



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

24 MARCH 2020

**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, 10 March 2020, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

4 DISCLOSURE OF INTEREST

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

5 MAYORAL MINUTE

5.1 REDUCTION OF ORDINARY MEETINGS – FILE NO SF806

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Col Murray, Mayor

RECOMMENDATION

That in relation to the report “Reduction of Ordinary Meetings”, Council:

- (i) cancel the Ordinary Meetings scheduled for Tuesday 14 April 2020, Tuesday 12 May 2020 and Tuesday 9 June 2020; and*
- (ii) encourage members of the public not directly speaking in community consultation to watch the meeting via live streaming instead of attending in person.*

SUMMARY

The purpose of this report is to recommend to Council that due to the extraordinary events in the world from the COVID-19 virus, the Ordinary Council Meetings scheduled for Tuesday 14 April 2020, Tuesday 12 May 2020 and Tuesday 9 June 2020 be cancelled.

COMMENTARY

Due to the unprecedented events occurring at the present time with the COVID-19 virus, and the State and Federal Government attempts to avoid large gatherings, it is recommended that Council cancel the first Ordinary Meeting each month until June 2020 to limit the contact between Councillors, Council Executive and the public to reduce the possibility of exposure to COVID-19.

Council cannot cancel all Meetings due to the legal requirement under Section 365 of the Local Government Act 1993 where Council is required to meet at least 10 times each year, each time in a different month. Unless the State Government changes this provision, Council must still hold one Meeting a month.

While Ordinary Council Meetings must be open to the public under Section 10 (1) of the Local Government Act 1993, it is highly recommended that members of the community that wish to observe a Council Meeting do so via live streaming and not in person unless directly speaking during community consultation.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Section 365 of the Local Government Act 1993 requires Council to meet at least 10 times each year, each time in a different month.

Section 10 (1) Except as provided by this Part—

- (a) everyone is entitled to attend a meeting of the council and those of its committees of which all the members are councillors, and
- (b) a council must ensure that all meetings of the council and of such committees are open to the public.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 EXHIBITION OF THE TAMWORTH REGIONAL COUNCIL DEVELOPMENT CONTROL PLAN 2010 (AMENDMENT NO. 14) WATER SENSITIVE DESIGN CONTROLS – FILE NO SF4939

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Sam Lobsey, Manager Development

Reference: **Item 6.1 to Ordinary Council 8 October 2019 - Minute No 344/19**
 Item 8.2 to Ordinary Council 17 December 2019 - Minute No 455/19

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Exhibition of the Tamworth Regional Council Development Control Plan 2010 (Amendment No.14) Water Sensitive Design Controls”, Council:

- (i) determine to place the draft water sensitive design control amendments to Tamworth Regional Development Control Plan 2010 (Amendment No. 14) on public exhibition in accordance with Part 3 of the Environmental Planning and Assessment Regulations 2000, for a period of not less than 28 days; and*
- (ii) Following public exhibition, request a report be submitted to a future Meeting of Council to detail the outcome of the public exhibition process.*

SUMMARY

The *Tamworth Regional Development Control Plan 2010 (TRDCP 2010)* was adopted by Council on 12 October 2010, and became effective from the gazettal of the *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)* on 21 January 2011.

The Plan is reviewed regularly, both on an as-needs basis, and as a scheduled annual review, to ensure that the content remains consistent with the objectives defined by Council in response to consultation with the community and development industry.

Amendment No. 14 is proposed following a Notice of Motion passed by Council at the Ordinary Council Meeting on 8 October 2019, wanting to urgently progress the development of a Draft Water Sensitive Urban Design (WSUD) Development Control Plan (DCP) to ensure that new development and subdivisions are designed to maximise water conservation, reuse and other measures and that the DCP be reported back to Council.

A workshop on draft DCP amendments was held with Councillors and key staff on 20 November 2019. Consultation was held with industry groups in late 2019. Staff prepared and implemented a communication and engagement strategy promoting the use of water saving devices such as greywater systems. Council has also adopted additional financial incentives for water users to use water saving measures.

The key amendments proposed to the current DCP are:

- Update to the fast track stream for residential developments and reduce expected processing times for applications for general housing or dual occupancy development.
- Small scale development e.g. dwellings will need to comply with three out of six WSD Essentials in order to be fast tracked through the DA process. The six choices are: water efficient appliances, rainwater tank, rain garden, greywater diversion device, greywater treatment device or plumbing for recycled water.
- WSD Essentials does not apply to residential development that does not include plumbing work (e.g. sewer, water or stormwater plumbing work that involves connecting to an existing stormwater system).
- Other development will need to have a WSD Statement that shows how the proposed

development will meet three targets which are: reduction in the use of potable water, improving stormwater quality and maintaining quantity.

- Subdivision of more than ten lots will need to have a WSD statement that shows how proposed subdivision will meet the targets of stormwater quality and quantity and promote stormwater reuse on public land.
- Developments that are exempt from requiring a WSD Statement are:
 - Fast Track development (Water Sensitive Essentials (WSE) do apply);
 - A dwelling house, dual occupancy or secondary dwelling included in a Council approved Stormwater Strategy or Water Sensitive Design Statement which has considered WSD at the time of subdivision (WSE may apply);
 - A secondary dwelling (WSE may apply);
 - A dual occupancy dwelling (WSE may apply);
 - Alterations and additions to any other type of development where the increase to the overall impervious surface is less than 50% of the existing impervious surface area;
 - Any change of use development that does not involve alterations or additions;
 - Commercial or industrial development with an overall impervious surface area of less than 30% of the site area;
 - Car parks that have an impervious area less than 300 m².

A 'marked up' copy of the draft DCP (Amendment No. 14) showing the proposed changes is appended to this report is **ATTACHED** as **ANNEXURE 1**.

