

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

22 OCTOBER 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, 8 October 2019 and Extraordinary Meeting held on Thursday, 17 October 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**

- 6.1 **NOTICE OF MOTION – CR MARK RODDA - CHAFFEY DAM WATER RELEASES – FILE NO SF9442**

1 ANNEXURES ATTACHED

MOTION

That in relation to the Notice of motion “Chaffey Dam Water Releases”, Council request the General Manager, noting the results of the most recent publicly available Peel Valley Water Balance Report:

- (i) *write to the NSW Minister for Water, Melinda Pavey and WaterNSW seeking an explanation on the release of approximately 60% of Chaffey Dam’s capacity in 18 months (including an audit report of the water releases from Chaffey Dam between 1 December 2016 to 30 June 2019), and why so much has left the Peel Valley measured at the Carroll Gap Bridge; and*
- (ii) *seek information on what plans, policies and procedures the Government is considering to ensure more sustainable management of the precious natural resource when Chaffey Dam and indeed other rural storages return to healthier levels.*

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 22 October 2019.

SUPPORTING INFORMATION

From the outset I would like to acknowledge and thank the State and Commonwealth Governments that have recently promised to provide funding for further water infrastructure in our region and throughout rural NSW including a new Dungowan dam and pipeline and pipeline from Chaffey Dam to Dungowan, these announcements may go some way to restoring optimism in many who are suffering from the scourge of drought. Rural people know the importance of water to their daily lives and the provision of fresh, potable water is the foundation of a first-world nation. Our Peel Valley irrigators are also vital to our local economy and they also need to have some confidence in their futures too.

I appeal to my fellow Councillors to support a request that we write to the NSW Minister for Water, Melinda Pavey and WaterNSW to ask for an explanation about the water releases from Chaffey Dam from 1 December 2016 to 30 June 2019, or an audit focusing on why it would appear that around 60% of the dam's capacity was released in 18 months and what plans, policies and procedures the Government is considering to ensure more sustainable management of the precious natural resource when Chaffey Dam and indeed other rural storages return to healthier levels.

Given that Chaffey Dam is currently sitting at 18.9% (Monday 14/10/19) we all acknowledge that our city and region has a very real problem with our current and future water needs particularly if it is to transition to a larger population or indeed if it were to remain at current population levels we have thousands of residents and many industries and businesses reliant on a reliable water supply.

Despite owning and managing only Dungowan dam, our Council is often criticised by some for the dire water levels our storages are at. I am often asked how we got from approximately 95% in late 2016, to the critical level it is at now. Many have an answer now about how we could better manage our precious natural resource although in 2015, we received around just a dozen or so submissions towards our proposed Drought Management Plan when it was on public display.

Moving forward we need some transparency and confidence that the State Government's water manager will introduce measures to ensure that when Chaffey Dam's water level returns to a healthier level, errors aren't repeated again that deplete the dam's contents so quickly.

We can see from the **ATTACHED** Peel Valley Water Balance Report from 2017-2018, refer **ANNEXURE 1**, that 25,394 mega litres of so-called Environmental Water was measured at the Carroll Gap which leaves the Peel Valley when it joins the Namoi river. The 2018-2019 report has not yet been published.

Chaffey Dam isn't the only northern dam suffering critical levels but I believe our rural communities are entitled to answers about the management of these storages by their Government hence my request that we write to the Government seeking an audit of water use to ensure the potential errors of the past are not repeated in the future.

Cr Mark Rodda

16 October 2019

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Region of Progressive Leadership – L12 Represent and advocate community needs.

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 PLANNING PROPOSAL FOR TAMINDA EMPLOYMENT LANDS – FILE NO SF9358

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Genevieve Harrison, Manager Integrated Planning

1 ANNEXURES ATTACHED

2 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Planning Proposal for Taminda Employment Lands”, Council:

- (i) forward the planning proposal to the Department of Planning requesting a Gateway determination in accordance with sections 3.33 and 3.34 of the Environmental Planning and Assessment Act 1979;*
- (ii) request that the Minister for Planning, Industry and Environment exercise the plan making powers under section 3.34 of the Environmental Planning and Assessment Act 1979 to amend the Tamworth Regional Local Environmental Plan 2010; and*
- (iii) upon receipt of a Gateway determination, revised Traffic Study and nomination of sewer servicing approach in relation to the planning proposal, publicly exhibit the proposal.*

SUMMARY

The purpose of this report is to seek a resolution of Council to amend the *Tamworth Regional Local Environmental Plan 2010*, in relation to part Lot 2 and part Lot 3 DP 1234850, Taminda. The proposal aims to rezone the site to facilitate the development of industrial and business uses that will serve as an extension to the existing industrial estate.

This planning proposal seeks to rezone approximately nine hectares of land to part B5 Business Development and part IN1 General Industrial. It will also remove the Minimum Lot Size for the subject land (both zones) and apply a 1:1 FSR to the B5 land. The land is currently zoned RU4 Primary Production and has a 40-hectare Minimum Lot Size.

The aim of these proposed changes is to provide a small additional area of employment generating land with planning provisions that offer a range of options to underpin its development.

COMMENTARY

The objective of this planning proposal is to facilitate the development of employment lands on nine hectares of land on the western edge of the Taminda industrial area. The subject lands are identified as part Lot 2 and part Lot 3 DP 1234850, Taminda. The street address is 55 Dampier Street and 21 Wallamore Road, Taminda.

A map showing the subject lands is **ATTACHED**, refer to **ANNEXURE 1**.

The planning proposal will amend the *Tamworth Regional Local Environmental Plan 2010* (TRLEP 2010), Land Zoning Map to include 2.34 hectares in the B5 Business Development zone and 6.66 hectares in the IN1 General Industrial zone. The balance of the subject land and the road reserve will remain in its current RU4 Primary Production Small Lots zone.

The planning proposal will also make consequential changes to maps regarding Minimum Lot Size (MLS) to permit subdivision on the subject site with no minimum lot size. This is consistent with other areas of B5 and IN1 zoned land in the LGA. The land to be zoned B5 is proposed to have a Floor Space Ratio of 1:1. This is consistent with other areas of B5 zoned land in the Local Government Area (LGA). It is not intended to introduce a building height control to the subject land. This is consistent with other areas of B5 and IN1 zoned land in the LGA.

The maps accompanying the planning proposal are **ENCLOSED**, refer to **ENCLOSURE 1**.

The planning proposal is in accordance with the *Tamworth Regional Development Strategy 2008*, which specifically states on page 46 that Council would “Encourage the expansion of the Taminda Industrial areas following the completion of levy banks.” In 2008, Council commissioned the *Taminda Revitalisation and Economic Development Strategy* (TREDS) to ensure that Taminda is maintained as a regionally significant industrial precinct and to protect the ongoing economic viability of the area. This strategy identified six development precincts in a master plan that Council anticipated would be rezoned for employment purposes over a period of time. The subject land is part of Precinct 6 and is identified as “suitable for both bulky goods retailing and industrial uses” subject to resolution of issues such as flooding.

Inclusion of the subject land in a strategy agreed to by the Department of Planning, Industry and Environment (DPIE) makes the planning proposal consistent with the *New England North West Regional Plan*.

The subject land has road access to both Dampier Street and the proposed Jewry Street/ Wallamore Road link (unmade), but primary access is proposed off Wallamore Road. Council considers that the intersection recommended by the applicant will not be adequate and that traffic volumes outlined in the Traffic Study are underestimated. In this regard, the applicant will be required to submit an updated Traffic Study prior to public exhibition of the planning proposal. Dampier Street access is not supported. Access to/from the proposed Jewry Street/ Wallamore link road would be possible but is likely to result in an expensive

intersection treatment that may require additional land to accommodate the intersection geometry. It should be noted that this road may be a number of years away from construction.

Reticulated sewerage to the site is plausible although options for sewerage need to be further considered as the trunk main that traverses the site has no capacity during wet weather and the site is low lying making gravity feed difficult. Options suggested by the applicant are expensive and will only be acceptable if the infrastructure (e.g. new pump stations) is installed and maintained by the developer and remains in private ownership. Therefore, Council will only support this re-zoning if the cost of the sewer infrastructure is fully funded by the developer at the time of development and maintenance of this infrastructure remains the responsibility of the developer. Acceptance of this condition will be required prior to public exhibition of the planning proposal. The development will require reticulation of a minimum 150mm water main to provide adequate service and fire-fighting capabilities. The extension of an existing water main is required. Reticulated power and communication infrastructure are available.

The planning proposal does not affect State significant agricultural lands. The loss of approximately nine hectares will not have an adverse impact on agriculture in the area.

The site is flood prone but modelling undertaken by the applicant shows that it can either be filled or leveed with acceptable impacts on surrounding land.

A preliminary assessment of land contamination pursuant to SEPP 55 has been carried out and concluded that the site is not contaminated. If the site is to be filled then certified clean material will be required to ensure it is suitable for employment purposes.

The site has no European heritage values and Aboriginal cultural heritage/archaeology has not been identified and is not anticipated due to its past disturbance and use for agriculture.

The remnant vegetation within the site is already highly fragmented and disconnected from other areas of contiguous bushland. The land is mostly cleared as a result of past agricultural practices, with some paddock trees remaining. No endangered wetland communities are present within the study area. No threatened flora species, populations or ecological communities have been observed or are considered likely to occur in a natural state within the study area. The subject land is not a high value site from a flora and fauna perspective.

The planning proposal is consistent with most of the relevant Section 9.1 Directions, and where inconsistencies occur they can be justified.

It is appropriate that it be sent to the NSW DPIE for a Gateway determination in order that the planning proposal can proceed to public exhibition (subject to compliance with any Gateway conditions).

The applicant has supplied a range of relevant studies to support the planning proposal and these are **ENCLOSED**, refer **ENCLOSURE 2**. These studies will be included for the public as part of the exhibition material on Council's website and made available to government agencies. As mentioned in this report, an updated Traffic study is required to be submitted prior to public exhibition of the planning proposal.

Council will also request the Minister for Planning to exercise the planning making powers under section 3.34(2)(g) of the *Environmental Planning and Assessment Act 1979*, and grant Council delegated authority to amend the TRLEP 2010.

(a) Policy Implications

The planning proposal is in accordance with the *Tamworth Regional Development Strategy 2008*, *Taminda Revitalisation and Economic Development Strategy 2008* and the *New England North West Regional Plan 2036*. Other relevant policy considerations are addressed above and in the planning proposal.

(b) Financial Implications

Servicing the site will be the substantive responsibility of the developer. Identification of the sewer servicing approach together with acknowledgment of the significant cost and acceptance of the installation and ongoing maintenance responsibilities needs to be agreed with Council prior to public exhibition of the planning proposal. Construction of road access into and throughout the proposed development area will be responsibility of the developer. Filling of the site or levees will also be the responsibility of the developer.

Council has already received an amount from the applicant to cover initial costs associated with preparing this Council report and planning proposal. If the planning proposal is to proceed through the Gateway determination process then full cost recovery of the remaining stages will be required by Council. If the applicant chooses not to pay then the planning proposal will not proceed.

(c) Legal Implications

Amendments to the *Tamworth Regional Local Environmental Plan 2010*, will alter the planning provisions for the subject land.

(d) Community Consultation

Consultation requirements will be specified by the Department of Planning, Industry and Environment in its Gateway determination.

(e) Delivery Program Objective/Strategy

A Prosperous Region – P11 Support and facilitate economic development and employment opportunities.

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - GENERAL - 2 OCTOBER 2019 – FILE No SF1387

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Infrastructure and Works
Reference: Item 8.3 to Ordinary Council 24 September 2019 - Minute No 313/19

4 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General – 2 October 2019”, Council:

- (i) approve the installation of a 40 metre section of 15 minute parking during school***
-

- zone hours 8:00am-9:30am and 2:30-4:00pm, on Raglan Street from the Bourke Street corner, south east on the Calrossy Anglican School side of the road;*
- (ii) approve the installation of a 15 metre bus zone on Johnston Street from the corner of Barton Lane east, the relocation of the no parking zone and disability parking zone to the east side of the new bus zone, and the construction of approximately 20 metres of connecting footpath;*
 - (iii) approve the installation of no stopping signs and yellow linemarking, between Alice Street and the driveway to 155-157 Goonoo Goonoo Road South Tamworth;*
 - (iv) approve the closure of Fitzroy Street, between Peel Street and Kable Avenue on 18 and 19 October 2019, and the closure of Kable Avenue between Bridge Street and White Street (at Fitzroy Street) on the 19 October 2019 for Fiesta La Peel 2019;*
 - (v) approve the installation of two disabled parks on Peel Street in front of 201-203 Peel Street, Tamworth;*
 - (vi) approve the road closures for the 2020 Tamworth Country Music Festival and Cavalcade, from Friday 10 January 2020 until Tuesday 28 January 2020;*
 - (vii) approve the closure of Carter Street, Solander Drive at Riverside, Locks Lane and No.1 Oval access road, on Sunday 2 August 2020, from 6:00am to 2:00pm, for the 47th Annual Tamworth Running Festival;*
 - (viii) approve the installation of a 15 metre bus zone between 8:00am-9:30am and 2:30-4:00pm at the new bus shelter in Woolomin;*
 - (ix) approve the installation of central linemarking on Macgregor Street, between Warral Road and Cole Road, West Tamworth;*
 - (x) approve the installation of no stopping yellow linemarking on the corner of Victoria Street and Piper Street intersection, North Tamworth;*
 - (xi) approve the installation of an edgeline on the approaches to the pedestrian crossing on Carthage Street, between Hill Street and Roderick Street, for improved delineation of the kerb blisters; and*
 - (xii) approve the installation of no parking on the two cul-de-sac heads on Stewart Avenue West Tamworth.*

SUMMARY

The purpose of this report is to advise Council of 12 recommendations made by the Tamworth Regional Local Traffic Committee at the meeting held 2 October 2019.

