;*
 - (iii) approve the traffic arrangement as shown in Option 2, that being a No Parking zone on Raglan Street during school zone hours, and request that Calrossy close the school’s internal road off Brisbane Street;*
 - (iv) approve the installation of 100 metres of No Stopping signage and line marking on the corner of Ebsworth Street and Bridge Street;*
 - (v) approve the installation of Give Way signage on the western approach to Middlebrook Creek Bridge 1 on Old Wallabadah Road Crawney, and on the northern approach to Middlebrook Creek Bridge 2 on Middlebrook Creek Road Garoo;*
 - (vi) approve the road closures on Oakenville Street and Jenkins Street in Nundle, between 7:30am and 4:30pm, on 20 and 21 of April 2019, for the Nundle Go For Gold Festival;*
 - (vii) approve the installation of a disabled parking space in front of 98 Queen Street Barraba; and*
 - (viii) approve the rolling road closures on Peel Street and White Street as per the supplied Traffic Control Plan, between 9:30am and 10:45am 12 July 2019, for the*
-

NAIDOC Street March, pending the submission of a Road Occupancy Licence to Roads and Maritime Services.

SUMMARY

The purpose of this report is to advise Council of seven recommendations made by the Tamworth Regional Local Traffic Committee at the meeting held 3 April 2019.

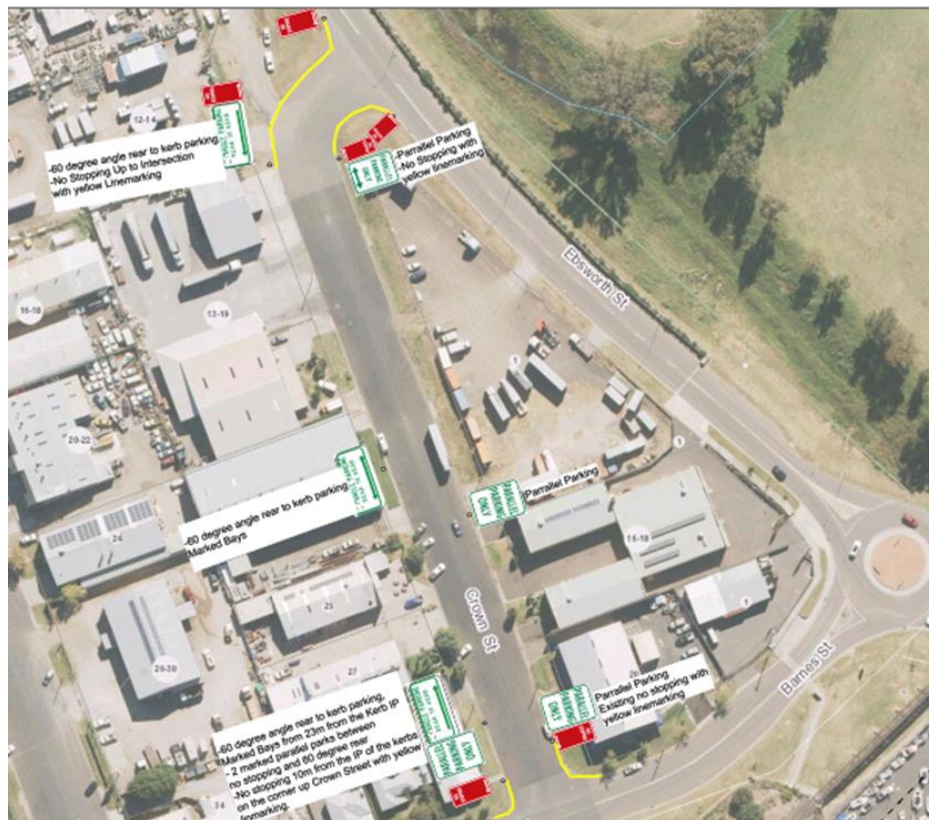
COMMENTARY

Seven formal items reach consensus at the meeting held 3 April 2019. The Minutes are **ATTACHED**, refer **ANNEXURE 1**.

8/2019 - Parking Signs Clarification – Crown Street Taminda

A summary of the outcome of investigation of parking arrangement in Crown Street is shown below, with recommendations:

- B-Double swept path shows that a No Stopping zone is required on the Barnes Street corner western side for 10 metres from the corner, then two parallel parks to a total 23 metres from the corner;
- the existing No Stopping on the eastern side of the Barnes Street corner will remain in its current location;
- yellow No Stopping linemarking is to be installed in the No Stopping zones;
- 60 degree angle, rear to kerb parking, to be installed on the western side of Crown Street, and parallel parking to be installed on the eastern side of Crown Street; and
- a No Stopping zone to be installed from the Ebsworth Street intersection, back to the start of the parking areas.



COMMITTEE RECOMMENDATION: that the Committee support the following parking arrangements on Crown Street Taminda:

- a No Stopping zone on the Barnes Street corner western side, for 10 metres from the corner, then two parallel parks to a total 23 metres from the corner;
- yellow No Stopping linemarking to be installed in the No Stopping zones;
- 60 degree angle parking, rear to kerb, on the western side of Crown Street, and parallel parking on the eastern side of Crown Street to be installed; and
- a No Stopping zone from the Ebsworth Street intersection, back to the start of the parking areas.