COMMENTARY

Background

Council passed a Notice of Motion on 8 October 2019, that it wants to achieve a "Reduction of Potable Water by Encouraging the Use of Recycled Greywater and Other Means", Council requested the General Manager to:

- (i) urgently progress the development of a Draft Water Sensitive Urban Design (WSUD) Development Control Plan (DCP) to ensure that new development and subdivisions are designed to maximise water conservation, reuse and other measures and that the DCP be reported back to Council; and
- (ii) prepare a communications and engagement strategy to actively promote the benefits and raise awareness of recycling greywater and include information and education workshops with relevant stakeholders such as plumbers, builders, real estate agents, existing and prospective property owners on Greywater Diversion Device Systems and Greywater Treatment Systems

Council has a single DCP (*Tamworth Regional Development Control Plan*) which is structured around development types (such as residential, commercial, industrial and subdivision); general development specifications; precinct based controls; and discretionary standards.

It nominates certain development for a "fast track" process if it can achieve prescribed development standards. It then nominates controls based on development type or precinct.

Proposed Changes to the DCP

The objectives of the DCP changes are to reduce potable water consumption and improve stormwater quality over a broad range of development without becoming onerous or overly expensive. The primary goal is to maximise water conservation and reuse. However, this is typically coupled with improved stormwater quality and stormwater reuse to achieve what is known as water sensitive design.

Although Council has been processing certain residential development as “fast track” for some time, an update is required for the *Tamworth Regional Development Control Plan (Amendment No. 14)*. This DCP amendment modifies Step 1 to establish the fast track stream for residential developments only which reduces processing times to 10 days for applications for compliant general housing or dual occupancy development.

The decision to remove residential (multi dwelling) and industrial development from the fast track stream is in response to the limited uptake of fast track lodgements for these types of developments. The focus on the fast track stream will continue to be on general residential and dual occupancy development applications; however, it is anticipated to extend fast track to multi dwelling, commercial and industrial development gradually as improved assessment processes are adopted.

The key amendments to Steps 2 and 3 of the DCP are:

- Small scale development e.g. dwellings will need to comply with three out of six WSD Essentials in order to be fast tracked through the DA process. The six choices are: Water Efficient Appliances, Rainwater Tank, Rain Garden, Greywater Diversion Device, Greywater Treatment Device or Plumbing for recycled water. In combination with financial incentives, these controls should increase the uptake of water saving and reuse devices in housing.
- Other substantial development (industrial, commercial and larger residential development) will need to have a WSD statement that shows how the proposed development will meet the three targets of reduction in the use of potable water, improving stormwater quality and maintaining quantity. Some of Council’s financial incentives also apply to commercial and industrial development.
- Subdivision of more than ten lots will need to have a WSD statement that shows how proposed subdivision will meet the targets of stormwater quality and quantity and promote stormwater reuse on public land. Incorporating these measures into the overall design of a residential estate can ensure better outcomes for private and public land, parks and waterways.

Communications and Engagement Strategy

Council is aware that implementation of these DCP changes needs to be undertaken by stakeholders such as plumbers, builders and property developers and need to be accepted by current and future homeowners and businesses.

Council has prepared a communication and engagement strategy with key messages being:

- encouraging residents to think about greywater reuse as part of everyday life; and
- educate residents on how greywater can help them maintain their outdoor areas when both in and out of drought.

Council has implemented this strategy (and the Notice of Motion) through the following:

- Greywater reuse discussion at a Council hosted water restriction information session on the 11 November 2019.
- Councillor Workshop on WSD amendments to the DCP on the 20th November 2019.
- Council hosted a greywater education workshop on 25 November 2019, attended by members of the plumbing and building industry.
- Council prepared and distributed a Greywater Fact Sheet (see **ATTACHED**, refer to **ANNEXURE 2**).
- Council staff met with local business stakeholders to inspect greywater products and discuss approval or exempt provision for certain systems.
- Social and printed media promotion of greywater re-use has been undertaken.

Incentives to Promote Reduction in Potable Water Use

Through its Water Saver Rebate Scheme, Council is offering financial assistance to residents who install waterwise products in and around their home and at their businesses.

This forms part of a program to make Tamworth 'The Waterwise Region'. Australia is the driest continent on earth and Tamworth can be a very dry place, so Council is proactive in assisting its residents and local businesses to optimise their water consumption.

At the Ordinary Council Meeting held on Tuesday 17 December 2019, Council voted to extend the list of products available on the rebate scheme. These products are eligible for rebates from 18 December 2019. They include Council paying up to 50% of the purchase/installation cost (with a maximum limit) for the following products: 3-star showerhead, 3-star dual flush toilet, Swimming pool cover, 2-5 kilolitre rainwater tank, and 5 kilolitre or above rainwater tank, greywater diversion devices and greywater treatment devices, etc. Other incentives apply to devices and infrastructure relevant to industrial and commercial development.

(a) Policy Implications

The proposed amendment to the *TRDCP 2010* will alter the planning guidelines applicable to development in the Local Government Area.

(b) Financial Implications

Nil

(c) Legal Implications

Amendments to the DCP will need to be undertaken consistent with the Environmental Planning and Assessment Act 1979, and Environmental Planning and Assessment Regulations 2000.

(d) Community Consultation

Community consultation will occur through public exhibition of Amendment No. 14 to the *TRDCP 2010* for a period of 28 days. In addition to the advertisements in local newspapers, local consultants and developers will be notified in writing.

(e) Delivery Program Objective/Strategy

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

8 INFRASTRUCTURE AND SERVICES

8.1 DEMOLITION/REMOVAL OF DWELLINGS AND OTHER INFRASTRUCTURE DUNGOWAN VALLEY – FILE NO SF7045

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

RECOMMENDATION

That in relation to the report “Demolition/Removal of Dwellings and Other Infrastructure Dungowan Valley”, Council:

- (i) agree to seek quotations for the sale and removal of sheds as detailed in the report;*
- (ii) agree to the demolition of other dwellings and associated infrastructure as detailed in the report; and*
- (iii) fund the demolition works by providing \$100,000 from the Water Reserve.*

SUMMARY

The purpose of this report is to seek Council direction on a proposal to demolish/remove dwellings and associated infrastructure on Council owned land in the Dungowan Valley

COMMENTARY

Over the last few years Council has acquired a number of properties in the Dungowan Valley that either had dwellings that, in event of the failure of Dungowan Dam, for whatever reason, residents in those dwellings would be at significant risk of loss of life, or the property was located between the old Dungowan Dam and the site of the new Dungowan Dam and would therefore be inundated, or both.