COMMENTARY

12 formal items reached consensus at the meeting held 2 October 2019. The Minutes are **ATTACHED**, refer **ANNEXURE 1**.

18/2019 – Calrossy Anglican School – 15 minute parking zone Raglan Street

Council has previously considered altered traffic arrangements in the vicinity of Calrossy Anglican School, and has implemented a number of improvements over the last year in consultation with the school. Despite the school's endorsement of the most recent changes to parking in Raglan Street, Council was contacted by the school shortly after implementation of these changes. Further changes have been requested by Calrossy to improve parking

arrangements for parents collecting children from the pre-school on the Bourke Street/Raglan Street corner.

Previously, pre-school parents parked in the small amount of unrestricted parking space that was available in Bourke Street. The recent introduction of no parking restrictions on Raglan Street has been beneficial for picking up high school students, however, the no parking restriction prevents drivers from leaving their car unattended, so is not able to be used by parents that have to walk young children in and out of the pre-school. It has been suggested that some area of short stay parking restriction will address this, and significantly improve traffic access in the vicinity of the pre-school.

Tamworth Regional Council (TRC) staff completed a number of inspections over the course of a week, morning and afternoon, to assess the parking behaviour and number of vehicles using this area. Following these inspections, and in consultation with the school's Director of Operations and the Pre-School Supervisor, Council staff have proposed that a 40 metre section (to allow for six cars) from the Bourke Street intersection back along Raglan Street east, be changed to 15 minute parking during school zone hours (8:00-9:30am, 2:30-4:00pm). This restriction will allow parents to park briefly and collect young children from the pre-school.

Calrossy's Director of Operations has confirmed that these proposed amendments have also been reviewed by the School Principal who is in agreement with the above proposal.

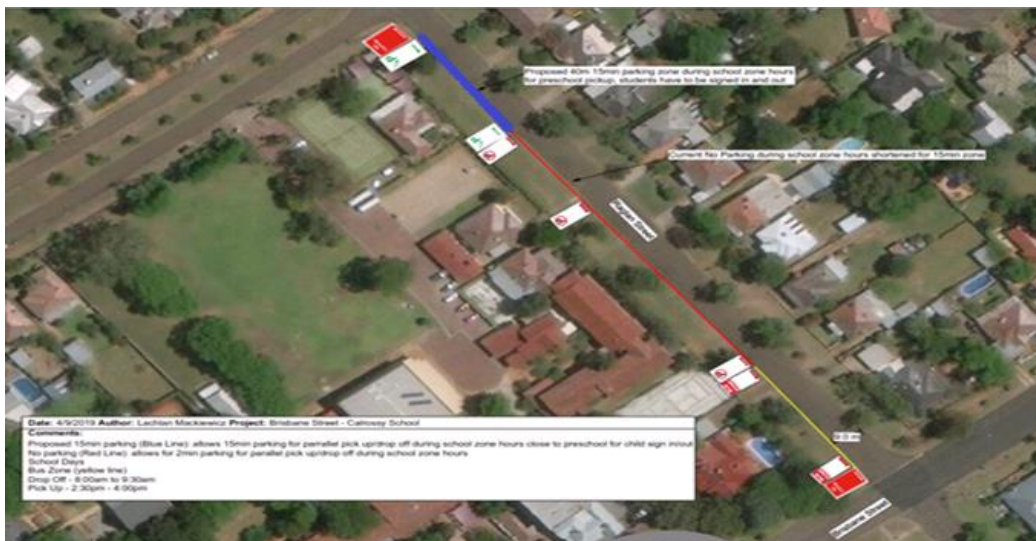


Image 1: Proposed 15 minute parking zone (blue) during school zone hours along with the remaining no parking zone during school zone hours (red) and bus zone (yellow) previously installed.

COMMITTEE RECOMMENDATION: the Committee support the installation of a 40 metre section of 15 minute parking during school zone hours 8:00am-9:30am and 2:30-4:00pm, on Raglan Street from the Bourke Street corner, south east on the Calrossy Anglican School side of the road.

96/2019 – Johnston Street / Barton Lane – No Parking at bus shelter – request change

The bus shelter on Johnston Street, corner of Barton Lane, has a bus shelter at a no parking zone.

This was previously a bus zone, however, was changed to no parking and disability parking in February 2011, on the basis that buses could also legally utilise the disabled parking and no parking zones. It was anticipated at the time that such a shared area would provide benefits to all users.

Since the changes in 2011, a number of issues have been identified:

- in theory buses can pull into the no parking zone, however, in practice it is not always accessible because of vehicles being parked there;
- buses double park, and passengers have to walk out onto the road to get on the bus; and
- the existing disability parking zone has no ramp access.

Tamworth Buslines request that this area be changed back to a bus zone for improved service and passenger accessibility. It is noted that there is also a redundant driveway layback within the current no parking zone that could provide improved access if the disability parking zone was moved back along Johnston Street.

When this item was originally considered by Council at its 24 September Meeting, it was noted by Councillor Wilson that relocating the disabled parking from its current position would isolate it from the existing concrete footpath. In order to address this concern, it is proposed to construct the short section of connecting footpath along Johnston Street to ensure continuity of disabled access is retained.

Council have consulted with the Barton Lane medical practice and the Denture Clinic, who have the largest customer use of the area. They have no objections to the changes.



Image 2: Proposed bus zone on Johnston Street in front of Barton Lane Practice



Image 3: New arrangement of bus zone, disability parking zone and no parking zone



Image 4: Location of new disabled parking with reference to existing signage

COMMITTEE RECOMMENDATION: that the Committee support the installation of a 15 metre bus zone on Johnston Street from the corner of Barton Lane east, and relocation of the no parking zone and disability parking zone to the east side of the new bus zone to utilise the existing layback for the disabled parking.

102/2019 – Alice Street/Goonoo Goonoo Road South Tamworth intersection No Stopping

A request has been received through Councillor Impey from a resident regarding sight distance from the Alice Street intersection.

The request made reference to cars parked on Goonoo Goonoo Road on the southern side of Alice Street. Sight distance checks show that at this location, vehicles parked directly at the intersection would cause some issues with sight distance for cars exiting Alice Street to turn left or right onto Goonoo Goonoo Road.

Preventing vehicles parking between the first driveway to the south (155-157 Goonoo Goonoo Road) and Alice Street would improve sight distance at this location.

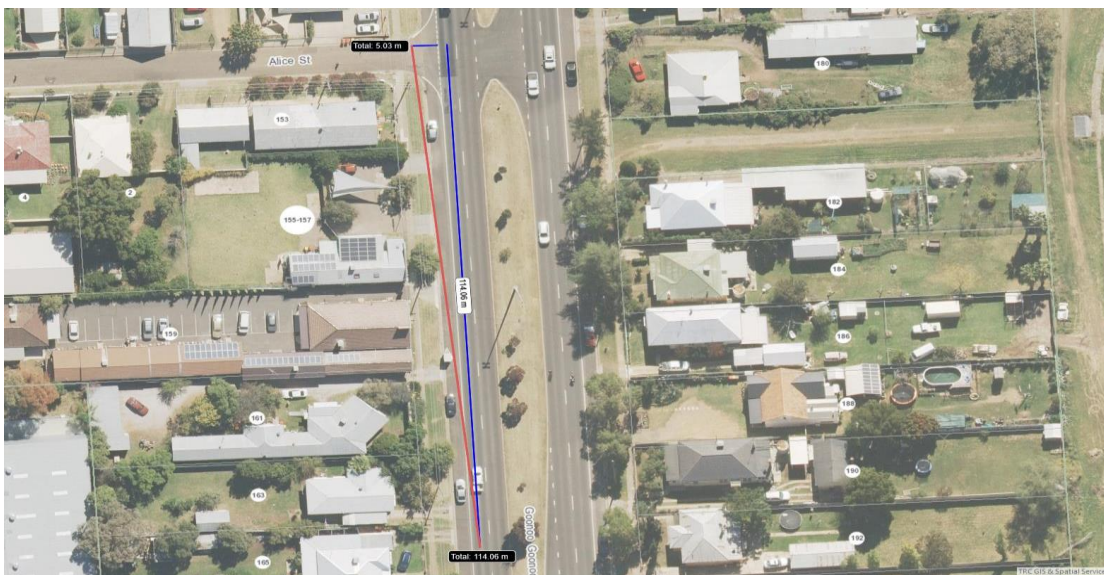


Image 5: Safe intersection stopping distance check, Alice Street South Tamworth

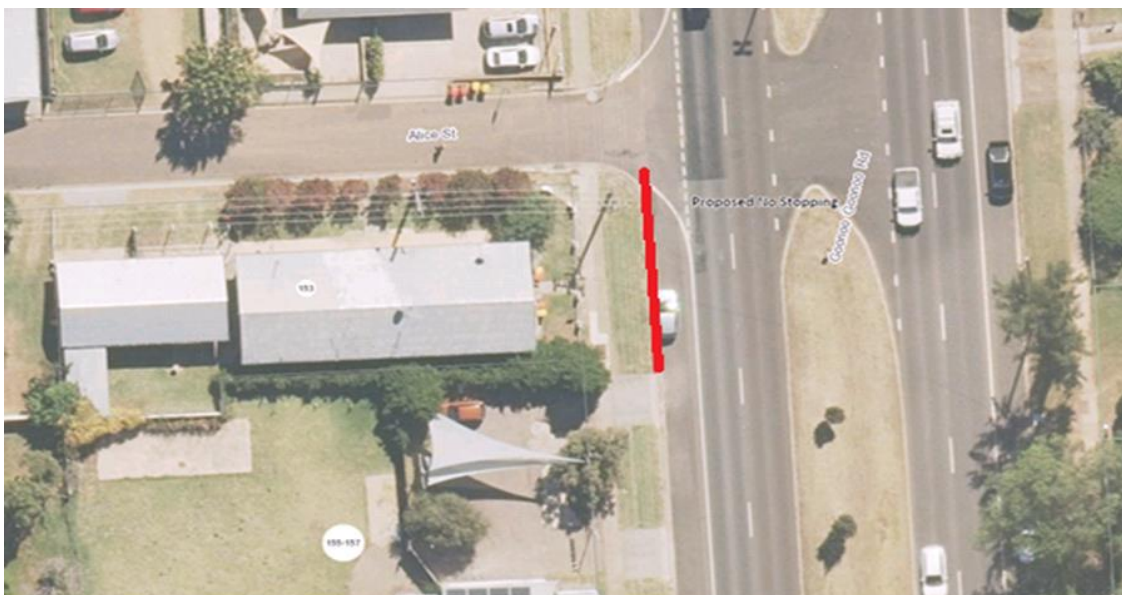


Image 6: Proposed no stopping zone south of Alice Street South Tamworth

COMMITTEE RECOMMENDATION: the Committee support the installation of no stopping signs and yellow linemarking, between Alice Street and the driveway to 155-157 Goonoo Road South Tamworth.

104/2019 – Fiesta La Peel 2019 – Saturday 19 October 2019

Fiesta La Peel will be held on Saturday 19 October 2019, in Fitzroy Street and across Kable Avenue into Bicentennial Park.

As part of the event a number of road closures will be required:

- Fitzroy Street - between Peel Street and Kable Avenue - Friday 18 October 2019, 5:00am until 12:00am 20 October 2019 (midnight Sunday morning); and
- Kable Avenue - Bridge Street to White Street (physically closed either side of Fitzroy Street, local traffic up to these point) 5:00am Saturday 19 October 2019, until 12:00am 20 October 2019 (midnight Sunday morning).