5/2019 Goonoo Goonoo Road Shared Cycle Path Pedestrian Refuge on Greg Norman Drive

Following a further inspection of the site it has been recommended that the following additional signs be added to the plans for the pedestrian refuge and adjacent roundabout:

- W4-9 Left Lane Ends and W8-15 Merge Right signs on the merge lane off Goonoo Goonoo Road into Greg Norman Drive, approaching the proposed refuge; and
- R2-9 Left Lane Must Turn Left on the east and west approach to the Ringers Road/Greg Norman Drive roundabout, along with left turn and straight/right arrows in the associated lanes.



COMMITTEE RECOMMENDATION: the Committee support the installation of additional Left Lane must Turn Left and Left Lane Ends Merge Right signage, as part of the pedestrian refuge construction.

18/2019 Calrossy Anglican School – Brisbane Street Traffic Management

A number of complaints have been received regarding the traffic and pedestrian safety on Brisbane Street.

Plans have been prepared based on the options discussed with the Principal of Calrossy Anglican School.

- Option 1 - No Parking on Brisbane Street during school zone hours, and close the internal road; or
- Option 2 - No Parking zone on Raglan Street during school zone hours, and close the internal road.

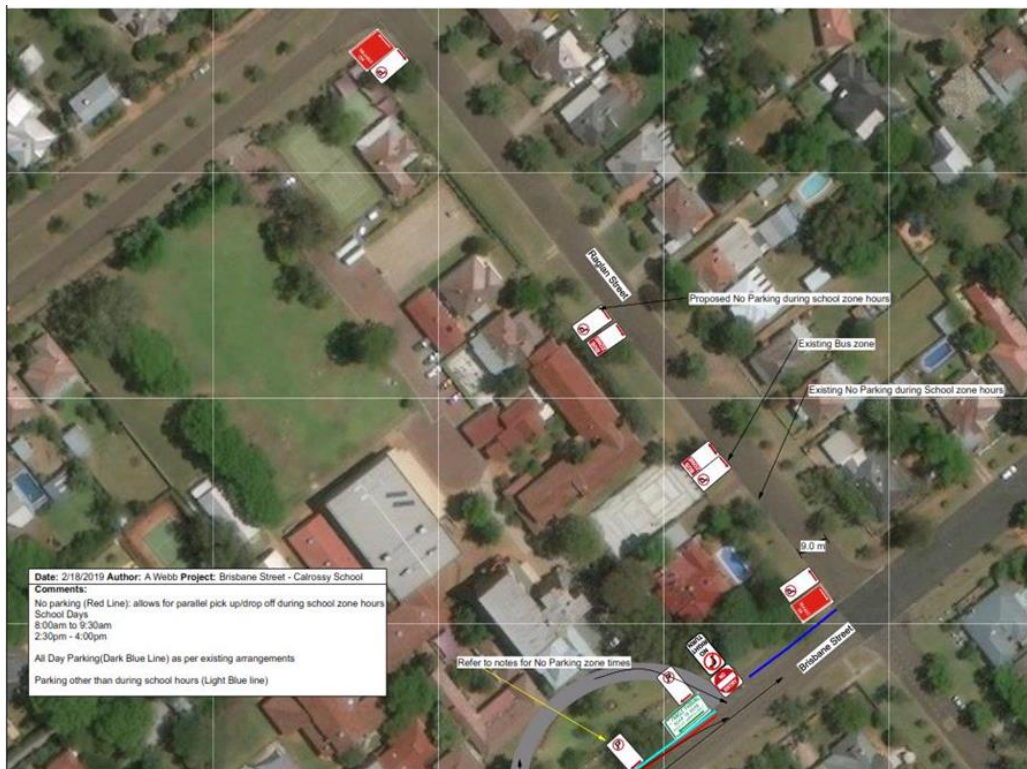
The below plans show the proposed arrangements as well as a larger view around the school area showing adjoining streets.

Option 2 is preferred by the school.