Council now owns all the property between the existing Dam and the new Dungowan Dam site and recently acquired a further property downstream with an at risk dwelling. One other property remains the subject of on going negotiation.

Staff have now reported signs of squatters moving in to some of the dwellings, particular those below Dungowan Dam, and as a result, Council needs to consider whether it wishes to demolish those dwellings in the short term. Should Council agree to move forward with the demolition then, whether or not, Council wishes to, at the same time, remove the infrastructure (yards and sheds etc) which will be inundated when the new dam is built should also be considered.

The cheapest time for Council to remove infrastructure to be inundated will be at the same time as the demolition of the dwellings, however, Council may wish to consider whether it is appropriate to expend Council money on undertaking this work or leave it to later when the Dungowan Dam and Pipeline Project is underway and funding from that source can be used.

Further, some of the sheds etc. have some value if sold for removal and Council may wish to sell these items now and receive the income rather than waiting.

Water NSW has advised that on site construction of the new Dungowan Dam is scheduled to commence in October 2021.

An inventory of the infrastructure to be removed or sold is detailed below:

Property	Item	Action
Waterfall – 801 Dungowan Dam Road	Woolshed Yards	Demolish
	Shed on Dungowan Creek	Demolish
	Yards on Dungowan Creek	Demolish
Eagle Farm – 743 Dungowan Dam Road	Cottage	Demolish
	Yards	Demolish
649 Dungowan Dam Road	Dwelling	Demolish
	Piggery	Demolish
Carinya - 523 Dungowan Dam Road	Large Shed	Sale for removal
	Small machinery shed	Sale for removal
	Shearing shed	Demolition
	Implements	Removal
Drumalbyn – 1970 Ogunbil Road	Dwelling	Demolition
	Garage	Demolition

Preliminary quotations have been received which suggests the estimated cost of demolishing items listed is \$100,000. Estimates of income for the sale and removal of the listed sheds is of the order of \$15,000.

(a) Policy Implications

Nil

(b) Financial Implications

There are no funds available within the current Annual Operation Plan to fund the listed demolition works. Should Council agree to proceed with the works then funding would have to be made available from the Water Reserve.

Funding from any income received from the sale of items would be allocated to the Water Reserve.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Region for the Future – F11 Sound asset management planning.

8.2 SUSTAINABLE NORTH WEST COMMITTEE'S AMAZING ENVIRO RACE SPONSORSHIP REQUEST – FILE NO SF8857

DIRECTORATE: WATER AND WASTE
AUTHOR: Angela Dodson, Sustainability Officer

RECOMMENDATION

That in relation to the report “Sustainable North West Committee’s Amazing Enviro Race Sponsorship Request”, Council:

- (i) commit to Gold level sponsorship of \$6,000 per year towards this event for the next three financial years, commencing in 2020-2021; and*
- (ii) fund the sponsorship with 50% from the Water Reserve and 50% from the Waste Reserve.*

SUMMARY

The purpose of this report is to seek Council’s direction in relation to a request for Council to continue to sponsor the Amazing Enviro Race initiative for the next three years.

COMMENTARY

The Sustainable North West Committee is a not-for-profit collaborative partnership that commenced in 2009, and consists of representatives from Tamworth Regional Council’s Sustainability Unit, Tamworth Regional Landcare Association, Northern Inland Regional Waste Group, Tamworth Organic Gardeners Group, Tamworth Bird Watchers and volunteers from the community.

Sustainable North West aims to promote sustainable living through a series of educational and interactive events each year, such as 100 Mile Food Nights, Sustainable House tours and screenings and open forums on current movements and sustainability related issues such as films like 2040. One of its long standing events, that particularly focuses on the education and engagement of high school students from Stages 4 to 6, is the Amazing Enviro Race.

This unique annual event commenced in 2013, and has been growing its profile and participation base each year. The event has moved from a Friday evening after school event to being one that is now included in the school education calendar as a well regarded event to gain a valuable cross section of sustainability education and knowledge while being engaging, interactive and fun. Last year’s event moved to Riverside Sporting fields and had 140 high school students, in teams of two, from eight high schools across the region attend the day’s activities.

Teams must complete the tasks set to the satisfaction of the volunteers manning the stations before they can proceed to another station. There are prizes awarded to winners and runners up in both junior and senior student categories and for the team with the best

costume related to the set theme and a prize for the most supportive teacher. There is also an overall schools prize.

Activity challenges include water conservation, energy conservation, waste reduction, composting, water health and fish habitat, restoring habitat with seed bombs, bird habitat, digital mapping, team work and problem solving, calculating your carbon footprint, making reusable bags, rain harvesting, soil pH, soil clay content, identifying invertebrates, water pH and salt levels.

Sustainable North West is requesting Council continue its Gold sponsorship and host the Amazing Enviro Race again in 2020, and for a further two years after that, to ensure the event remains a free youth focused event targeting 12 to 18 year old high school students from the region. It is intended the 2020 event will be held during National Recycling Week which runs from 9 – 15 November.

Gold level sponsorship would contribute to the organisation of the event, assist with bus transportation costs where required, and prizes and resources required for the event. Sponsorship ensures that this event will remain free for students to participate. Without this funding, the event would not proceed.

As a Gold level sponsor Tamworth Regional Council will receive naming rights for the Amazing Enviro Race for the three years, ability to have as many stations as it wishes at the event each year, Council's logo on collateral materials including posters, flyers, e-news, on the Sustainable North West website event page, social media and representation and recognition at media event opportunities. Additionally a Councillor will be requested to participate on the day to assist with prize presentation.