It will also be necessary to relocate the Kable Avenue bus stop in front of the Atrium Shopping Centre to the White Street bus stop, on the Saturday when Kable Avenue has no through road.

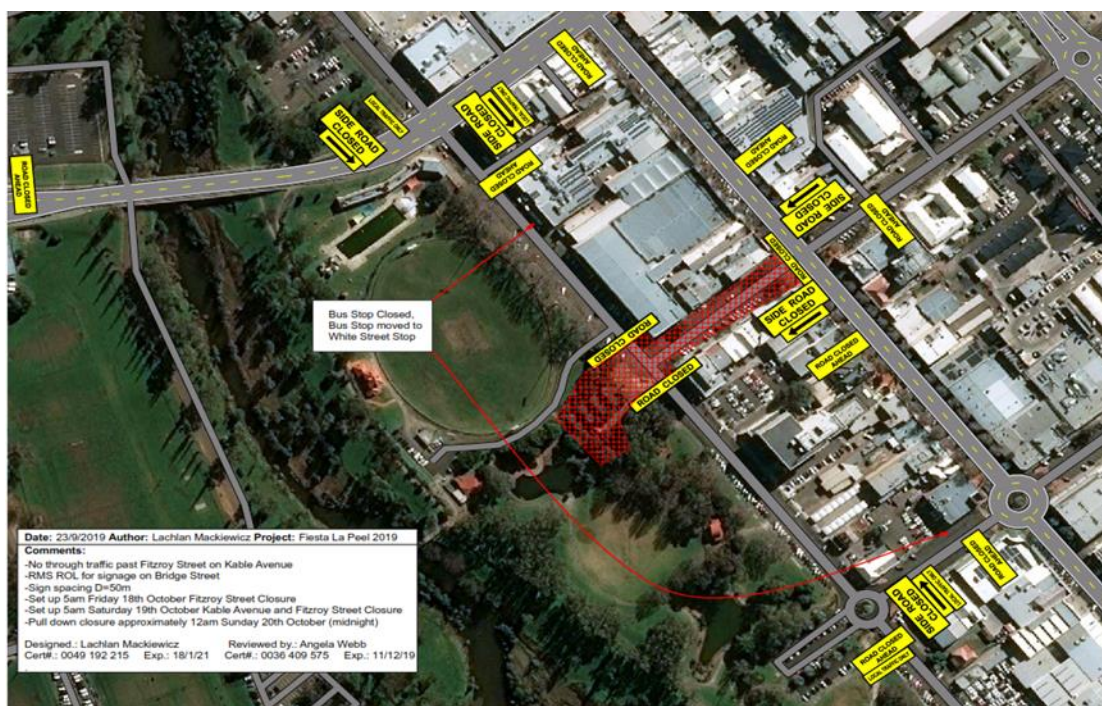


Image 7: Event traffic control plan 2019 Fiesta La Peel

COMMITTEE RECOMMENDATION: the Committee support the closure of Fitzroy Street, between Peel Street and Kable Avenue on 18 and 19 October 2019, and the closure of Kable Avenue between Bridge Street and White Street (at Fitzroy Street) on the 19 October 2019 for Fiesta La Peel 2019.

105/2019 – Disabled car parks Peel Street between Darling Street and Bourke Street

As part of Council’s improvement of disabled parking access, a lack of on-street disabled parking has been identified in the Peel Street block between Bourke Street and Darling Street.

Access to medical and community services in this block would support the installation of on-street disabled parking.

The proposed location for installation would be in front of Castlereagh Imaging (201-203 Peel Street), where there is a gutter bridge allowing direct access to the footpath for disabled parkers.

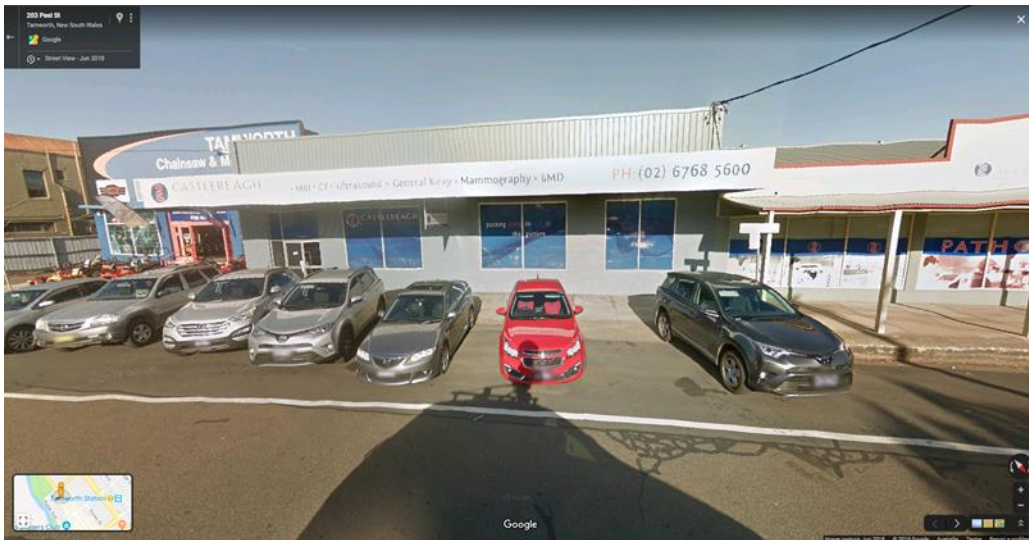


Image 8: Street view of proposed parks location in front of 201-203 Peel Street



Image 9: Proposed disabled parks 201-203 Peel Street

COMMITTEE RECOMMENDATION: the Committee support the installation of two disabled parks on Peel Street in front of 201-203 Peel Street, Tamworth.

107/2019 – 2020 Tamworth Country Music Festival road closures and Cavalcade

The road closures for the Tamworth Country Music Festival (CMF) are summarised in the below table. Traffic management will be implemented by TRC. Traffic control plans (TCP) are **ATTACHED**, refer **ANNEXURE 2**.

A traffic management plan (TMP) is currently in draft form and is also **ATTACHED**, refer **ANNEXURE 3**.

An RMS road occupancy licence (ROL) and police approval will be sought for the traffic management changes for the event.

TAMWORTH COUNTRY MUSIC FESTIVAL FRIDAY 17/1/2020 to SUNDAY 26/1/2020 TRAFFIC MANAGEMENT PLAN 2020						
Day	Date	Peel Street White Street to Brisbane Street	Fitzroy Street Smith Place egress to Kable Avenue	Kable Avenue Brisbane Street to south of Fitzroy Street	Brisbane Street Kable Avenue to Marius Street	Peel Street Brisbane Street to Bourke Street
Wednesday	15/01/2020		Closed 5am	Closed 5am		
Thursday	16/1/2020	Closed 4am	Closed Day/Night	Closed Day/Night	Remains Open	Remains Open
Friday	17/1/2020					
Saturday	18/1/2020					
Sunday	19/1/2020					
Monday	20/1/2020					
Tuesday	21/1/2020					
Wednesday	22/1/2020					
Thursday	23/1/2020					
Friday	24/1/2020					
Saturday	25/1/2020					
Sunday	26/1/2020					
Monday	27/1/2020	Re-open 7pm				
Tuesday	28/1/2020		Re-open 6pm	Re-open midday		
Cavalcade & Camping Area Temporary Closures						
Cavalcade Commences at 9am Saturday 25/1/2020 Roads closed between 6am – 11am		O'Connell and Macquarie Streets - Marius Street to Peel Street Peel Street - Brisbane Street to Bligh Street Peel Street - Hill Street to White Street Peel Street - Hill Street to Murray Street Kable Avenue – Hill Street to Roderick Street Roderick Street - Kable Avenue to Byrnes Avenue				
Carter Street Camping Area		Carter Street , between Plain & Bridge Streets closed from 7am on Friday 10/1/20 until 6am on Tuesday 28/1/20 Plain Street , between Ebsworth & Carter Streets closed from 7am on Friday 10/1/20 until 7am on Tuesday 28/1/20				

Image 10: 2020 TCMF and Cavalcade Road closure summary

COMMITTEE RECOMMENDATION: the Committee support the road closures for the 2020 Tamworth Country Music Festival and Cavalcade, from Friday 10 January 2020 until Tuesday 28 January 2020.

108/2019 – Tamworth Running Festival - Sunday 2 August 2020

The Tamworth Triathlon Club propose to hold the 47th Annual Tamworth Running Festival on Sunday 2 August 2020, from 6:00am to 2:00pm.

The festival will comprise of six events and require road closures as follows:

1. Half Marathon (21.9 kilometres) – road closure of Carter Street, Solander Drive at Riverside, Locks Lane, No.1 Oval access road;
2. Tamworth Ten (10 kilometres) – road closure of Carter Street, Solander Drive at Riverside, Locks Lane, No.1 Oval access road;
3. Fun 5 (five kilometres) – off road;
4. Community Walk (four kilometres) – off road;
5. Dash for Cash (various) – off road; and
6. The Tamworth Triple - 21.9 kilometres + 10 kilometres + five kilometres (New event in 2020).

Traffic control plans are **ATTACHED**, refer **ANNEXURE 4**. The road closures will be implemented by Council staff or licenced contractors.

COMMITTEE RECOMMENDATION: the Committee support the closure of Carter Street, Solander Drive at Riverside, Locks Lane and No.1 Oval access road, on Sunday 2 August 2020, from 6:00am to 2:00pm, for the 47th Annual Tamworth Running Festival.

109/2019 – Request for Bus Zone at Woolomin Shop shelter

A member of the community has requested a bus zone be installed at the location of the new bus shelter in Woolomin.

The school bus is the main user of this location. It is proposed that a 15 metre bus zone be installed between 8:00am-9:30am and 2:30pm-4:00pm, as indicated by the red in the image below.



Image 11: Proposed bus zone beside new shelter

The resident also raised concerns regarding the location of the bus shelter. The resident requests the shelter, and bus zone, be relocated 75 metres north of the current position.

The shelter was positioned at the current location in consultation with the bus company who does the school runs. A site visit was undertaken with the driver and Council staff.

Council does not propose to relocate the bus shelter.

COMMITTEE RECOMMENDATION: the Committee support the installation of a 15m bus zone between 8:00am-9:30am and 2:30-4:00pm at the new bus shelter in Woolomin.

110/2019 – Centre Line Marking Macgregor Street West Tamworth (TRC2020-01522)

A request from a resident has come in regarding installation of central line marking on Macgregor Street West Tamworth. They made reference to cars over the “centreline” on the wrong side of the road and sometimes occurring in the area past the daycare centre with young children about.

Traffic counts undertaken in the area recently (3,063 - April 2017, 3,103 - November 2017) meet the warrant for central linemarking (2,500 vehicles per day). Linemarking currently exists at some of the intersections along Macgregor Street.

The proposed linemarking would be as shown in the plan below.



Image 12: Linemarking Macgregor Street West Tamworth

- BB from Warral Road to Frank Street;
- S1 from Frank Street to the west side of daycare centre (30-32 Macgregor Street);
- BS from Daycare centre to Maitland Street;
- BB Maitland Street to existing BB at Quinn Street; and
- BB between existing BB, between Cole Road and Quinn Street.

COMMITTEE RECOMMENDATION: the Committee support the installation of central linemarking on Macgregor Street, between Warral Road and Cole Road West Tamworth, as described in the body of the report

111/2019 – Request for No Stopping markings corner Victoria and Piper Streets North Tamworth

A customer has requested that signs and or linemarking be installed to delineate the 10 metre no stopping, on the corner of Victoria and Piper Street, as members of the public park up to the corner and make it very difficult to see oncoming traffic when pulling out of Victoria Street.



Image 13: Proposed no stopping yellow linemarking on the corner of Victoria Street and Piper Street

COMMITTEE RECOMMENDATION: the Committee support the installation of no stopping yellow linemarking on the corner of Victoria Street and Piper Street intersection, North Tamworth.

112/2019 – Request for edgeline – St Nicholas School Pedestrian Crossing – Carthage Street

A resident has requested edgelines be installed on the approaches to the pedestrian crossing and kerb blisters on Carthage Street at St Nicholas School. The resident is concerned that the kerb blisters are not visible to drivers.

Carthage Street does not currently meet the RMS vehicles count warrant for centre line marking (4,000 AADT) or edgeline markings.

The RMS delineation guidelines allow for marking of edgelines outside of the warrants for delineation of changes to road environment. The proposed linemarking meets this criteria.



Image 14: Location of pedestrian crossing and blisters on Carthage Street

COMMITTEE RECOMMENDATION: the Committee support the installation of an edgeline on the approaches to the pedestrian crossing on Carthage Street, between Hill Street and Roderick Street, for improved delineation of the kerb blisters.