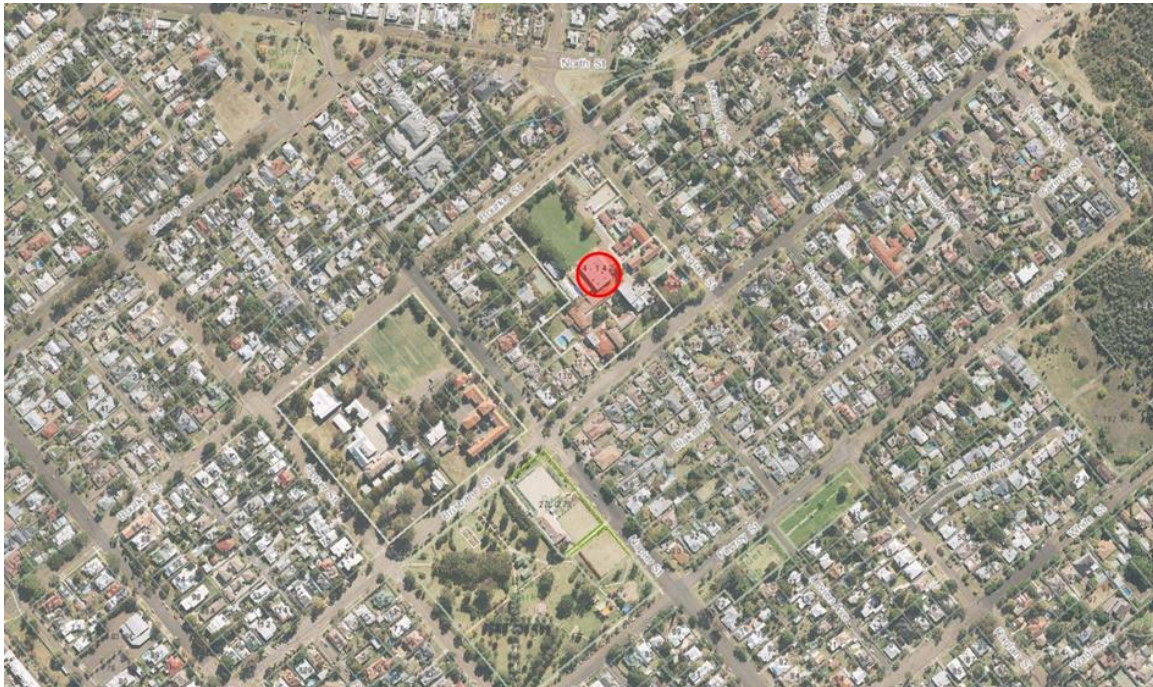
Option 1



Option 2



Overview of area – red circle denotes the school

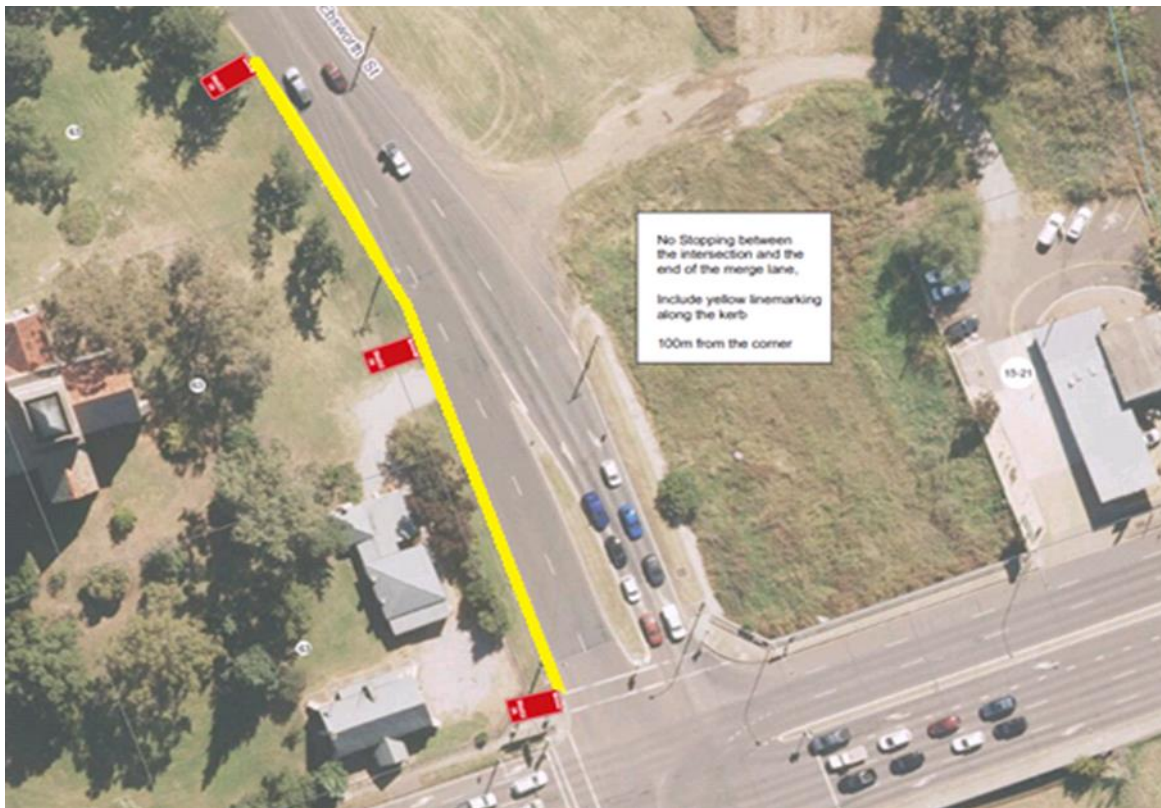


COMMITTEE RECOMMENDATION: the Committee support the traffic arrangement as shown in Option 2, that being an additional No Parking zone on the north end of Raglan Street after the bus zone during school zone hours, and close the internal road to the school off Brisbane Street.

36/2019 Parking on Ebsworth Street near the corner of Bridge Street Tamworth

It has been confirmed that there are currently no parking restrictions along Ebsworth Street in front of the business Mega Bites, on the corner of Ebsworth Street and Bridge Street.

Proposed controls to address the parking in the merge lane, would be a No Stopping zone, and yellow line marking from the corner for 100 metres, to get past the end of the merge back to one lane.