Youth engagement is very difficult and it is a very important market in terms of sustainability. The Amazing Enviro Race is considered to be one of the few events with the potential to tap into this demographic and grow in the future. This event has grown since its inception and will continue to grow into the future. Other levels of sponsorship are being sought from surrounding local Councils to broaden the regional program due to high schools from these regions contacting event organisers wishing to participate.



(a) Policy Implications

Nil

(b) Financial Implications

Sponsorship funding of \$6,000 per year would be allocated 50% from the Water Reserve and 50% from the Waste Reserve for the three years of sponsorship commencing in the 2020-2021 financial year.

(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 2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – MOTION FOR SUBMISSION – FILE No SF1385

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

Reference: Item 9.1 to Ordinary Council 25 February 2020 – Minute No 17/20

RECOMMENDATION

That in relation to the report “2020 National General Assembly of Local Government – Motion for Submission”, Council authorise the following motion to be submitted:

- (i) that this National General Assembly call on the Commonwealth Government to urgently review the current national approach to the management of natural disasters and catastrophic events to establish a more effective and efficient whole of government response that includes working better with State Government, Territory Government and Local Government.*

SUMMARY

The purpose of this report is to present to Council the motion to be submitted on behalf of Tamworth Regional Council to the 2020 National General Assembly for Local Government.

COMMENTARY

Council at its Ordinary Meeting held 25 February 2020, authorised Cr Webb, Cr Betts and Cr Wilson to attend the 2020 National General Assembly of Local Government to be held 14-17 June 2020. At the time of writing, there is no advice on whether or not the National General Assembly is proceeding.

Following this Meeting, one topic was suggested by Councillors as the basis for Motions to be submitted for the Assembly, the following Motion is suggested:

- (i) that this National General Assembly call on the Commonwealth Government to urgently review the current national approach to the management of natural disasters and catastrophic events to establish a more effective and efficient whole of government response that includes working better with State Government, Territory Government and Local Government.

National Objective

To have a strong whole of Government approach to natural disasters and catastrophic events to support and assist communities.

Summary of Key Arguments

The Commonwealth Government can best facilitate establishing an effective national response to disasters and catastrophic events by following a clear, concise and easily understood delineation of legislative responsibilities between the three levels of Government.

Creating a national response system that promotes effective and efficient collaboration with State, Territory and Local Governments is in the absolute best interests of all Australians.

Local Government plays a critical role in assisting and supporting local communities through difficult times. Recent events have highlighted that each level of Government is at times taking a different approach or strategy in handling crisis events, leading to duplication of effort and important areas being overlooked. It is crucial that all three levels of Government work together to provide coordinated responses to any emergency to avoid confusion and to provide trust and confidence to the community.

The motion strongly calls on the Commonwealth Government to lead and coordinate a whole of government response in times of crisis and work with State Government and Local Government to ensure that communities are fully supported in their time of need.

It should be noted that the deadline for submission of Motions is Friday, 27 March 2020

(a) Policy Implications

Council's formal resolution is required before the motion can be submitted to the NGA.

(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.

9.2 TAMWORTH REGIONAL COUNCIL - PROPOSED 2020/21 DRAFT FEES AND CHARGES – FILE NO SF8134

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Sonya Vickery, Integrated Planner - IP&R

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Council – Proposed 2020/21 Fees and Charges”, Council approve in principal the rates, fees and charges proposed for

the 2020/21 financial year, as per the attached documents, for inclusion in the draft 2020/21 Annual Operational Plan.

SUMMARY

The purpose of this report is to present to Council the Draft Fees and Charges for the financial year 2020/21 and to obtain approval in principle in advance of preparing the Draft 2020/21 Annual Operational Plan. Early release of the Draft Fees and Charges will enhance public communication and budget preparation. The proposed 2020/21 documents include the following annexures:

ANNEXURE 1: Tamworth Regional Council – Draft Fees and Charges 2020/21

ANNEXURE 2: Tamworth Regional Council – Draft Discontinued Fees and Charges 2020/21

ANNEXURE 3: Tamworth Regional Council – Draft New Fees and Charges 2020/21

COMMENTARY

In accordance with the legislation associated with the Integrated Planning and Reporting (IP&R) framework, Council is required to prepare an Annual Operational Plan (AOP). The AOP must describe, in detail, Council's budget, revenue policy, fees and charges, planned capital works and services for the coming financial year. Public exhibition for a minimum of 28 days is required along with time to consider submissions prior to adoption by 30 June 2020.

It is anticipated that the draft 2020/21 Annual Operational Plan (as a complete document) will be ready for adoption by Council at the Ordinary Council Meeting scheduled for 5 May 2020. Public exhibition of the AOP will commence thereafter.

By releasing the Draft Fees and Charges prior to May 6 businesses and community groups/organisations throughout the Tamworth region will be afforded more time to prepare their own budgets and estimates for the forthcoming financial year. Early release of this document also provides Council staff with more time to make amendments, if necessary, to fees or charges which may have an impact on budget preparations.

Council is therefore requested to endorse the early release of the relevant documents for public access via Council's website.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Section 610F(2) of the *Local Government Act* requires that public notice of proposed fees and charges must be given in accordance with section 405 in the draft Annual Operational Plan for the coming financial year.

(d) Community Consultation

This provides for early community consultation and feedback with the full consultation process to be undertaken in May 2020 with the 2020/21 Annual Operational Plan.

(e) Delivery Program Objective/Strategy

Nil

9.3 COUNCIL INVESTMENTS FEBRUARY 2020 – 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 February 2020”, Council receive and note the report.

SUMMARY

This report provides an overview of Council Investments for the month of February 2020.