115/219 – No Parking Stewart Avenue West Tamworth cul-de-sacs

A request has been received from a resident, regarding difficulty turning around in the cul-de-sac on Stewart Avenue, on the western side of Edith Street, due to cars parking around the cul-de-sac head.

This cul-de-sac head along with the cul-de-sac head on the eastern side of Edith Street, is soon to become a shared path route, including some on-road shared path.

Council propose a no parking zone from the last driveway around the cul-de-sac heads to stop cars parking on the cul-de-sac head, which will assist cars turning around and will also maintain clear passage for cyclists and pedestrians once the shared path is complete.



Image 15: Proposed no parking on Stewart Avenue cul-de-sacs

COMMITTEE RECOMMENDATION: the Committee support the installation of no parking on the two cul-de-sac heads on Stewart Avenue West Tamworth.

(a) Policy Implications

Nil

(b) Financial Implications

18/2019 - Funded by Infrastructure and Works signs and linemarking budget;

96/2019 - Funded by Infrastructure and Works signs and linemarking budget, with the short section of footpath (approximately \$4,000) to be funded by Council's Pedestrian Improvement Works budget;

102/2019 - Funded by Infrastructure and Works signs and linemarking budget;

104/2019 - Funded by event organisers;

105/2019 - Funded by Infrastructure and Works signs and linemarking budget;

107/2019 - Funded by event organisers;

108/2019 - Funded by event organisers;

109/2019 - Funded by Infrastructure and Works signs and linemarking budget;

110/2019 - Funded by Infrastructure and Works signs and linemarking budget;

111/2019 - Funded by Infrastructure and Works signs and linemarking budget;

112/2019 - Funded by Infrastructure and Works signs and linemarking budget; and

115/2019 - Funded by Infrastructure and Works signs and linemarking.

(c) Legal Implications

Nil

(d) Community Consultation

104/2019 - Event notification by social media and local media and papers of road closure;

107/2019 - Country music road closure notifications as part of event advertisement on social media and in local media and paper;

108/2019 – Event notification including road closures by event organisers.

(e) Delivery Program Objective/Strategy

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

8.2 DRAFT BICENTENNIAL PARK MASTERPLAN – FILE NO PF1

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Paul Kelly, Manager Sports and Recreation

Reference: Item 8.2 to Ordinary Council 23 May 2017 - Minute No 142/17

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Bicentennial Park Masterplan”, Council:

- (i) approve the masterplan to be placed on public exhibition for a minimum of 28 days; and*
- (ii) request a future report outlining any submissions made during this period to approve the masterplan.*

SUMMARY

As part of future planning for the continued growth of the city, Council staff have commenced a project to update the masterplan for Tamworth's Bicentennial Park. This regionally significant park has evolved in recent years with the establishment of the Tamworth Regional Playground and works associated with the renewal of amenities, and it is now timely for Council to drive the development of this park to meet the growing needs of the city now and for the next 20 years.

COMMENTARY

Established more than 30 years ago as part of the Bicentennial celebrations for Tamworth, Bicentennial Park is one of the region's most renowned open spaces. Running adjacent to the Tamworth city CBD, the park has provided the community with a place to recreate for decades and has been a central site for community based events every year.

The park also serves as a junction for connected walkways/cycleways between residential areas, the CBD and the city's Riverside Sports Field precinct.

In recent years there have been significant developments throughout the park, none more so than the establishment of the Tamworth Regional Playground. This award winning playground has revitalised areas of the park that had previously been underused and as a result it has become a hub of activity both day and night.

With plans for the region and city to grow beyond 100,000 population, which will include CBD residential living, this park's importance to the city will only become more critical. It is therefore timely to incorporate a planned approach to the future of Bicentennial Park and develop a masterplan for its embellishment over the coming 20 years.

Council staff commenced the development of a masterplan by reviewing the 2009 Bicentennial Park Masterplan. Staff identified any incomplete works and reviewed them against current and future needs of the city to identify relevance to the current masterplan.

A landscape architect consultant was engaged to develop concepts for the park and has participated in workshops held with key Council personnel who operationally detailed their respective needs/desires. Following this, a series of Council workshops were conducted to seek input from both Councillors and Council's Executive Management Team.

From this it was proposed that Bicentennial Park will be broken down into seven areas in the masterplan to address the diversity of needs that will be required of this park. These regions are displayed in Figure 1 below.

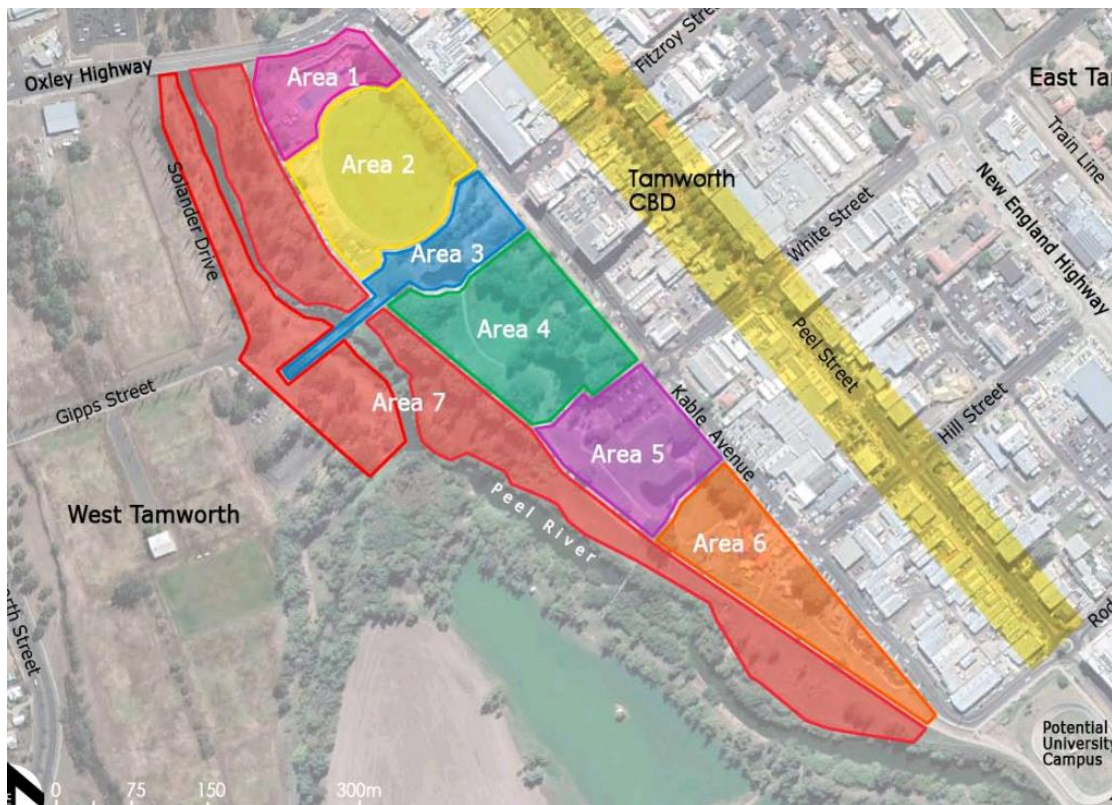


Figure 1: Overview of Bicentennial Park, showing the seven areas

The consultant was then asked to develop concept designs for each of the respective seven areas, based on workshop feedback and industry best practice. These designs are **ATTACHED**, refer **ANNEXURE 1**. A brief overview of the objectives for each of these areas is provided below.

Area 1: Formal Gardens and Events Precinct

This area is proposed to have two key functions. Firstly, the corner of the Oxley Highway and Kable Avenue will become a formal entry to Bicentennial Park including a café, amenities and ticketbox. This area will use the precinct's ground water to establish significant formal gardens. Secondly, this area will become the 'Events Precinct' with the addition of a hardstand for a transportable stage (facing south east) with supporting infrastructure such as power, water and sewer.

Note that at the Ordinary Council Meeting of 23 May 2017, it was resolved to sell the two existing swimming pool sites in Tamworth after the new aquatic centre became operational. Should the community support the proposed new concept of this site being retained as parkland, then the future possible adoption of this proposal would rescind this resolution.

Area 2: No. 1 Oval and Events Precinct

The masterplan proposes No. 1 Oval be utilised as a significant events precinct in order to provide ticketed events within the CBD.

No. 1 Oval will be retained as a boutique sports field. Improvements to the Pavilion are suggested including improving change rooms and amenities as well as expanding corporate space.

Area 3: Fitzroy St – Bicentennial Park Entry

With Area 3 directly linked to the CBD by Fitzroy Street, this area is recognised as a significant entry to the park. This area will be embellished to entice users from the CBD to the park with its improved aesthetics and functionality. This area also incorporates the proposed Changing Places / Disability transport hub.

Area 4: Passive Space

Area 4 will remain passive open space. This will allow the area to continue to act as the Events Precinct until the concepts of Area 1 and 2 are implemented. Acknowledging the expected rise in medium density CBD residential dwelling in the coming years, Area 4 will also act as a ‘backyard’ for such residents.

Area 5: Memorial Precinct

Respecting its current operation, Area 5 will remain a memorial precinct. The masterplan has also recognised the opportunity to expand the carpark in this area considering the availability of land and proximity to the CBD.

Area 6: Regional Playground

The Tamworth Regional Playground is identified as one of the jewels in the crown of the precinct. The masterplan notes areas in which the playground can be extended and improved.

Area 7: Riverside

The masterplan recognises the proximity of Bicentennial Park to the Peel River and incorporates this significant element into the design. Access to the river across the entire precinct is encouraged with the inclusion of a future weir to ensure a constant water level throughout the precinct.

Having now produced concept ideas and plans for each of the seven areas of Bicentennial Park, it is recommended that Council seek community consultation through a public exhibition period for a minimum of 28 days.

It is proposed that the community would be able to provide feedback through Council’s online “Have Your Say” portal.

Following this period it is recommended that a report be produced for Council detailing the feedback obtained and any submissions received.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

It is recommended that the Draft Bicentennial Park Masterplan be placed on public exhibition for a minimum period of 28 days to seek community feedback.

During this period of public exhibition, staff will also undertake focus groups consultation with key stakeholders such as the City Centre Working Group.

(e) Delivery Program Objective/Strategy

A Spirit of Community – C11 Provide public space that satisfies the communities needs.

8.3 WATER INDUSTRY OPERATORS ASSOCIATION CONFERENCE, TAMWORTH MARCH 2020 – FILE NO SF9917

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Water Industry Operators Association Conference, Tamworth March 2020”, Council:

- (i) agree to host the event and provide a total of \$10,000 as sponsorship to the organisers for the conference; and*
- (ii) funding for the sponsorship be provided equally from the Water and Wastewater Reserves.*

SUMMARY

The Water Industry Operators Inc is considering returning the NSW annual conference to the Tamworth Regional Entertainment and Conference Centre in the week between March 30 and Friday 3 April 2020. The Association has approached Council requesting Council take hosting rights and provide cash sponsorship for the conference.

COMMENTARY

The Water Industry Operators Association (WIOA) is a not for profit organisation which is based in Shepparton, Victoria, and commenced as the Wastewater Purification Plant Superintendent and Operators Association in 1973. The Association is now a National Association with a primary role of facilitating the collection, development and exchange of quality information between people undertaking operational roles in the water industry. The Association's vision and goals are designed to promote the efficient, sustainable and best practice management of water and use of resources. The Association has over 900 individual and corporate members. WIOA produces a number of publications, stages numerous conferences, seminars and events focused on “operators” annually.

The organisation has expanded its focus from just wastewater to now cover operational issues across all sectors of the water and wastewater industry. Traditionally based in Victoria the Association has also expanded into QLD and NSW.

As a not for profit organisation funds raised from conferences and publications are all directed back into the national water industry to assist in the development of appropriate training resources, recognition of Operators through prizes, awards and personal development programs, technical seminars and events which are usually run on a cost recovery basis. WIOA has run seminars and events in QLD, VIC, NSW, WA and NT and participated in events in SA, Tasmania and New Zealand. The Association aims to keep the cost of membership, conferences, seminars and publications low, to encourage participation. Tamworth Regional Council has been a corporate member of WIOA since 2003.

WIOA has run conferences for operators in Victoria since 1989, and commenced running conferences in NSW in 2007. Tamworth hosted the third conference in NSW in 2009, and has hosted the event in 2012, and again in 2018.

The conferences provide a forum for Operators in NSW to share knowledge and information. Prize winning presenters from conferences in other states are also invited to deliver their papers again at the NSW conference in order to share knowledge across the states. The trade exhibition provides a chance to discover new technology, equipment and ideas. Figures presented below show the number of delegates and trade exhibitors attending the last four conferences held in NSW/ACT.