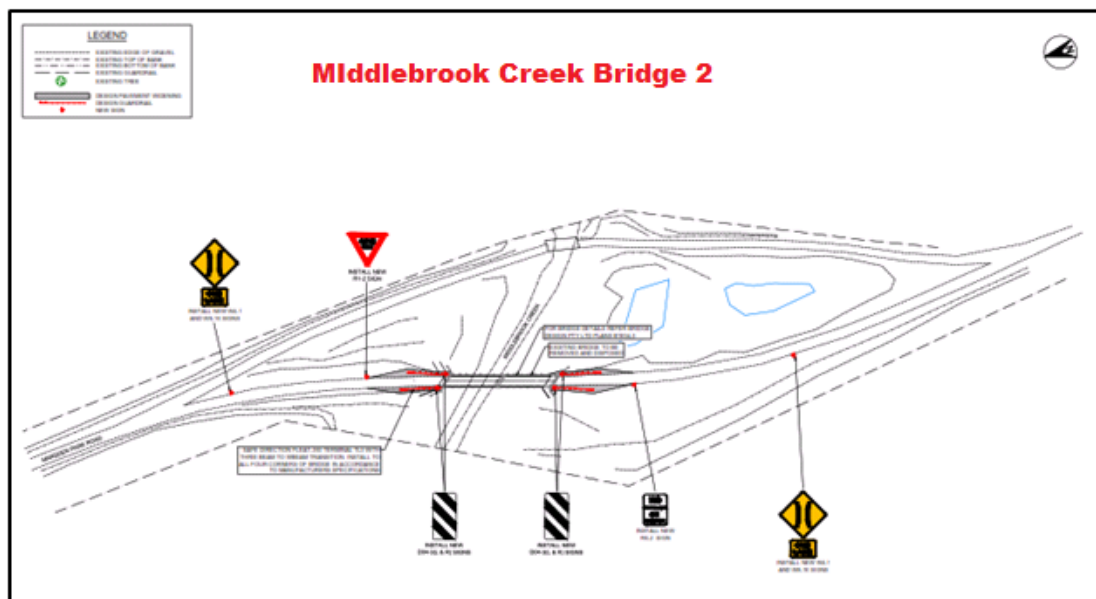
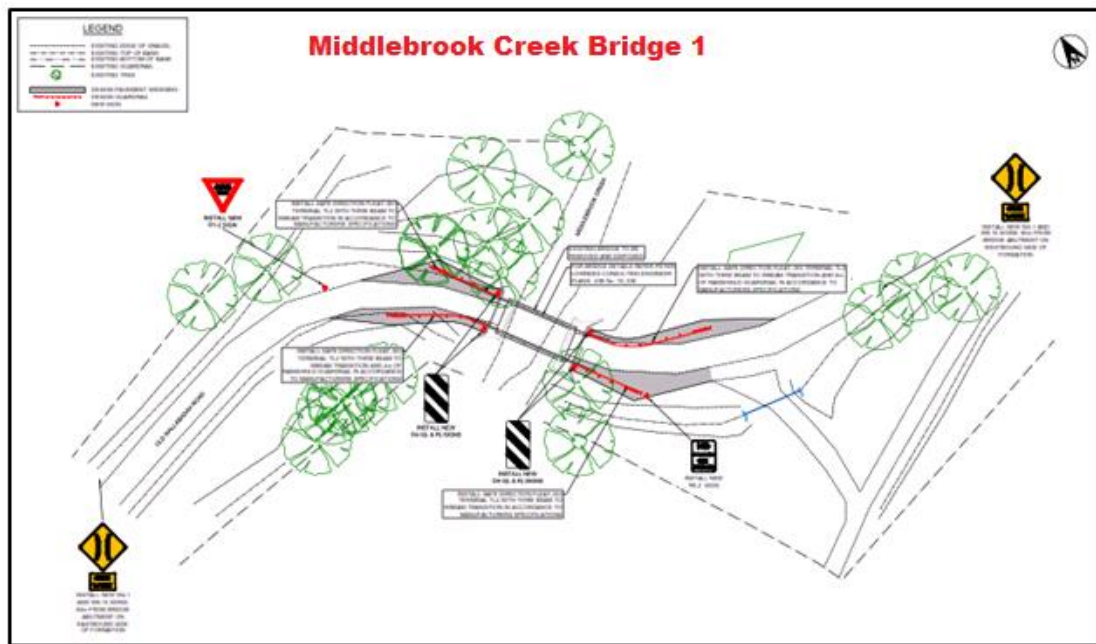
COMMITTEE RECOMMENDATION: the Committee support the installation of 100 metres of No Stopping signage and line marking on the corner of Ebsworth Street and Bridge Street.

39/2019 – Give Way signage Middlebrook Creek Bridge 1 and 2

New bridges are under construction to replace Middlebrook Creek Bridge 1 on Old Wallabadah Road, and Middlebrook Creek Bridge 2 on Middlebrook Creek Road.

As part of these works, give way signage on one approach will be installed additional to the existing one way bridge signage, no overtaking on bridge and hazard markers.

Proposed signage plans are provided below for both bridges.



COMMITTEE RECOMMENDATION: the Committee support the installation of Give Way signage on the western approach to Middlebrook Creek Bridge 1 on Old Wallabadah Road Crawney, and on the northern approach to Middlebrook Creek Bridge 2 on Middlebrook Creek Road Garoo.

40/2019 – Nundle Go For Gold Festival 2019

The Nundle Go for Gold Festival will be held in Nundle on 20 and 21 April 2019.

Road closures on Jenkins Street and Oakenville Street will be in place between 7:30am and 4:30pm each day.

Detours for these road closures will also be in place.

Traffic Control Plans are **ATTACHED** refer **ANNEXURE 2**.

COMMITTEE RECOMMENDATION: the Committee support road closures on Oakenville Street and Jenkins Street in Nundle, between 7:30am and 4:30pm, on 20 and 21 April 2019, for the Nundle Go For Gold Festival.

41/2019 – Disability Parking Space Queen Street Barraba

An initial request from a resident was received by Council, for a disabled access ramp and car park in front of 90 Queen Street. The request was refused, due to an inability to construct a compliant ramp in the requested location.

A subsequent request to review that outcome has been received from the same resident and further investigation undertaken.

The car park and the ramp adjacent to the driveway of 98 Queen Street, could be converted to a disabled car park. This would not be a completely compliant disabled carpark due to the access to this ramp.

Attached is the potential location for the park which is approximately 30 metres from GoCo (aged care provider).



COMMITTEE RECOMMENDATION: the Committee support the installation of a disabled parking space in front of 98 Queen Street, Barraba.