COMMENTARY

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 29 February 2020, 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	Cash at bank	Financial Assets Amortised Cost	Financial Assets at Fair Value	Total	% of Total
NAB	12,367,083	46,000,000	0	58,367,083	39.25%
ANZ	0	19,000,000	0	19,000,000	12.77%
BOQ	0	5,000,000	0	5,000,000	3.36%
CBA	0	6,000,000		6,000,000	4.03%
St George	0	23,000,000	0	23,000,000	15.46%
TCorp	0	0	5,343,082	5,343,082	3.59%
Westpac	0	32,049,777	0	32,049,777	21.54%
TOTAL	12,367,083	131,049,777	5,343,082	148,759,942	

The amount invested at 29 February 2020, has increased by \$5,007,780 compared to funds held at 31 January 2020.

The second quarterly budget review shows that the return on investments will be down \$200,000.00 on the budgeted amount; this is due to a decrease in the amount invested and a reduced rate of return. This has been heightened by the Reserve Bank of Australia rate cut on the 3rd March 2020 to 0.05%, as well as the current impact of the COVID-19 outbreak.

Council's investments are mostly comprised of restricted funds that have been received for specific purposes or funds held for future renewal works. The following table provides a summary of investments held by each fund:

Fund	Restriction	Amount	%
General	Unrestricted	6,144,372	4.13%
General	Internally Restricted	23,032,025	15.48%
General	Externally Restricted	12,621,369	8.48%
General Fund Total		41,797,766	28.09%
Water	Unrestricted	2,040,303	1.38%
Water	Internally Restricted	26,783,993	18.00%
Water	Externally Restricted	20,944,902	14.08%
Water Fund Total		49,769,198	33.46%
Sewer	Unrestricted	2,081,979	1.40%
Sewer	Internally Restricted	40,305,944	27.09%
Sewer	Externally Restricted	14,805,055	9.96%
Sewer Fund Total		57,192,978	38.45%
Total Investments		148,759,942	

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 Councils 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 term deposit with the Bank of Queensland that is now below the minimum rating level due to a recent down grade.

(b) Financial Implications

The second quarterly budget review indicates Council's return on investments will be below budget by \$200,000.00; this is due to a combination of reduced investments and declining interest rates.

(c) Legal Implications

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

- Local Government Act 1993 – Section 625;
- Local Government Act 1993 – Order (of Minister) dated 16 November 2000;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) and 2;
- Local Government (General) Regulation 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.

9.4 ANNUAL OPERATIONAL PLAN 2019/2020 BUDGET VARIATION REPORT - FEBRUARY 2020 – 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
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2019/2020 Budget Variation Report – February 2020”, Council note and approve the variations to the existing budget included in the attached Annexure.

SUMMARY

Council adopted the original budget included in the Annual Operational Plan for 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 any required budget variations identified during the month of February 2020 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 report aims to provide a timely endorsement of any variations identified during February 2020, and for the reporting of any material differences between budgets and actuals identified by the Responsible Accounting Officer.

A summary of the budget variations is provided below with a detailed list included as **ATTACHED**, refer **ANNEXURE 1**.

General variations identified during February 2020

<i>Description</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Pilot Training Facility	531,891	502,605	29,286	0	0
Compliance	11,641	0	11,641	0	0
Sport & Recreation Services	-11,192	0	-18,225	0	7,033
Infrastructure & Projects	0	-129,974	129,974	-24,941	24,941
Organisation Wide	945,309		945,309	0	0
Grand Total	1,477,649	372,631	1,097,985	-24,941	31,974

**For ease of reporting insurance and depreciation variations have been shown in aggregate in this summary*

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>Description</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
General	1,148,171	372,631	768,507	-24,941	31,974
Water	201,570		201,570		
Sewer	127,908		127,908		
Grand Total	1,477,649	372,631	1,097,985	-24,941	31,974

(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.

9.5 COUNCIL'S INVESTMENT POLICY – FILE No SF9655

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Sherrill Young, Manager Financial Services

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Council’s Investment Policy”, Council:

- (i) endorse the draft Investment Policy and advertise the proposed policy for a period of 28 days for public comments prior to formal adoption by Council; and*
- (ii) request a further report to Council following the review period to consider any public comments on the Investment policy.*

SUMMARY

The purpose of this report is to recommend changes to the existing policy following a review by the Finance Division. These changes will align our investment criteria with those used by NSW Treasury as part of its loan application assessment process.

COMMENTARY

The Finance Division has reviewed Council’s Investment Policy to align our investment criteria with NSW Treasury, a copy of the reviewed policy is **ATTACHED**, refer **ANNEXURE 1**. The intention of the amendment to our current policy, refer **ANNEXURE 2**, is to align our investment criteria to that currently used by the NSW Treasury (TCorp) in its loan application assessment process. The use of information supplied by TCorp has the advantage of being:

- readily available thus making an annual review easier and more structured;
- based on information provided by the NSW State Government; and
- provides more scope for increased investment with appropriately rated financial institutions.

The main impact of these changes if adopted will be an increase in the maximum amount that can be invested with an individual financial institution. Currently Council can only invest 30% with an individual Australian Bank even if it is one of the major four banks; a list of Australian Banks and their relevant credit ratings is **ATTACHED** to assist with comparisons, refer **ANNEXURE 3**.

The number of tables in the policy has also been reduced making it easier to understand and again bringing it in line with the loan criteria provided by the NSW Treasury.

Whilst not the intention, if adopted the changes to the policy will also mean that Council’s investment with the Bank of Queensland no longer falls outside of our investment criteria.

(a) Policy Implications

This policy is in the General Policy Register.

(b) Financial Implications

Nil – preservation of cash remains the priority of the policy.

(c) Legal Implications

All proposed changes to Council's Investment Policy accord 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

The updated Investment Policy will be placed on exhibition for a period of 28 days.