	2019	2018	2017	2016	2015
Location	Orange	Tamworth	Canberra	Newcastle	Orange
Dates	3 & 4 April	11 & 12 April	6 & 7 April	6 & 7 April	25 & 26 March
Delegates & Exhibitors	414	415	461	442	430
Total Attendees	628	621	732	750	620
Number of exhibition sites	118	120	130	103	120

TRECC is considered ideal to host the conference because it can accommodate both the exhibitors and the conference itself in the one venue.

WIOA has invited Council to host and sponsor the conference at TRECC in 2020. A document prepared by WIOA and providing details of the conference and sponsorship is **ATTACHED**, refer **ANNEXURE 1**.

Council's Events Team and the staff at TRECC will work with conference organisers should Council agree event. Council must also decide if it would like to sponsor the event. Council provided \$10,000 in sponsorship for the event in 2009, no sponsorship for the 2012 event and \$10,000 sponsorship in 2018.

To evaluate the economic value of such events, Council uses .IdProfile's *Event Impact Calculator*. A summary of the Event Impact for the proposed conference is presented below with the full report **ATTACHED**, refer **ANNEXURE 2**.

Event name:	Type of event:	Significance of event:	Start date:
The WIOA Water Operations C	Business	State	30/03/2020
Length of event (days):	Est. attendance per day:	Est. avg daily spend (\$):	Event total spend:
3	628	283	\$533,172
			Submit

Event Impact Summary		
Tamworth Regional Council - The WIOA Water Operations Conference & Exhibitions - Modelling the effect of \$533,172 from a Business event with State significance		
	Output (\$)	Value-added (\$)
Direct impact	426,538	202,382
Industrial impact	258,951	104,947
Consumption impact	223,490	99,633
Total impact on Tamworth Regional Council economy	908,979	406,961
Hosting Cost (medium)	\$6,856	
Hosting Cost (Upper limit)	\$12,035	

(a) Policy Implications

Nil

(b) Financial Implications

Should Council wish to sponsor the event then funding could be provided from the Water and Wastewater Reserves.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Prosperous Region – P21 Utilise the Destination Tamworth brand to market the Region as a destination for living, working and leisure.

8.4 MANILLA AND BARRABA TOWN WATER SUPPLY UPDATE – FILE NO SF9795

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Manilla & Barraba Town Water Supply Update”, Council:

- (i) receive and note the report;*
- (ii) approve the allocation of \$850,000 from the Water Reserve to fund the early installation of the planned new pipeline from the Manilla River to the Namoi River Weir;*
- (iii) approve the allocation of \$30,000 from the Water Reserve for the temporary purchase of water from the Upper Namoi Regulated River Water Source; and*
- (iv) request the Director Water & Waste provide further reports regarding the matter following receipt of advice from WaterNSW and other NSW Government Departments.*

SUMMARY

The following report provides an update to Council on the drought related issues for the water supplies of Manilla and Barraba and associated recommended actions.

COMMENTARY

On 28 August 2019, WaterNSW presented information at the Upper Namoi Water Users Meeting regarding the expected water releases from Split Rock Dam for the remainder of the water year i.e. to July 2020. Of particular concern to Council is the expectation that WaterNSW will be releasing up to five (5) Gigalitres (GL) of remaining available general security water from Split Rock Dam during the current water year. As of 16 October 2019 Split Rock Dam was at 1.6% of capacity equating to a volume of 9.3 GL or 9,314 Megalitres. These releases have the potential of causing Split Rock Dam to reach dead storage by April 2020. If this was to occur, this would severely impact the water supply to both Manilla and Barraba.

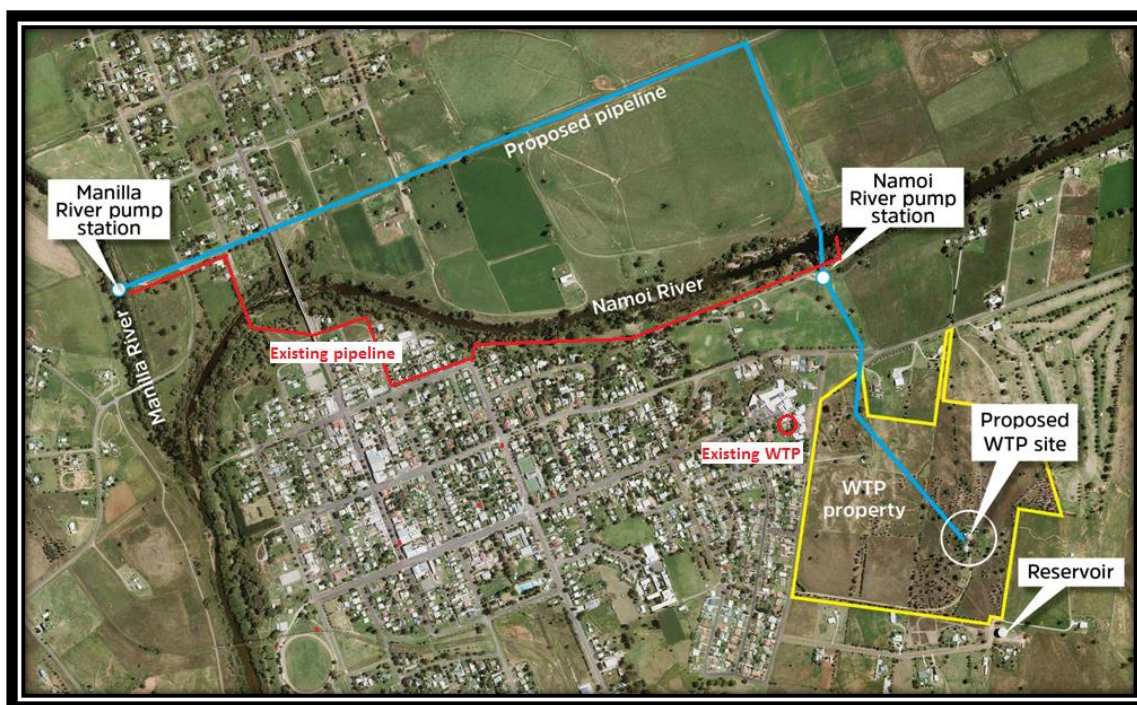
Manilla is of primary concern for Council as the primary water source for Manilla (Namoi River) currently has no flow and as such, Council is reliant upon the Manilla River (Split Rock Dam release) water source. Should Split Rock Dam reach dead storage, Council would not have a reliable source of water for Manilla.

Following the above announcement by WaterNSW, Council Water Operations staff have been in discussion with representatives of WaterNSW in relation to what can be implemented to assist with maintaining water supplies for Manilla and Barraba. Based on these discussions the correspondence provided as **ANNEXURE A** has been forwarded to the NSW Government. To date Council has not received a formal response from the Government.

In summary this correspondence requests the Government take any action that may be required to allow and/or direct WaterNSW to maintain a volume of water within Split Rock Dam estimated to be sufficient to maintain water supply to Manilla and Barraba for two years in the event of no inflow to Split Rock Dam. Council has estimated this volume has been estimated to be in the order of 3GL above dead storage. Council's current pumping capacity from the Manilla River is limited to 1 Megalitre (ML)/day. WaterNSW advises that reducing releases from Split Rock Dam to cater for daily requirements of Manilla (around 1ML per day) will see a huge reduction in water delivery efficiency i.e. it is estimated 10ML or more may be required to be released from Split Rock Dam so that 1ML can be extracted at Council's Manilla pump station.

To assist with water delivery efficiency from Split Rock Dam, a component of the Manilla Water Treatment Plant Upgrade Project (construction contract award scheduled late 2019) includes the installation of a new pipeline and associated pump station within the Manilla River to the new Water Treatment Plant.

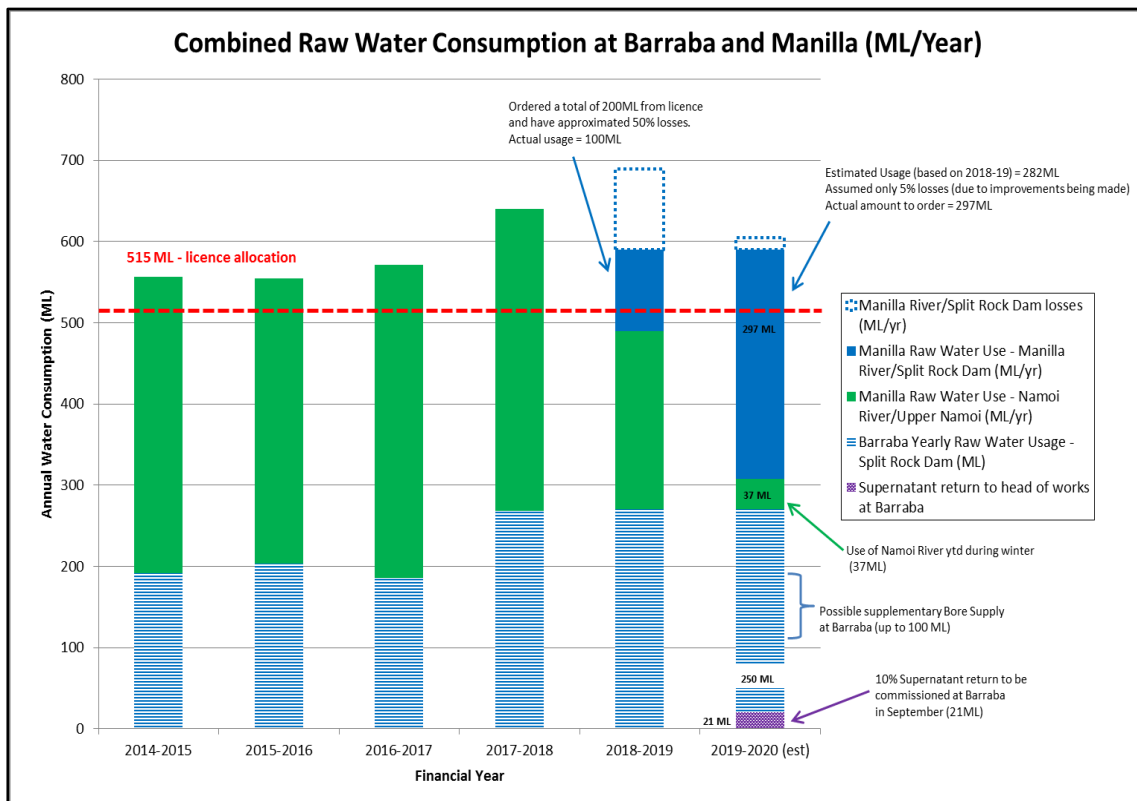
The new pipeline has a capacity of 4 ML/day in comparison to the existing pipeline capacity of 1 ML/day. The proposed route of the new pipeline intersects the existing pipeline at the Namoi River Weir, as shown in the plan provided below.



An opportunity exists for Council to expedite the new pipeline to increase pumping capacity from the Manilla River by using both the existing pump station and installing the new pipeline with a temporary pumping arrangement such that Council can extract up to 5ML per day from the Manilla River. If Council was to increase pumping capacity from the Manilla River it is proposed that Council Water Operational staff would work closely with WaterNSW to manage bulk releases from Split Rock Dam with additional water extracted from the Manilla River being stored within the Namoi River Weir for pumping to the water treatment plant.

To achieve the above, the pipeline component from the new Manilla River Pump Station to the Namoi River weir would be removed from the new Manilla Water Treatment Plant Project and be constructed by Councils Civil Construction Division. If this approach was adopted the pipeline could be installed within eight weeks at an estimated cost of \$850,000. It should be noted that it is expected that this cost would be somewhat offset by the removal of the item from the new Manilla Water Treatment Plant Project. The only additional costs are expected to be minor valving amendments and the installation of a temporary pumping system.

In addition to above, up until this financial year two separate water extraction licences existed for the Manilla River/Split Rock Dam water source for Manilla and Barraba. The entitlement for Manilla was 150 ML/year and the Barraba entitlement was 365 ML/year. As Council would be aware numerous representations have been made to State Government agencies regarding the increase of the Manilla River allocation for Manilla associated with Council's planned new Manilla Water Treatment. To date NSW State Government Agencies have declined Council's request to increase the volume of the Manilla River allocation, however approval was provided this financial year to combine the licence volumes for Manilla and Barraba. As such, Manilla and Barraba have a total water entitlement (from Split Rock Dam) of 515 ML. This volume of water is not sufficient to supply the total raw water volumes required for Manilla and Barraba assuming that no future inflows occur in the Namoi River at Manilla as detailed in the following:



The final column of the chart above details the sources of raw water for the combined Barraba/Manilla supply for the current 2019-2020 financial year (assuming the Manilla River is the only water supply for Manilla until July 2020).