42/2019 – NAIDOC 2019 Street March Friday 12 July 2019

The Tamworth National Aborigines and Islanders Day Observance Committee (NAIDOC) are proposing to hold a march in Tamworth, on 12 July 2019, as part of NAIDOC week celebrations.

The march is to assemble from 9:30am, and commence at Viaduct Park at 10:00am, travel along Peel Street to White Street, where it will travel down White Street and disperse into Bicentennial Park at the White Street Car Park, at approximately 10:30am, as part of the NAIDOC Week Annual Family Fun Day.

Below is the Traffic Control Plan for the march with Police escort and Council road closures at intersections as part of the moving procession.



Traffic Control Plan 1



Traffic Control Plan 2



Traffic Control Plan 3

COMMITTEE RECOMMENDATION: the Committee support the rolling road closures on Peel Street and White Street as per the supplied Traffic Control Plan, between 9:30am and 10:45am July 12 2019, for the NAIDOC Street March, pending the submission of a Road Occupancy Licence to Roads and Maritime Services.

(a) Policy Implications

Nil

(b) Financial Implications

- 8/2019 funded by Infrastructure and Projects line marking and signs budget;
- 5/2019 funded by the Project Budget;
- 18/2019 funded by Infrastructure and Projects line marking and signs budget;
- 36/2019 funded by Infrastructure and Projects line marking and signs budget;
- 39/2019 funded by the Project Budget;
- 40/2019 funded by the event budget;
- 41/2019 funded by Infrastructure and Projects line marking and signs budget; and
- 42/2019 funded by Infrastructure and Projects external events traffic control budget.

(c) Legal Implications

Nil

(d) Community Consultation

40/2019 – media regarding road closures; and

42/2019 – media regarding road closures.

(e) Delivery Program Objective/Strategy

An Accessible Region – A23 Traffic management and traffic safety planning.

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCIL INVESTMENTS MARCH 2019 – FILE NO SF8852

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Rick Sanderson, Manager Financial Services

1 ANNEXURES ATTACHED

RECOMMENDATION

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

SUMMARY

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

COMMENTARY

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 31 March 2019, is **ATTACHED**, refer **ANNEXURE 1**.

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

Institution	On Call	Term Deposit	Floating Rate	Total	% of Total
NAB	2,168,199	47,000,000	0	49,168,199	31.55%
ANZ	0	14,000,000	0	14,000,000	8.98%
BOQ	0	5,000,000	0	5,000,000	3.21%
CBA	0	28,000,000	3,000,000	31,000,000	19.89%
St George	0	8,000,000	0	8,000,000	5.13%

TCorp	14,688,110	0	0	14,688,110	9.42%
Westpac	0	22,000,000	12,000,000	34,000,000	21.82%
TOTAL	16,856,309	124,000,000	15,000,000	155,856,309	

The amount invested at 31 March 2019, has decreased by \$1,479,310.04 since the previous month, with receipts largely matching payments for the month.

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

Fund	Restriction	Amount	%
General	Unrestricted	11,634,315	7.5%
General	Internally Restricted	38,598,616	24.8%
General	Externally Restricted	12,304,451	7.9%
General Fund Total		62,537,382	40.2%
Water	Unrestricted	3,000,000	1.9%
Water	Internally Restricted	22,450,244	14.4%
Water	Externally Restricted	19,785,719	12.7%
Water Fund Total		45,235,963	29.0%
Sewer	Unrestricted	3,000,000	1.9%
Sewer	Internally Restricted	31,147,351	20.00%
Sewer	Externally Restricted	13,935,613	8.9%
Sewer Fund Total		48,082,964	30.8%

Total Investments

155,856,309

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

Unrestricted:

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

Internally Restricted:

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

Externally Restricted:

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

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

(a) Policy Implications

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

(b) Financial Implications

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

(c) Legal Implications

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

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

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

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

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Rick Sanderson, Manager Financial Services

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

1 ANNEXURES ATTACHED

RECOMMENDATION

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

SUMMARY

Council adopted the original budget included in the Annual Operational Plan for 2018/2019 at the Ordinary Council Meeting held 26 June 2018. Any changes to the budget must be approved by Council at a later Ordinary Meeting. This report seeks Council approval for any required budget variations identified during the month of October for which there has been no previous specific report or approval.

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

COMMENTARY

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

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

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

General variations identified during March

<i>Division</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	(2,328)	2,328	0	0
People and Culture	0	3,247	0	0
Office of the General Manager	0	(3,247)	0	0
Regulatory Services	(1,273)	1,273	0	0
Sports and Recreation Services	(6,900)	6,900	(10,000)	138,067
Infrastructure and Projects	0	0	(26,556)	226,556
Waste Management	0	0	(1,500,000)	86,860
Water and Wastewater	0	0	0	90,000
Grand Total	(10,501)	10,501	(1,536,556)	541,483

Material differences between budget and actual income or expenditure

Nil

(a) Policy Implications

Nil

(b) Financial Implications

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

<i>Fund</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
General	(10,501)	10,501	(1,536,556)	451,483
Water	0	0	0	90,000
Sewer	0	0	0	0

(c) Legal Implications

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

211 Authorisation of expenditure; and

202 Responsible Accounting Officer to maintain system for budgetary control.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.3 INTEGRATED PLANNING AND REPORTING - EXHIBITION OF DRAFT 2019/20 DELIVERY PROGRAM AND ANNUAL OPERATIONAL PLAN – FILE NO SF9146

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Rick Sanderson, Manager Financial Services