(e) Delivery Program Objective/Strategy

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

10 COMMUNITY SERVICES

10.1 DOLLY PARTON'S IMAGINATION LIBRARY YEARLY REVIEW – FILE NO SF8901

DIRECTORATE: BUSINESS AND COMMUNITY

AUTHOR: Karina Tyler, Economic Development Officer

RECOMMENDATION

That in relation to the report “Dolly Parton’s Imagination Library Yearly Review”, Council:

- (i) receive and note the report;*
- (ii) allocate \$70,000 from the Youth Services Reserve to assist in funding the project for the 2020/2021 financial year;*
- (iii) promote the initiative across the Tamworth Regional Council Local Government Area and actively pursue corporate and community sponsorship of the project; and*
- (iv) evaluate the project at the conclusion of the 2020/2021 year to determine future funding.*

SUMMARY

Dolly Parton’s Imagination Library (DPIL) is a practical and effective program aimed at

improving the status of early childhood literacy in the Tamworth Regional Council Local Government Area (LGA). The program has been running in Tamworth for 12 months. The initiative gifts every child in the Tamworth region born from 1 January 2019 a high quality, age-appropriate book each month until they turn five.

DPIL brings the magic of a library into the home, where the books have the extraordinary ability of connecting families, creating memories, opening hearts and minds and sparking a life-long love of learning and empathy for others.

It is the belief of the Dolly Parton's Imagination Library that by bringing books into the home, encourages parents to become the child's first and most important teacher, it sparks curiosity, and creates special bonds. But the Imagination Library doesn't stop there; it's about strengthening communities, bringing people together and forging a generation where early literacy is at the forefront, the proven first step towards so much more in a child's life.

United Way Australia is licenced to manage the program Australia-wide and all donations from the Tamworth region are held by United Way Australia and quarantined for books for children in the Tamworth Regional Council Local Government Area specifically.

COMMENTARY

Importance of Early Literacy

Research shows fifty percent of language is learnt by age three and ninety percent of brain development occurs by the age of five. Access to books in the home assists in developing a child's language and cognitive abilities, and early literacy skills play a major role in the ongoing success of a child's education. Almost ninety percent of children, who are poor readers in year one, remain poor readers in year four. Children not reading proficiently by year four are four times more likely to drop out of school prior to graduation. Poor literacy skills are associated with higher rates of welfare dependency, lower self-esteem, substance abuse, and teenage pregnancy.

The Tamworth region has an above average school drop-out rate, with only thirty five point six percent of youth aged over 15 years having completed Year 12 (or equivalent) as of 2016. This is less than the Regional NSW average of thirty eight percent and the state average of fifty two point one percent.

The Australian Early Development Census (AEDC)

The AEDC is a nationwide data collection that shows how young Australian children have developed as they start their first year of full-time school. The AEDC highlights what is working well and what needs to be improved or developed to support children and their families.

In 2015, the AEDC results showed that in the Tamworth region the percentage of developmentally vulnerable children in the language and communication domain was well above the NSW average; by 2018 this percentage had grown. In 2018, some Tamworth communities had over twice as many developmentally vulnerable children in the language domain compared to the NSW average, and up to four times as many developmentally vulnerable children in the communication domain compared to the NSW average.

Developmentally vulnerable children experience a number of challenges in reading/writing and with numbers; unable to read and write simple words and will be uninterested in trying.

Source: AEDC Community Profile 2018 Tamworth.

*Communities listed are those that had statistically significant numbers measured, smaller communities including Manilla, Barraba, Kootingal and Nundle were also measured but not in numbers to be considered statistically significant.

Dolly Parton’s Imagination Library Tamworth

Enrolments

The DPIL Tamworth program currently has 690 enrolments, with approximately 90 children per month being enrolled.

The DPIL program was launched in January 2019, and slowly progressed until the 3rd Quarter of 2019, when Tamworth Regional Library formed a unique partnership with the State Wide Infant Screening Hearing (SWISH) Nurses at the Maternity Ward of the Tamworth Rural Referral Hospital. This partnership meant that every baby born from the Tamworth Local Government Area was enrolled onto the program. This approach tripled enrolments and by November 2019, enrolments were close to one hundred percent of eligible babies. Through the generous support of SWISH nurses, and the donation of \$8,000 from the Mclean Foundation to support the delivery of the first book, every child from the Tamworth region born at the Tamworth Rural Referral Hospital is signed to the program and gifted their first book before they leave hospital. Any baby missed through this process is enrolled through their community Health Care Nurse at their first visit. This process is unique to Tamworth and has not been replicated by any other Council nationally.

It has been forecast, based on the current birth rate, there will be 2,265 children enrolled in the program by June 2021.

Tamworth City Library

AEDC % of Developmentally Vulnerable Children				
	LANGUAGE		COMMUNICATION	
Community*	2015	2018	2015	2018
NSW average	4.8 %	5.2 %	8.1 %	8.0 %
Tamworth	5.9 %	6.8 %	10.3 %	10.8 %
West Tamworth	9.6%	13.5%	13.3 %	18.1 %
South Tamworth	10.4%	11.0%	13.5 %	18.0 %
East Tamworth	5.5%	6.9%	10.9 %	13.8 %

The Tamworth Regional Council (TRC) DPIL initiative is strongly tied to the goals of the region’s libraries and is assisting in delivering early childhood services. The program has increased members of the library from 2018, with every child registered on the program being sent a library card and a welcome letter from the Mayor.

To increase the impact of the initiative, evidence based early language and literacy programs (utilising DPIL books) have been held within the region’s vulnerable communities. During 2019, a total of 25 Baby Book Time sessions were hosted at Coledale Community Centre, Oxley Vale Public School, Hillvue Public School and Centacare New England North West, with a total of 537 attendees. Outreach Early Childhood Numeracy and Literacy programs were also included for these parents in collaboration with Tamworth Family Support Services, Dhiyaan Playgroups and Centacare New England North West Culturally and Linguistically Diverse Playgroups.

In addition, the Tamworth City Library has also hosted 15 Baby Book Time sessions for DPIL parents with a total of 370 attendees.