As detailed the expected raw water usage for Manilla and Barraba is 590 ML. This is based on the following:

- assumption that usage will remain similar to last year with existing restrictions in place in both locations (Manilla on Level 3 and Barraba on Permanent Water Conservation Measures); and
- 37ML has already been extracted from the Namoi River for the Manilla water supply during the current year.

To assist with further reducing water consumption at Manilla and Barraba the following actions have been implemented

Barraba

- a UV unit has been installed to treat supernatant (backwash water) and allow it to be returned to the head of the Water Treatment Plant. This has been supplementing the Barraba supply since September 2019. This system can supply up to 10 percent of the incoming raw water flow rate to the Water Treatment Plant; and
- investigations to supplement the Barraba Supply with the James Street Bores. Although this can be accomplished with some operational issues, the yield of the bores is unknown for extended periods of use.

Manilla

The following improvements have been implemented to assist transfer of water from Manilla River to Namoi River:

- a Fisheries permit was issued to carry out minor excavation works at the Manilla River Pump Station pipework inlet to assist the flow of water from the river to the pump station by creating a larger/deeper intake area to maximise raw water flow rates;
- the installation of a temporary weir on the Manilla River just downstream of the intake. The purpose of this is to facilitate a higher water level at the intake to the pump station to allow maximum pumping capacity when the river levels have been low;
- the installation of temporary tanks at the Namoi Weir to store and transfer water to the existing Manilla Water Treatment Plant. This has assisted with reducing losses from pumping water from the Manilla River into the weir on the Namoi River; and
- an application has been approved by NSW DPI Fisheries to temporarily raise the height of the fish ladder at the Namoi River Weir to increase water holding capacity behind the weir.

Should the worst case scenario occur and Split Rock Dam is the sole source of raw water for both Barraba and Manilla then it is estimated that 553ML of raw water would be required this year from Split Rock Dam, which is 38ML above the water licence entitlement of 515ML.

In respect to this, Council has previously written to the NSW Minister for Water on 18 May 2019, to increase the entitlement and the Minister subsequently denied this request. As a result to ensure Council does not exceed its allocated entitlement, Council should consider the need to purchase water on the temporary market in the Upper Namoi. Advice from a water broker is water is currently available for trade at approximately \$600/ML. Water is unlikely to be available for trading later in the water year as the level in Split Rock Dam falls.

As such, it recommended that Council endeavour to purchase, on the temporary market, 50 ML of water to cater for expected usage in Manilla and Barraba in 2019-2020. Council should also seek compensation from the NSW Government for the cost of any purchase under emergency drought relief provisions.

(a) Policy Implications

Nil

(b) Financial Implications

Should Council agree to the temporary trade of 50ML of High Security water for Manilla and Barraba, it is estimated \$30,000 will be required to be allocated from the Water Reserve to procure this water allocation. It is possible any costs associated with this purchase will be reimbursed by the NSW Government.

To allow the early installation of the pipeline from the Manilla River to the Namoi River Weir, Council will be required to allocate \$850,000 from the Water Reserve to fund this work. This in part will be offset by the reduction in cost of the Manilla Water Treatment Plant Upgrade Project once this pipeline has been removed from the scope of works.

(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.

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCIL INVESTMENTS SEPTEMBER 2019 – FILE NO SF9655

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Sherrill Young, Manager Financial Services

1 ANNEXURES ATTACHED

RECOMMENDATION

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

SUMMARY

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

COMMENTARY

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 30 September 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	3,935,973	50,000,000	0	53,935,973	33.34%
ANZ	0	14,000,000	0	14,000,000	8.66%
BOQ	0	5,000,000	0	5,000,000	3.09%
CBA	0	16,000,000	3,000,000	19,000,000	11.75%
St George	0	26,000,000	0	26,000,000	16.07%
TCorp	14,816,147	0	0	14,816,147	9.16%
Westpac	0	17,000,000	12,000,000	29,000,000	17.93%
TOTAL	18,752,120	128,000,000	15,000,000	161,752,120	

The amount invested at 30 September 2019, has decreased by \$76,230.28 since the previous month, with no significant cash receipts or payments occurring during the month of September.

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	6,172,619	3.82%
General	Internally Restricted	35,834,714	22.15%
General	Externally Restricted	12,621,369	7.80%
General Fund Total		54,628,702	33.77%
Water	Unrestricted	2,201,542	1.36%
Water	Internally Restricted	26,783,993	16.56%
Water	Externally Restricted	20,944,902	12.95%
Water Fund Total		49,930,437	30.87%
Sewer	Unrestricted	2,081,982	1.29%
Sewer	Internally Restricted	40,305,944	24.92%
Sewer	Externally Restricted	14,805,055	9.15%
Sewer Fund Total		57,192,981	35.36%

Total Investments

161,752,120

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 TAMWORTH PERFORMING ARTS CENTRE AND CULTURAL PRECINCT BUSINESS CASE – FILE No SF8206

DIRECTORATE: BUSINESS AND COMMUNITY

AUTHOR: Peter Ross, Manager Entertainment Venues

Reference: Item 13.2 Closed Council 9 October 2018 - Minute No 228/18

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Performing Arts Centre and Cultural Precinct Business Case”, Council:

- (i) receive and note the report; and***
- (ii) place the Business Case on public exhibition for a period of 28 days commencing Wednesday, 23 October 2019.***

SUMMARY

The purpose of this report is to present Council with the Business Case for the proposed new Performing Arts Centre and Cultural Precinct.

Tamworth Regional Council is committed to providing arts and cultural facilities and programs which meet the needs of the community and enhance the liveability of Tamworth.

The Tamworth Performing Arts Centre and Cultural Precinct Business Case **ATTACHED**, refer **ANNEXURE 1, 2 and 3**, has been produced in conjunction with specialist theatre architects, Williams Ross Architects and their associated partners.

The business case provides detailed information on the following areas:

- project background;
- the case for a performing arts centre and precinct;
- needs analysis;
- business modelling;
- concept design;
- risk management;
- economic analysis; and
- proposed funding strategy.

Once endorsed, this document will be used to assist Council in securing co-funding from the State and Federal governments.

COMMENTARY

Cultural activities give a place a soul. They play a major part in contributing to the community in a way that feeds and strengthens spirit and social pride within a community.

The performing arts have a long and rich presence in Tamworth’s history and for many decades a long-term solution to the gap in performing arts infrastructure has been discussed and explored.

In 2008, Council entered into a short-term solution by taking out a 15 year sub-lease on the Capitol Theatre (Capitol). It committed to an annual operational budget and the programming of live performance events drawn from the national touring market. Council provided a venue for the ever-growing Tamworth performing arts community to call home.

Now, eleven years into that lease and operation, the Capitol has proved that a live theatre is crucial to the cultural fabric of the city and region. It has delivered positive social and economic outcomes, but it has real constraints operationally and from a business growth

perspective. The sub-leasing period has allowed time for long-term planning while still delivering a limited level of performing arts offerings to the community.

After community and stakeholder consultation during the development of Council's Community Strategic Plan (Keychange 2017-2027) and the Tamworth Region Cultural Plan 2018-2023, a new Performing Arts Centre was identified by the community as a project and measure of success in both these plans.

A vision document was prepared by Council, drawn for the needs of key community performing arts stakeholders and the sector at large. Council allocated \$200,000 to the initial pre-planning work and undertook a tender process and received submissions from leading national architectural firms and consultants in the specialised performing arts infrastructure space. Williams Ross Architects were appointed to develop the Business Case, Functional Concept Design and Costings. The firm commenced work on the project in October 2018.

After in-depth key stakeholder engagement, analysis of current activities, demographic and economic research as well as benchmarking of similar facilities across the state and nation, a detailed Needs Analysis was developed along with a business model framework. This work informed the functional needs of the building and this led to the concept design which was fully costed by a specialist theatre quantity surveyor.

Extensive financial modelling and cost benefit analysis then took place and the attached Business Case finalised.

During the 12-month process, two Councillor Workshops were held as well as face-to-face meetings with the Project Control Group. Blueprint 100 - Tamworth's roadmap to our region's growth includes the Performing Arts Centre and Cultural Precinct and the Business Case references and includes it in its strategic context section.

The ultimate aim of the project is to position Tamworth to be a leader in business tourism, cultural tourism and a regional centre for arts excellence through a world-class performing arts centre and cultural precinct. It will operate on a business model that offers the best return to ratepayers, delivers a functional community asset, provide a robust arts ecosystem and a vibrant cultural heart.

This landmark project is about a coordinated approach to giving the arts a 'home' by bringing the arts into a precinct – an ecosystem that can create the right mix for a sustainable future with like minded tenants and components that can offer the best return to ratepayers and activate the city day and night to create a real vibrant social and cultural heart.

Arts and cultural events and activities, especially in difficult times, offer a chance for social cohesion, a coming together of community, escapism, reflection and pure entertainment.

This is all about placemaking - the art and science of planning and making authentic, vibrant and resilient public places that are valued by their communities and admired by visitors. It's about contributing to the city's soul.

Public Exhibition

It is proposed that the Business Case will be on exhibition from Wednesday 23 October to Tuesday 19 November 2019, in the foyer of Ray Walsh House. A copy of the Business Case will be available on Council's website and the Council customer service centres across the region.

The public exhibition period will include an informative visual display in Ray Walsh House foyer with key staff being available at least four times over the period to answer any enquires on the following occasions:

1. Wednesday, 23 October – 1:00pm – 2:00pm – Ray Walsh House Forecourt;
2. Tuesday, 29 October – 9:00am – 10:00am - Ray Walsh House Foyer;
3. Wednesday, 6 November – 3:30pm – 4:30pm – Library Foyer; and
4. Monday, 18 November – 1:00pm – 2:00pm – Ray Walsh House Foyer.

A communications and media plan has been developed in conjunction with Council's Communications team.

(a) Policy Implications

Nil

(b) Financial Implications

There are no financial implications with the endorsement of the enclosed Business Case.

Council has made no financial commitment for the construction of the proposed Performing Arts Centre and Cultural Precinct. State and Federal Government funding would be required to complete the project.

(c) Legal Implications

Nil

(d) Community Consultation

A multi-staged community consultation strategy has been undertaken for this project and is detailed in the above commentary and enclosed Business Case.

The placing of the Business Case on a 28 day exhibition will offer the community further opportunity to contribute.

(e) Delivery Program Objective/Strategy

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

9.3 ANNUAL OPERATIONAL PLAN 2019/2020 BUDGET VARIATION REPORT - SEPTEMBER 2019 – FILE NO SF9146

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Sherrill Young, Manager Financial Services

Reference: Item 9.1 to Ordinary Council 25 June 2019 - Minute No 204/19
2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2019/2020 Budget Variation Report – September 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 2019/2020 at the Ordinary Council Meeting held 25 June 2019. Any changes to the budget must be

approved by Council at a later Ordinary Meeting. This report seeks Council approval for revoked budgets from 2018/2019 and any required budget variations identified during the month of September 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 quarterly budget reviews.

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.

Apart from general variations for September this report includes revotes from the previous year. These are budget items that were not included in the current Annual Operational Plan as incomplete works and do not qualify as works in progress. As the previous vote of expenditure expired on 30 June 2019, they will require a revoke from Council to be completed in the current financial year.

A summary of revotes and general budget variations is provided below with detailed lists included in the **ATTACHED** revotes, refer **ANNEXURE 1**, and general variations **ATTACHED**, refer **ANNEXURE 2**.