Reference: Item 9.4 to Ordinary Council 26 March 2019 - Minute No 91/19

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Integrated Planning and Reporting – Exhibition of Draft 2019/20 Delivery Program and Annual Operational Plan”, Council:

- (i) place the proposed Draft 2019/20 Delivery Program and Annual Operational Plan, on public exhibition for a period of 28 days in accordance with section 402 (6), 404 (4) and 405 (3) of the Local Government Act 1993; and*
- (ii) require a further report to be submitted at the completion of the formal exhibition period detailing any submissions received during exhibition for Council’s consideration and final adoption.*

SUMMARY

The purpose of this report is to present the Draft 2019/20 Delivery Program and Annual Operational Plan to Council to obtain a resolution for public exhibition of each of the related documents. The related documents **ATTACHED**, refer **ANNEXURES 1, 2 and 3** include the:

- Draft - Delivery Program and Annual Operational Plan 2019/20;
- Draft – Revenue Policy 2019/20; and
- Draft – Fees and Charges 2019/20.

COMMENTARY

Under the Integrated Planning and Reporting Framework, Council is required to prepare a number of documents to facilitate integration of long-term planning and implementation of Council activities. Core documents include the 10-year Community Strategic Plan, the 4-year

Delivery Program that aligns to the term of office for each elected Council, and an Annual Operational Plan for each year of the prevailing Delivery Program.

The 2017-2027 Community Strategic Plan, and initial 2017-2021 Delivery Program, were endorsed by Council on 27 June 2017. Council must now produce the Annual Operational Plan (AOP) for 2019/20, being the third year of the current four year Delivery Program (DP). Council produces a combined DP/AOP each year to ensure the DP is kept up to date with any required changes. Tamworth Regional Council's DP/AOP 2019/20 is made up of three Annexures, as **ATTACHED**, refer:

ANNEXURE 1: Tamworth Regional Council - Delivery Program and Annual Operational Plan - Draft Plan: contains the proposed program of services and works that Council has prioritised for the next 12 months and aligns to the 2017-2021 Delivery Program;

ANNEXURE 2: Tamworth Regional Council - Draft 2019/20 Revenue Policy: contains the proposed Revenue Policy which includes the schedule of rates; and

ANNEXURE 3: Tamworth Regional Council 2019/20 - Draft Fees and Charges: contains the proposed Schedule of Fees and Charges.

In regard to the Draft Fees and Charges, the following highlights adjustments made to the list that was put to council on 26 March 2019 for adoption in principle.

- *Car Parking (Metered)*

All metered fees have been increased by 20%

- *Sports Dome Court Hire per hour*

All fees have been rounded up to the nearest \$5

- *Bulk Water Refill Station charges*

Includes a new charge of \$10 per kilolitre for transactions of less than seven kilolitres.

Previously advised fees apply to transactions over seven kilolitres.

The requirements for the Delivery Program Annual Operational Plan are outlined in the local government Act and Regulations, which have been complied with as follows:

1. principal activities have been identified for each strategy and the plan directly relates to the themes and objectives of the Community Strategic Plan;
2. performance indicators and measures of success have been identified for each program, and are focused on the general outcomes sought from the strategies;
3. the Revenue Policy includes all of the following requirements:
 - a statement detailing income estimates;
 - Council's Ordinary Rate Policy;
 - Council's Charges Policy;
 - Council's Fees for Services;
 - Council's Pricing Methodology; and
 - proposed borrowings;

4. Council's Ordinary Rate Policy for 2019/20, included in the Revenue Policy meets legislative requirements and best practice guidelines and includes for each rating category and sub-category:
 - the ad valorem amount (the amount in the dollar) of the rate;
 - advice on whether the rate has a base amount; the value of the base rate, and the percentage and yield of the total amount payable by the levying of the rate; and
 - maps demonstrating the parts of Council's local government area categorised into each of the different ordinary rate category and sub-categories;
5. Council's Charges Policy included in the Revenue Policy, meets legislative requirements and best practice guidelines and includes the amount or rate per unit of the charge, differing amounts for the charge (where applicable) and the estimated yield of the charge; and
6. financial information included in the Delivery Program/Annual Operational Plan includes: the forecast operating results for each fund, the forecast cash results for each fund; budget allocations linked to the CSP; and details of capital works for 2019/20. The Revenue Policy also includes a detailed budget by Council Directorates and functions, as well as forecast Income Statements by type and function and external borrowings proposed.

This report confirms that Council has addressed the Integrated Planning and Reporting legislative requirements of sections 402, 404, 405 and 406, and legislative requirements associated with Council's Revenue Policy, Charges, Rating and Public Notice requirements of sections 532, 610B-F and 706(2) of the *Local Government Act 1993*. As such, it recommends the public exhibition of the Draft 2019/20 Delivery Program and Annual Operational Plan.

A further report, at the completion of the exhibition period, will be presented to Council outlining submissions received and recommendations for response, to allow Council to consider community feedback prior to final adoption of the plan.

(a) Policy Implications

The Draft Delivery Program and Draft Annual Operational Plan will update Council's Integrated Planning and Reporting suite of documents. The documents form the basis for all Council's decision-making and operational activity.

(b) Financial Implications

As per the Draft 2019/20 Delivery Program and Annual Operational Plan **ATTACHED**, refer **ANNEXURE 2**.

(c) Legal Implications

The public exhibition and adoption of an Annual Operational Plan and Revenue Policy is required under sections 404 and 405 of the local government act to; legitimise budgets, set rates, charges and fees; and create performance reporting actions.