Over the past 12 months Tamworth Regional Library has worked to ensure all members of the community have engaged with the program, promoting the program to eligible children through Multicultural Tamworth, as well as the Tamworth Aboriginal Mothers and Babies Services. The Tamworth Aboriginal Mothers and Babies Services has added DPIL registration to its client's checklist to ensure mothers know about the program and that the key goals and messaging is reinforced.

Schools and preschools have also been involved; Hillvue Public School in particular, participating in the promotion of the program through an ambassador visit from Harrison Craig and incorporating Harrison's book - 'Harrison's Song' in a resilience based workshop for children.

Off the back of a community focus group for the DPIL program in Tamworth, a new interagency group was formed to action the outcomes of the focus group. The new working group is called Tamworth Early Language and Literacy Interagency Group (TELLI), and includes Tamworth Family Support Service, Hunter New England Central Coast Primary Health Network, Tamworth Community Health Speech Pathology and Occupational Therapy Services, Tamworth Hospital Aboriginal Midwife Service, Tamworth Hospital (SWISH) staff, Hillview Public School, Coledale Community Kids Day Care, Northcott, Bamara Parent's Next, Tamworth Family and Community Services and Tamworth City Library.

Measuring the Impact

A measurement system was established for the DPIL program by United Way Australia and partners Cerebral Palsy Alliance (CPA). As part of the enrolment process families agree to participate in the survey process. Surveys are conducted before families receive their first mailed book to capture parent's responses in relation to their home learning environment, and then again at six monthly intervals. This system is managed by United Way Australia, and de-identified data is analysed by CPA.

Over 300 Tamworth baselines (families just starting on the program) have been captured to date and the first sample size of 40 Tamworth families have been surveyed at their six monthly check point. As the program grows from year-to-year so will our ability to fully measure its impact.

In the most recent survey 40 families were asked questions about reading habits at home, observations with their children and self reflection overtime. The families surveyed were from a cross section of the community, including Barraba, Bendemeer, Calala, Duncan's Creek, East Tamworth, Hanging Rock, Hillvue, Kootingal, Limbri, Moonbi, Moore Creek, North Tamworth, Oxley Vale, South Tamworth, West Tamworth and Westdale.

One hundred percent of families said they were reading more frequently than the monthly book distribution, 34 families recorded reading once or more per day and six families said they read with their child weekly. Seventy-seven percent of families said they spent more quality time reading with their child as a result of the program and thirty five percent of families said they noticed an increase in vocabulary through the course of reading with their child.

Promotion

The following Ambassadors support the Tamworth program:

- Harrison Craig – National Ambassador.

- Ashleigh Dallas – Local Ambassador.
- Yvonne Kent – Local Ambassador.
- Joanne Maiden – Sponsorship Ambassador 2019.
- Mark and Jay O’Shea – Friends of the Tamworth program.

The DPIL ambassadors have played a major role in the promotion of the program. Local Ambassador, Ashleigh Dallas, came on board in July 2019. As a local resident, country music artist and mother of Harriet, a participating member of the program, Ashleigh made an ideal candidate for the role. Ashleigh has participated in media opportunities, promoted her and Harriet’s journey through the program on her Facebook pages and voiced a radio ad as part of an awareness campaign. The radio ad was aired on FM 92.9 and 2TM from Friday 18 October through to Tuesday 31 December 2019, with eight 60 second commercial spots per day per station.

Harrison Craig, through United Way Australia, is the Ambassador for the DPIL nationally. Harrison visited Tamworth on 20-21 November 2019, and joined with Ashleigh Dallas participating in a special DPIL Baby Book Time at Tamworth Regional Library and a media opportunity at the hospital with the SWISH nurses. The following day Harrison led an assembly at Hillvue Public School where he spoke about his own book and also held a workshop on resilience with a small group of children who had been experiencing exceptional difficulties.

Joanne Maiden donated her time as an honorary ambassador to seek out commercial and business sponsorship of the program.

Most recently, Tamworth was visited by David Dotson – the Chief Executive Officer of The Dollywood Foundation. The Foundation is Dolly Parton’s philanthropic arm and oversees the DPIL program worldwide. David participated in a media opportunity at the library to celebrate the uniqueness and success of the program in Tamworth.

General promotion

During the 2020 Toyota Country Music Festival, opportunities were taken to publicly recognise the sponsors for 2019, and further promote the program, a full page advertisement was placed in the Official Guide and advertising was placed on the big screens in Kable Avenue and Peel Street.

Sponsors

2019 Sponsors

Lions Club Barraba

Regional Australia Bank

Friends of Tamworth Libraries

HNECC Primary Health Network

Entertainment Venues - Donations from Launch

Tamex Transport

Rotary Club of Tamworth First Light

Rotary Club of Calala

Rotary Club of Tamworth West - GIVENOW	
Peel TV Services	
McLean Foundation Contribution for books-per-birth	
Total Donations	\$55,885.03

TRC staff are currently in the process of securing sponsorship for 2020 and beyond.

(a) Policy Implications

Nil

(b) Financial Implications

Based on the birth rate forecast, the residual funds held by United Way Australia, including sponsorship funds; to deliver the program for the 2020/2021 financial year Council will need to commit \$70,000 to the program which will be made available from the Youth Services Reserve.

(c) Legal Implications

Nil

(d) Community Consultation

Tamworth City Library hosted the DPIL Focus Group in November 2019, to consult with local early years services regarding the DPIL program and discuss barriers and facilitators to early language and literacy in our community. The TELLI group was developed to focus on capacity building projects to address local barriers.

(e) Delivery Program Objective/Strategy

A Prosperous Region – P31 Provide quality and choice in education and vocation pathways including university options.

11 REPORTS FROM DELEGATES

11.1 AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS AUSTRALIAN GOVERNANCE SUMMIT 2020 – FILE NO SF1037

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Glenn Inglis, Councillor

RECOMMENDATION

That in relation to the report “Australian Institute of Company Directors Australian Governance Summit 2020”, Council receive and note the report.