Expenditures from 2018/2019 for revoke

<i>Division</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	0	0	0	54,331
Economic and Destination Development	0	44,855	0	0
Entertainment Venues	0	105,456	0	0
Directorate Management - Business and Community	0	42,924	0	0
Airport and Aviation Development	0	0	0	1,293,050
AELEC Precinct	0	0	0	10,522
Directorate Management – Corporate and Governance	0	0	0	5,016
Business Systems and Solutions	0	283,762	0	0
Communications and Engagement	0	51,585	0	0
Directorate Management - Planning and Compliance	0	0	0	778,097
Integrated Planning	0	0	0	51,313
Sports and Recreation Services	0	143,266	(83,405)	1,551,504
Design and Construction/Infrastructure and Projects	0	666,249	0	2,145,421

Waste Management	0	26,305	0	1,434,253
Water and Wastewater	0	108,405	0	2,823,709
Water and Wastewater - General Fund Activities	0	51,405	0	0
Total	0	1,524,212	(83,405)	10,147,216

General variations identified during September 2019

<i>Division</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	(5,920)	5,920	0	0
Airport and Aviation Development	0	11,961	0	0
General Purpose Income	(134,148)	0	0	0
Integrated Planning	(5,900)	5,900	0	0
Plant, Fleet and Buildings	0	143,537	0	0
Sports and Recreation Services	0	124,034	(6,312)	6,278
Infrastructure and Projects	0	0	0	72,635
Waste Management	(88,134)	17,474	(241,933)	0
Water and Wastewater	(322,504)	68,294	0	(3,779,909)
Water and Wastewater - General Fund Activities	0	0	0	18,795
Total	(556,606)	377,120	(248,245)	(3,682,201)

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 2019/2020:

<i>Fund</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
General	(234,102)	1,674,633	(331,650)	7,421,215
Water	(87,913)	201,979	0	(818,042)
Sewer	(234,591)	24,720	0	(138,158)

(c) Legal Implications

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

211 Authorisation of expenditure; and

202 Responsible Accounting Officer to maintain system for budgetary control.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.4 DRAFT AUSTRALIAN COUNTRY MUSIC HALL OF FAME STRATEGIC PLAN - 2020-2024 – FILE NO SF8487

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

1 ANNEXURES ATTACHED

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Draft Australian Country Music Hall of Fame Strategic Plan 2020-2024”, Council:

- (i) adopt the Draft Australian Country Music Hall of Fame Strategic Plan 2020-2024; and*
- (ii) authorise the take over of the management and operations of the Australian Country Music Hall of Fame as of 31 March 2020 as agreed by the Australian Country Music Foundation Inc.*

SUMMARY

The Draft Australian Country Music Hall of Fame Strategic Plan 2020-2024 (the Plan) is a partnership between Tamworth Regional Council and the Australian Country Music Foundation Inc (ACMF). The Plan provides for Council to take over the operations and management of the Australian Country Music Hall of Fame as at 31 March 2020. This has been agreed by the ACMF and is a further extension of Council’s involvement in the museum which commenced five years ago. The ACMF is a small organisation with limited volunteers. The Plan identifies the importance of the Hall of Fame to Tamworth and its historical value as a growing museum and piece of popular tourism collateral to Australia’s Country Music Capital.

COMMENTARY

The Plan has been developed over many months and is an important partnership between Council and the ACMF.

The stories told by the Australian Country Music Hall of Fame contribute to Tamworth’s collective memory, its history and its tourism potential. In order to continue to tell this important story, a sustained and strategic approach to long-term investment in the Museum is required. An investment in permanent galleries, buildings and staffing, and in renewal of collections and exhibitions, combined with a focus on building audiences, will be necessary

to increase the Museum's visitor numbers and to establish a future Country Music Precinct of Excellence.

The ACMF supports and reflects key cultural themes for Tamworth and region, and is of significant importance in the tourism landscape. The Museum combines with other Tamworth music-themed products to offer a 'whole package experience' for niche markets seeking to immerse themselves in a country music escape.

The ACMF is a totally volunteer-run, not-for-profit organisation with the charter to collect, protect, preserve and promote the history and heritage of Australasian country music. The Australian Country Music Foundation was established in 1991, and is the administrator of the Australian Country Music Hall of Fame.

The Museum could not operate to date without the support of a committed volunteer team, assistance from dedicated sponsors and a strong partnership with Tamworth Regional Council. This strategic plan has been developed in partnership with ACMF volunteers, key stakeholders and representatives of Tamworth Regional Council to map a path to secure its future.

The Plan has been developed by the Australian Country Music Hall of Fame Working Group which comprises representatives of the ACMF, Council and the community. It is a significant body of work as it includes the transition of the Hall of Fame being passed on to Council by the ACMF to ensure the museum's future. To safeguard the extensive and unique collection gathered by the ACMF and placed on display within the museum, a Deed of Trust is being finalised between the ACMF and Council. The Deed of Trust will be put to Council for ratification on or before the last Council Meeting in 2019.

There is an extensive list of actions and timeframes within the plan which have been developed by the working group and these will commence from 1 January 2020, although existing support will continue. Please see the final version of the Plan **ATTACHED**, refer **ANNEXURE 1**.

As the museum occupies a Council-owned building, budget provisions already exist which reflect the level of support currently provided. The further development of this important museum will require additional financial support into the future. Council will actively seek out grant opportunities but from the end of the third quarter of this financial year, Council will receive all income from entry to the museum. The on-going operational budget for annual expenses, including additional staffing requirements is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**. Visitation and income is expected to increase as the Council will be in a stronger position to market the museum to a wider audience.

(a) Policy Implications

Upon adoption, this plan will be included on Council's and the Australian Country Music Hall of Fame website. The approval of the Draft Australian Country Music Hall of Fame Strategic Plan 2020-2024 is subject to a Deed of Trust being finalised between the ACMF and Council.

(b) Financial Implications

The Plan has financial implications for Council. The Plan requires Council to take over the operations and management of the ACMF as at 31 March 2020, therefore, short-term costs for the last quarter of this financial year and additional set up costs of \$14,500 are required for the transfer to occur. This would also be the timeframe that Tamworth Regional Council begins to receive the museum income through museum entry ticket sales and merchandise. The on-going operational budget for annual

expenses, including additional staffing requirements is attached. Budget costs will be found from savings within the Business and Community Directorate.

(c) Legal Implications

Implementation of this plan will assist with Council's forward planning, risk management and cultural tourism management processes. The approval of the Draft Australian Country Music Hall of Fame Strategic Plan 2020-2024 is subject to a Deed of Trust being finalised between the ACMF and Tamworth Regional Council prior to 1 January 2020. The Deed will require Council to care for and maintain the collection.

(d) Community Consultation

This Plan is a direct request from the community. In particular, this is a request from the ACMF working group and has the group's recommendation.

This Plan has been developed in partnership with the ACMF Working Group. The Plan was developed through a full day workshop led by museum consultant Kim Biggs in February 2019.

An initial draft plan was written in March/April 2019, with the opportunity for verbal and written feedback. A follow-up workshop and community consultation was conducted in May 2019, with again the opportunity for verbal and written feedback in June/July 2019. Additional community consultation in August/September 2019 has delivered the final version of the Plan.

Consultation with Partners and Stakeholders:

- ACMF Working Group;
- ACMF volunteers:
Eric Watson and Judy Loffel (Site Visit Consults: October 2018, February 2019 and May 2019);
- Destination Tamworth - Economic Development Coordinator:
Kate Baker;
- Arts North West:
Caroline Downer;
- Consultant/Significance Assessor:
Roslyn Russell;
- Tamworth Regional Council Museums staff:
Bridget Guthrie and Anna Gregory;
- Tamworth Regional Council Manager – Events:
Barry Harley;
- Tamworth Regional Council Director - Business and Community:
John Sommerlad; and
- Tamworth Regional Council - Manager Cultural and Community Services:
Kay Delahunt.

(e) Delivery Program Objective/Strategy

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

10 COMMUNITY SERVICES

10.1 PROPOSED TAMWORTH REGION INCLUSIVE CULTURE ADVISORY COMMITTEE (TRICAC) – FILE NO SF9752

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

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed Tamworth Region Inclusive Culture Advisory Committee (TRICAC)”, Council approve:

- (i) the formation of the Tamworth Region Inclusive Culture Advisory Committee;*
- (ii) the Tamworth Region Inclusive Culture Advisory Committee Draft Terms of Reference;*
- (iii) change of name for the Tamworth Regional Arts and Cultural Advisory Committee to Tamworth Region Arts Advisory Committee;*
- (iv) the Tamworth Region Arts Advisory Committee – Draft Terms of Reference;*
- (v) the placement of both committees on the Tamworth Regional Council Register of Council Committees; and*
- (vi) appoint a Councillor to chair the TRICAC Committee and also Councillor representatives.*

SUMMARY

The 60 actions in the Tamworth Region Cultural Plan 2018-2023 (*the Cultural Plan*) are beyond the capacity of one advisory committee. In order to improve Council’s ability to achieve all the actions in the Cultural Plan it is proposed that a second advisory committee be formed with a specific focus on the community’s cultural diversity.

COMMENTARY

The Tamworth Region Cultural Plan was developed with the aim of enabling the sustainable development of diverse and bold cultural practice, making the Tamworth Region a place of engaging arts and cultural surprises. It is an ambitious plan and Council has progressed many of the actions in the first year. There are however, 60 actions for completion by 2023.

The Tamworth Regional Arts and Cultural Advisory Committee (TRACAC) have been highly engaged in the development of the Cultural Plan. Ongoing involvement with all of the Cultural Plan’s 60 actions however, is beyond the capacity of one committee.

The call for expressions of interest for the next TRACAC attracted excellent applicants for the development of the performing arts centre and the activities of the Tamworth Regional Gallery. In order to cover all areas of the ‘Cultural Plan’, it is proposed that a second advisory committee be formed to work on the remaining areas of the Cultural Plan.

The new committee would operate in a similar way to TRACAC and would be called the Tamworth Region Inclusive Culture Advisory Committee (TRICAC). The committee would be particularly focussed on the elements of the ‘Cultural Plan’ that include cultural diversity.

Examples of the Cultural Plan actions that the proposed new committee would develop include but are not limited to:

- 1.8 Develop a community learning plan to promote health, creative aging, and positive youth and child development;
- 1.9 Increase volunteerism in the cultural sector and explore ways to make volunteering a more enriching experience;
- 3.6 Grow the “Fiesta La Peel” Multicultural Festival;
- 4.1 Make arts and culture in the Tamworth Region accessible to people of all ages, races, genders, religions and abilities;
- 4.8 Partner with multicultural agencies to develop opportunities for members of the multicultural community to share and celebrate their cultures;
- 4.9 Mark Harmony Day with events that promote understanding and appreciation; and
- 5.7 Investigate opportunities to expand library spaces across the Tamworth Region.

Some crossover will exist between the committees. It is proposed that the name of the Tamworth Regional Council Arts and Culture Advisory Committee be changed to Tamworth Region Arts Advisory Committee (TRACC) to better reflect the Committee’s area of responsibility. It is proposed that the TRICAC and TRAAC committees have a joint session from time to time, and that both committees receive the minutes of the two committees.

Draft ‘Terms of Reference’ for the proposed TRICAC Committee, **ATTACHED**, refer **ANNEXURE 1**, and a revised ‘Terms of Reference’ for the renamed TRACAC (TRACC) Committee are **ATTACHED**, refer **ANNEXURE 2**, for Council’s consideration.

(a) Policy Implications

Establishment of a new committee requires a resolution of Council.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

This proposal increases the opportunity for community participation. An expression of interest process will be undertaken to determine committee membership.

(e) Delivery Program Objective/Strategy

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

10.2 TAMWORTH REGIONAL HERITAGE ASSISTANCE FUND 2019/20 AND TAMWORTH REGIONAL HERITAGE WORKING GROUP MEETING 25 SEPTEMBER 2019 – FILE NO SF9642

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Sam Lobsey, Coordinator Development Approvals Operations Support

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Heritage Assistance Fund 2019/20 and Tamworth Regional Heritage Working Group Meeting 25 September 2019”, Council:

- (i) support the recommendations of the Tamworth Regional Heritage Working Group that offers of financial assistance through the Heritage Assistance Fund to paint and/or repair, as required, be made to the owners and/or tenants of the following properties:***

<i>1. 81 Jenkins Street, Nundle</i>	<i>\$10,000.00</i>
<i>2. 45 Bourke Street, East Tamworth</i>	<i>\$0.00</i>
<i>3. 604 Duncans Creek Road, Duncans Creek</i>	<i>\$2,687.50</i>
<i>4. 56 Court Street, Manilla</i>	<i>\$2,090.00</i>
<i>5. 69 White Street, East Tamworth</i>	<i>\$0.00</i>
<i>6. 140 Carthage Street, East Tamworth</i>	<i>\$4,875.50</i>
<i>7. 91 Denison Street, West Tamworth</i>	<i>\$3,745.00</i>
<i>8. 153-159 Manilla Street, Manilla</i>	<i>\$5,197.50</i>
<i>9. 59 Fitzroy Street, Tamworth</i>	<i>\$0.00</i>
<i>10. 23 Arthur Street, Moore Creek</i>	<i>\$2,406.25</i>

- (ii) give delegated authority to the Director Planning and Compliance to reassign any surplus funding towards the 2020 Heritage Festival; and***

- (iii) receive and note the Minutes of the Tamworth Regional Heritage Working Group meetings held 29 July 2019 and 25 September 2019.***

SUMMARY

The purpose of this report is to seek authorisation to issue \$35,501.75 in funding from the Tamworth Regional Heritage Assistance Fund 2019/20, and to provide an overview of the Minutes of the Tamworth Regional Heritage Working Group meetings held on 29 July 2019 and 25 September 2019. The funding allocation is up to \$41,000.00 which includes up to \$5,500.00 (excluding GST) provided for by the NSW Heritage Branch grant.

COMMENTARY

Applications under the 2019/20 Tamworth Regional Heritage Assistance Program, were invited from 22 August 2019 to 19 September 2019. The launch of the funding program included a number of advertisements that were placed in the *Northern Daily Leader* and in regional newspapers. Contact was also made with those members of the public who had previously registered an interest in participating in the program.