(d) Community Consultation

The Act requires Council, as a minimum, to place the Draft Delivery Program and Annual Operational Plan on public exhibition for a period of at least 28 days. Adopting the recommendation of this report will meet the requirement for community consultation.

Copies of the draft documents will be made available for download from Council's website.

(e) Delivery Program Objective/Strategy

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

9.4 IPART - REVIEW OF COST OF CONDUCTING LOCAL GOVERNMENT ELECTIONS - RELEASE OF ISSUES PAPER – FILE No SF6243

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “IPART – Review of Cost of Conducting Local Government Elections – Release of Issues Paper”, Council determine whether to provide a submission to IPART.

SUMMARY

The purpose of this report is to present the issues paper released by IPART on the Review of Conducting Local Government Election and to determine whether Council will make a submission to IPART.

COMMENTARY

IPART has been requested by the Premier to recommend a costing methodology to be applied in determining the amount the New South Wales Electoral Commission (NSWEC) charges to Councils which use it to administer their ordinary elections.

An issues paper has been released **ATTACHED**, refer **ANNEXURE 1**, seeking submissions on the following questions:

1. Do you agree with IPART's proposed approach for this review? Are there any alternative approaches that would better meet the terms of reference, or any other issues we should consider?
2. When would a council prefer to use a private provider, rather than the NSWEC, to conduct its elections?
3. What scope is there for private providers to offer councils: – The full range of election services currently provided by the NSWEC? – A more limited range of election services?
4. To what extent would the range of services offered by private providers vary by a council's geographic location (ie, metropolitan, regional or rural) or size (ie, small, medium or large)?
5. What are the barriers to competition in the provision of election services to councils?
6. What factors might lead to changes in the costs incurred by the NSWEC, and over what time period are these changes likely to occur?

7. Is a base level of service provision to all councils appropriate? For what types of election services offered by the NSWEC might councils opt for a different level of service?
8. How should we assess the efficient costs of providing election services to local Councils? Do stakeholders support our use of a 'building block' approach to calculate the NSWEC's efficient costs and revenue requirement? If not, what alternative method would be appropriate?
9. What firms or industries are comparable to the NSWEC in terms of their exposure to market risk? What percentage of debt rather than equity would an efficient provider of election services be able to sustain to finance its assets (ie, the gearing level)?
10. Do you agree that NSWEC's direct costs should be allocated between the State Government and councils using the impactor pays principle (ie, those that create the need for the cost to be incurred should pay the cost)?
11. Should NSWEC's indirect costs be allocated: - Using the impactor pays principle – With a focus on putting NSWEC on an even footing with private providers (ie, ensuring its indirect costs are allocated to councils where they would be incurred by an efficient competitor to the NSWEC), or – On some other basis (and if so, what)?
12. Do you consider the allocation of NSWEC's costs to councils should be made with reference to incremental costs (lower bound), standalone costs (upper bound), or somewhere in between this range?
13. How should indirect costs (eg, centralised locations for collating ballots ready for data entry and councils' share of the costs that are common to State and local government elections) be shared between councils? For example, should they be allocated on a 'per elector', or some other basis?
14. Are the costs involved in conducting elections substantially different for metropolitan, regional and rural councils? If yes, what are the drivers for those differences?
15. Do you agree with our proposed approach for assessing the impact of our recommendations on stakeholders? Are there any other issues we should consider?

Based on the issues paper, Council will need to determine if a submission will be made to IPART.

(a) Policy Implications

Nil

(b) Financial Implications

The NSWEC provided indicative estimates for the administration of the 2008 election of \$264,330, the final cost for the conduct of the elections was \$234,740. Indicative costs for the 2012 Election was \$264,987 with the final cost being \$271,446. At 3% CPI the estimated cost of the 2016 election was anticipated to be \$304,000, with the final cost being \$316,856.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

10 COMMUNITY SERVICES

Nil

11 REPORTS FROM DELEGATES

Nil

12 QUESTIONS ON NOTICE

13 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

RECOMMENDATION

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

13.1 POSSIBLE PURCHASE OF PROPERTY - ARMIDALE ROAD TAMWORTH – FILE No LF10435

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

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 direction from Council concerning the possible purchase of a parcel of land on Armidale Road to improve access to an existing sewer pump station and to provide additional land for expansion of this pump station in the future.

13.2 PROPOSED ACQUISITION OF LAND BY AGREEMENT – FILE No SF8479

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Kirrilee Ringland, Acting General Counsel

Reference: Item 8.3 to Ordinary Council 13 February 2018 - Minute No 15/18
Item 14.4 to Ordinary Council 25 September 2018 - Minute No 212/18
Item 14.6 to Ordinary Council 27 November 2018 - Minute No 321/18

Item 14.4 to Ordinary Council 18 December 2018 - Minute No 346/18

Item 14.8 to Ordinary Council 12 February 2019 - Minute No 26/19

Item 14.2 to Ordinary Council 26 February 2019 - Minute No 53/19

Item 14.3 to Ordinary Council 26 March 2019 - Minute No 98/19

Item 14.3 to Ordinary Council 9 April 2019 - Minute No 116/19

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (a)&(c) of the Local Government Act 1993, on the grounds that the matter and information is personnel matters concerning particular individuals other than Councillors and 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 agreement that has been reached regarding the land described in the body of this report and authorise Council to proceed with the Acquisition by Agreement.

13.3 CONSTRUCTION OF BURGESS LANE/CALALA LANE INTERSECTION UPGRADE – FILE No T087/2019

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Infrastructure and Projects

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to seek Council's approval to award Tender T087/2019 – Construction of Burgess Lane/Calala Lane Intersection Upgrade as part of Tamworth Regional Councils Annual Operation Plan.