A total of ten applications were received, including two late submissions, which were accepted, for a range of works including repairs and maintenance to existing structures. Council's Heritage Working Group has reviewed and assessed each application and Council's Heritage Advisor has provided Council with recommendations in relation to each proposal.

Council received a range of applications from localities throughout the region that will enhance the historical significance and improve streetscape character.

Photographs of each of the properties are available for the information of Councillors as **ATTACHED**, refer to **ANNEXURE 1**.

Projects offered financial assistance under Council's funding program (total of \$41,000.00).

The applications, together with the recommended offers of assistance, are detailed as follows:

1) 81 Jenkins Street, Nundle (Odgers and McClelland Exchange Stores)

Applicant: Duncan and Megan Trousdale

Project Description: Replacement of front verandah

Total Cost of Work: \$40,000.00

Grant Requested by

Applicant : \$20,000.00

Advisor's Comment: This project constitutes a major project within the commercial heart of Nundle. It is an iconic building which retains a high degree of integrity. The proposal for construction of a new verandah will prevent continuing damage to the front façade of the building from the existing non original awning.

Established in 1891, Odgers and McClelland Exchange Stores is understood to be the oldest surviving retail building in Nundle.

Works will be subject to the issued DA consent and are based on historic c1900's photographs and original remains of verandah posts.

Recommendation: \$10,000.00 offered.

Funding for this project was approved under the HAF for 2018/19, however the works were not completed in time and funding was not allocated. The applicant has since obtained a DA consent and they are now in a better position to complete the works. The applicant has applied again and should be offered \$10,000.00 towards the proposed work.

2) 45 Bourke Street, East Tamworth

Applicant: Noelene and Kelvin Wilson

Project Description: Replacement of pergola

Total Cost of Work: \$8,000.00

Grant Requested

by Applicant: \$4,000.00

Advisor's Comment: N/A

Recommendation: That this application is not eligible for funding due to not fitting the heritage listed criteria.

3) 604 Duncans Creek Road, Duncans Creek

Applicant: Wayne Mauger and Marianne Buchan

Project Description: Continual restoration of Cottage

Total Cost of Work: \$5,375.00

Grant Requested

by Applicant: \$4,000.00

Advisor's Comment: This single storey rural building is significant for its antiquated construction (drop slab) which demonstrates pioneering methods of building. In addition to historical uses as a dairy, meat safe, and family home, the building demonstrates strong historical community connections including use as a Post Office and place of Worship for Sunday mass.

It is a locally rare and significant building and considered worthy of ongoing conservation works to stabilise, and repair.

Recommendation: \$2,687.50 offered.

That the applicant be offered 50% towards the proposed work.

4) 56 Court Street, Manilla (Masonic Lodge, Manilla)

Applicant: Lodge St Andrews Masonic Holdings

Project Description: Repaint front porch area (consisting of porch and two sides)

Total Cost of Work: \$4,180.00

Grant Requested

by Applicant: \$2,200.00

Advisor's Comment: This building is locally culturally significant in its continued community use and is locally representative of distinctive masonic design themes.

The project involves external repainting of existing painted surfaces which will enhance the presentation of the building to the street.

Recommendation: \$2,090.00 offered.

That the applicant be offered 50% towards the proposed work.

5) 69 White Street, East Tamworth

Applicant: John Szyc

Project Description: Residential works

Total Cost of Work: Not stated

Grant Requested: Not stated

Advisor's Comment: N/A

Recommendation: Application withdrawn by applicant due to not being in a position to meet criteria by the due date.

6) 140 Carthage Street, East Tamworth

Applicant: Peter Morgan and Sandra Miller

Project Description: Supply and erection of heavy duty wrought iron fence and gates around two sides of property

Total Cost of Work: \$9,751.00

Grant Requested

by Applicant: \$5,000.00

Advisor's Comment: This house is considered to be good example of a spacious late Victorian residence.

It is a single storey brick house with hipped iron roof and gables over three street corners with bay windows.

The project involves the completion of fencing including the installation of spear headed iron panels positioned between existing masonry piers. Finalisation of design shall be undertaken in consultation with TRC.

Recommendation: \$4,875.50 offered.

That the applicant be offered 50% towards the proposed work.

7) 91 Denison Street, West Tamworth

Applicant: Ben Mobilio

Project Description: Replacement of original awning

Total Cost of Work: \$7,490.00

Grant Requested

by Applicant: \$3,000.00

Advisor's Comment: This property is listed under the Tamworth LEP 2010 and is characterised by dutch gable roof with gable ends fronting Denison and Gipps Street. The dwelling is considered architecturally significant as a good example of late Victorian middle class housing.

Positioned on a prominent corner location, the building's presentation will benefit from the proposed reinstatement of missing components including the missing decorative window awning.

Recommendation: \$3,745.00 offered.

That the applicant be offered 50% towards the proposed work.

8) 153-159 Manilla Street, Manilla (Royal Hotel, Manilla)

Applicant: TW and VM Cocking

Project Description: Realignment of two verandah posts and addition of steel guards to the bases of five posts and painting of areas on Manilla and Strafford street sides of the Hotel.

Total Cost of Work: \$10,395.00

Grant Requested

by Applicant : \$5,197.50

Advisor's Comment: The Royal Hotel is an excellent example of the typical Australian pub in the architectural style of Federation Filigree, making its locally and technically significant.

This project involves works which will enhance the streetscape presentation of the building including external repainting. Funding will be provided further to a detailed review of the proposal and provision of conditions by Council's Heritage Advisor.

Recommendation: \$5,197.50 offered.

That the applicant be offered 50% towards the proposed work.

9) 59 Fitzroy Street, East Tamworth - late submission

Applicant: Mitchell Gillogly

Project Description: External painting of dwelling

Total Cost of Work: \$9,000.00 (unquoted)

Grant Requested

by Applicant: \$4,500.00

Advisor's Comment: This dwelling is considered to be a good example of humble local vernacular building construction.

It is a single storey weatherboard cottage with pyramidal roof and separate bull nose verandah.

The project involves external repainting which will enhance the presentation of the dwelling to the street.

Recommendation: Nil offered.

That this application is not eligible for funding due to not fitting one of the essential funding criteria by not providing a quote for the proposed works.

10) 23 Arthur Street, Moore Creek (Australia Arms) – late submission

Applicant: Mr David and Mrs Janelle Drayton

Project Description: Replacement of six light sashes

Total Cost of Work: \$4,812.50

Grant Requested

by Applicant: \$4,812.50

Advisor's Comment: The former Australia Arms Hotel at Moore Creek is a vernacular dropped timber slab building constructed of red gum timbers sourced from the property. The floor is constructed of half round log joists on half round bearers that sit directly on the ground. The timber wall slabs are dropped between vertical battens keeping the slabs in place. This project will provide for sympathetic new timber windows consistent with the period of the building, complementing a program of conservation works undertaken over the past 12 months.

Recommendation: \$2,406.25 offered.

That the applicant be offered 50% towards the proposed work.

Tamworth Regional Heritage Working Group (TRHWG) Meeting

The Minutes of the TRHWG meeting held on 29 July 2019, are **ATTACHED**, refer to **ANNEXURE 2**.

The Minutes of the TRHWG meeting held on 25 September 2019, are **ATTACHED**, refer to **ANNEXURE 3**.

The main purpose of the meeting was to review and assess the 2019/20 Tamworth Regional Heritage Assistance Fund applications. The recommendations from the Working Group are outlined in this report for Council's consideration. It is recommended that Council receive and note the Minutes of this particular meeting.

CONCLUSION

The Heritage Assistance Funding program, with the support of the NSW Heritage Branch, continues to provide funding to assist Council and the community to deliver excellent heritage and urban design management outcomes. The restoration and rehabilitation works that will be undertaken during this year's funding program will be eligible for the Tamworth Regional Biennial Heritage Awards to be held in 2020.

(a) Policy Implications

Nil

(b) Financial Implications

The suggested funding allocations, as outlined in this report, are in accordance with the \$41,000.00 allocated under the 2019/20 budget.

(c) Legal Implications

Nil

(d) Community Consultation

Community consultation included promotion of the Program via the media and direct contact with those members of the public who had registered an interest in participating in the Program.

(e) Delivery Program Objective/Strategy

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

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.

11.1 PROPOSAL FOR USE OF COUNCIL LAND – FILE NO SF8524

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: Kate Baker, Co-Ordinator Economic and Destination Development

Reference: Item 12.1 to Ordinary Council 27 August 2019 - Minute No 286/19
Item 7.2 to Ordinary Council 11 January 2018 - Minute No 5/18
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)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 and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

SUMMARY

The purpose of this report is to enter into an option for the lease as set out in the body of the report.

11.2 PROPOSED LEASE OF SUITE 1B, 468-472 PEEL STREET, TAMWORTH – FILE NO LF430

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Kirrilee Ringland, Manager Property and Legal Services
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

This report seeks Council's authorisation to negotiate the lease of Suite 1B, 468-472 Peel Street, Tamworth on terms detailed in confidence in the body of this report.

11.3 REQUEST FOR A REDUCTION IN LEASE PAYMENTS 6-44 BRITTEN ROAD TAMWORTH – FILE NO LF5976

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

Reference: Item 14.4 to Ordinary Council 13 March 2018 - Minute No 87/18

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d) 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 lessee of the Council owned property at 6-44 Britten Road Tamworth has requested Council consider a reduction in lease payments because work being undertaken on an adjacent development has precluded the lessee from accessing part of the leased property for an extended period.

11.4 E040/2020 EXPRESSION OF INTEREST - POSSIBLE LEASE OF LOT 7304 DP1158146 FOREST ROAD TAMWORTH – FILE NO E040/2020

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

Reference: Item 14.4 to Ordinary Council 12 June 2018 - Minute No 201/18
Item 8.1 to Ordinary Council 9 April 2019 - Minute No 102/19
1 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

In June 2018, Council agreed to a five year lease of Lot 7304 DP1158146, generally located between Forest Road, Council's Forest Road Waste Management Facility, Tribe Street/Moore Creek Road and the Tamworth Hospital. The lease was basically to run stock. At its Meeting of 9 April 2019, Council refused a request by the lessee for Council to sign an application for the culling of Kangaroos on the subject property. Shortly thereafter the lessee advised they would be surrendering the lease.

Expressions of Interest were called for a new lease of the subject parcel. The purpose of this report is to seek direction from Council in relation to a possible new lease.

11.5 Q042/2020 - TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALLATION AND OPERATION OF AUDIO VISUAL PRODUCTION - TAMWORTH REGIONAL ENTERTAINMENT AND CONFERENCE CENTRE (TRECC) – FILE NO Q042/2020

DIRECTORATE: BUSINESS AND COMMUNITY

AUTHOR: Peter Ross, Manager Entertainment Venues

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)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 and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

SUMMARY

The purpose of this report is to recommend to Council the acceptance of the quotation for the Tamworth Country Music Festival 2020 supply, installation and operation of Audio Visual Production, at the Tamworth Regional Entertainment and Conference Centre (TRECC), for one year with an option to extend a further one year.

11.6 PROPOSED NEW LEASE TO MEDCIRC BARRABA PTY LTD OF 8-10 MAUDE STREET BARRABA – FILE NO SF9903

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

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 authorisation to enter into a new Lease of the premises at 8-10 Maude Street Barraba being on the terms as described in the body of this report.

11.7 T135/2019 - TENDER FOR THE MANUFACTURE AND SUPPLY OF STREET FURNITURE FOR FITZROY STREET – FILE NO T135/2019

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Infrastructure and Works

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 Council's consideration of a tender for supply and delivery of street furniture to finalise the Fitzroy Street activation project.

11.8 PROPOSED ACQUISITION OF LAND - WEST TAMWORTH – FILE No SF9880

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Acting General Counsel

Reference: Item 15.1 Ordinary Council 23 August 2016 - Minute No 256/16
3 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to advise Council of an offer made by the owners of Lot 81 DP 1151725 for Council to purchase the land pursuant to discussions the owners have had with the Tamworth Historical Society.

11.9 PROPOSED ACQUISITION OF LAND – FILE No LF19322

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

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 authorise the negotiation and purchase of the land referred to in the report and being part of the area affected should the proposed new Dungowan Dam be constructed.

11.10 PROPOSED AGREEMENT FOR LEASE OF PILOT TRAINING FACILITY – FILE No SF9805

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) (c)&(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 and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

SUMMARY

The purpose of this report is for Council to consider the negotiated terms of a lease for part of the Council-owned pilot training facility at Tamworth Regional Airport. The proposed lease is to accommodate Flight Training Tamworth (BAE Systems Australia) to fulfil its remaining contractual pilot training obligations.

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.