13.4 REQUEST TO LEASE COUNCIL-OWNED PREMISES - 2/218 PEEL STREET – FILE No LF2839

DIRECTORATE: BUSINESS AND COMMUNITY

AUTHOR: John Sommerlad, Director Business and Community

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

SUMMARY

An offer has been received from a multi-national company to lease the Council-owned commercial premises at 2/218 Peel Street, Tamworth. This report details the offer and seeks Council approval for a Lease to be executed.

13.5 PROPOSED LEASE OF COMMERCIAL PROPERTY – FILE NO SF6635

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: John Sommerlad, Director Business and Community
Reference: Item 14.6 to Ordinary Council 18 December 2018 - Minute No 348/18

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

The purpose of this report is to seek Council approval to enter into a lease for Lot 22 DP1027598 for the purpose of establishing the National Guitar Museum.

13.6 REQUEST TO LEASE PART OF COUNCIL-OWNED PREMISES - PEEL HOUSE – FILE NO SF882

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: John Sommerlad, Director Business and Community
Reference: Item 14.3 to Ordinary Council 12 March 2019 - Minute No 74/19

4 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

This report relates to a request from the University of New England SMART Region Incubator to increase its footprint in Peel House, Fitzroy Street, Tamworth to assist small start-up operations in their infancy that require limited floor space and low cost office accommodation.

13.7 POSSIBLE PURCHASE OF A PORTION OF PROPERTY FOR ROAD WIDENING - BYLONG ROAD – FILE NO LF983

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Reference: Item 8.1 to Ordinary Council 25 September 2018 - Minute No 197/18
Item 14.4 to Ordinary Council 25 September 2018 - Minute No 212/18
Item 14.2 to Ordinary Council 26 February 2019 - Minute No 53/19

3 CONFIDENTIAL ENCLOSURES ENCLOSED

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 direction in relation to the purchase of a portion of a parcel of land in Bylong Road, to allow for future road widening and the installation of other services to allow the development of the adjacent Arcadia area and Warwick Road area to proceed.

13.8 POSSIBLE PURCHASE OF A PORTION OF PROPERTY FOR ROAD WIDENING - BYLONG ROAD – FILE NO LF693

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Reference: Item 8.1 to Ordinary Council 25 September 2018 - Minute No 197/18
Item 14.4 to Ordinary Council 25 September 2018 - Minute No 212/18
Item 14.6 to Ordinary Council 30 October 2018 - Minute No 266/18
Item 14.16 to Ordinary Council 30 October 2018 - Minute No 272/18
Item 14.2 to Ordinary Council 12 March 2019 - Minute No 73/19

3 CONFIDENTIAL ENCLOSURES ENCLOSED

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 direction in relation to the purchase of a portion of a parcel of land in Bylong Road, to allow for future road widening and the installation of other services to allow the development of the adjacent Arcadia area and Warwick Road area to proceed.

13.9 POSSIBLE PURCHASE OF A PORTION OF PROPERTY FOR ROAD WIDENING - BYLONG ROAD – FILE NO LF1011

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Reference: Item 8.1 to Ordinary Council 25 September 2018 - Minute No 197/18
Item 14.4 to Ordinary Council 25 September 2018 - Minute No 212/18
Item 14.4 to Ordinary Council 12 February 2019 - Minute No 22/19
Item 14.6 to Ordinary Council 12 February 2019 - Minute No 24/19
Item 14.8 to Ordinary Council 12 February 2019 - Minute No 26/19

3 CONFIDENTIAL ENCLOSURES ENCLOSED

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 direction in relation to the purchase of a portion of a parcel of land in Bylong Road, to allow for future road widening and the installation of other services to allow the development of the adjacent Arcadia area and Warwick Road area to proceed.

13.10 POSSIBLE ACQUISITION OF AN EASEMENT FOR SEWER ACROSS PROPERTY - WARRAL ROAD – FILE NO LF12802

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Reference: Item 8.1 to Ordinary Council 25 September 2018 - Minute No 197/18
Item 14.4 to Ordinary Council 25 September 2018 - Minute No 212/18
Item 14.2 to Ordinary Council 26 February 2019 - Minute No 53/19

3 CONFIDENTIAL ENCLOSURES ENCLOSED

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 direction in relation to the acquisition of an easement for sewer across property located in Warral Road Tamworth to allow the installation of sewer services for the development of the adjacent Arcadia area and Warwick Road area.

13.11 INQUIRY REGARDING PROPOSED USE OF COUNCIL LAND – FILE No LF15070

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Kirrilee Ringland, Acting General Counsel

2 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to advise Council of a proposal by Greyhound Racing NSW to lease part of a property at Bowlers Lane, Tamworth, known as part Lot 102 in DP 1097471 for the purposes of establishing a greyhound racing centre of excellence in Tamworth together with associated development.

13.12 PROPOSAL REGARDING MANILLA RIVERGUMS CARAVAN PARK – FILE No SF2278

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Kirrilee Ringland, Acting General Counsel

Reference: Item 5.10 to Ordinary Council 23 November 2004 - Minute No 299/04
Item 14.1 to Ordinary Council 22 May 2018 - Minute No 181/18
Item 14.2 to Ordinary Council 30 October 2018 - Minute No 262/18

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

SUMMARY

The purpose of this report is to recommend the purchase of the items listed in the body of this report in order to regularise the matters relating to the ongoing management of the caravan park.

CLOSED COUNCIL

Confidential Reports

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

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

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

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

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

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

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

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

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

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

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

Resolutions passed in Closed Council

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