SUMMARY

The purpose of this report is to present to Council outcomes of attending the Australian Institute of Company Directors Australian Governance Summit 2020.

COMMENTARY

The theme for this year's Australian Institute of Company Directors (AICD) Summit was "A new line of sight" and was held in Sydney on 2–3 March 2020, at the Sydney International Convention Centre.

The 2020 program focused on the challenge of looking ahead to the next decade: What skills will directors need in 2030? How do we stimulate innovation in our corporate cultures? How should we incorporate stakeholder considerations into decision-making? How do we address the risks in climate change and the COVID 19? How can boards help tackle the connected challenges of slowing national productivity growth and low rates of business investment?

Introduction

Day 1

Opening Address

Angus Armour (CEO AICD) and John Atkin (Chair AICD) addressed the conference theme 'A new line of sight', highlighting the need for leaders to do things differently when the community's trust in business and capitalism are at an all-time low. Australia's overly burdensome regulatory environment means that the director community must, in response, strive to lift governance standards. The Australian community is also increasingly asking for leaders to show leadership on important issues, rather than wait for government action.

Armour spoke of the immediate challenges – bushfire recovery, Covid-19 risks – as well as the longer-term challenges of emerging technologies, climate change, the future of work, and a community of voters more dissatisfied and vocal than ever before. He spoke of the implications for our economy and our society, and the community's concerns around fairness, accountability, privacy and equality. He also called for a bilateral approach, one not seen in generations, to climate change.

Atkin spoke of the need for directors to also look at their own personal 'line of sight'. Being a director is a privilege. Gone are the days when the position automatically commands respect. It now comes with a responsibility to rebuild trust, to understand stakeholder's opinions, and to work with humility to develop solutions for society.

Take away – We need to lift the standards of directorship if we are to meet community expectations, generate community trust and, ultimately, strengthening society.

Panel Discussion: Future Ready Economics

The panel heard case studies of how Israel and Ireland are positioning themselves as global innovation hotspots and future-proofing their economies in the process. It discussed the changes needed in Australia's ecosystem, culture and board mindsets to ensure its own success.

Eitan Bienstock, CEO of Techbench Capital, which is involved in both the Israeli and Australian start-ups, said Israel's top ranking on innovation, R&D and global innovation hubs resulted from a focus on human capital and required a bipartisan focus on building the knowledge economy.

Take away - When you use materials, you have less of it. When you use knowledge you have more of it.

Panel Discussion: The Shifting Landscape

Geo-political uncertainty and market volatility are adding intensity to boardroom discussions.

The biggest challenge companies face is not balancing the interests of shareholders and stakeholders, but finding a balance between the short-term and the long-term, said Michael Froman, a former adviser to US President Barack Obama.

Froman, now an executive with Mastercard and a board member of the Walt Disney company, said companies look at how to meet environmental challenges and how to be inclusive while at the same time pursuing economic growth.

Froman thinks the challenge that companies face is not between shareholders and stakeholders – but between short-term and long-term.

Froman said Mastercard invests in financial inclusion because it is in the company's interest to have inclusive and healthy economies. If the economy is thriving then they will thrive as a company. Likewise, the company focuses on the environment because it helps it attract and retain the best talent and build the brand with customers. Boards can justify these actions because they all contribute to long-term shareholder value.

Take away – Uncertain futures will always be business as usual and boards need to build the skills and capacity to make smart judgements. Boards also need to be committed to the long-term and make decisions that sometimes take a short-term hit.

Panel Discussion: Boards of 2030 to be swamped by data

About 20,000 new satellites will launch in the next decade, according to Dr Megan Clark AC (Head of the Australian Space Agency and director on the boards of CSL and Rio Tinto).

The boards of 2030 will need to cope with enormous changes in data and a super powerful new generation of communications from different space technology. The whole industrialisation change will completely transform how people communicate.

In the future, companies will need to learn to throw away 90 per cent of their data – the challenge will be identifying the 10 per cent.

The task of directors in the face of so much technology operating off the planet makes the value of our human judgements all the more important. When things get really difficult, no amount of AI will help you.

Boards of 2030 need to operate in a more globally complex world tested by increased global security and surveillance. As we move off our own planet, into hostile realms, values and purpose are ever more important.

The space sector has been transformed and what was once the role of government has now entered the private domain. Most of the development of space is also being managed in the commercial realm, which is a challenge for governance and risk and accountability. Last year 16 per cent of launches in space were in the commercial realm.

Australia is in a position with Canada of being one of the first countries about to approve applications from space companies to send new satellites into orbit. And the first lasers from space to Earth will be 500 times the bandwidth of 5G, so the power of the new technology is going to be much stronger.

Take away – Hang on to your hat and do not enter into a long-term plan with your 5G phone.

Day 2

Keynote presentation

Richard Goyder AO (Chair of Woodside Petroleum, Qantas, and the AFL Commission) shared his leadership lessons.

Calculated risk is what drives growth, innovation and reward. But risk is at risk of becoming a dirty word and being stifled by regulation.

Without risk, Woodside would not have been supplying natural gas to the world for 35 years, Qantas would not be flying direct to London or celebrating its centenary, and women would still be AFL spectators not players.

Hunkering down and being risk averse does not deliver the best outcomes for companies.

To drive appropriate risk, directors need a good understanding of the business and its risk appetite and they need to ensure the right processes and culture are in place that support innovation and creativity. The board needs to be committed to the long-term and make decisions that sometimes may have negative short-term implications.

Directors should be enabling management to do things rather than stopping them, and yes there will be failures.

However, when done properly, reputation follows. The foundation for a strong reputation is sustainable financial performance.

Climate risk is one of the key risks now featuring prominently on board agendas. Whilst engagement is critical you must understand that you do not have all the answers.

The best organisations support their communities in areas that go well beyond their core business. To prosper over time, organisations must show they can make a positive contribution to society.

Leaders must lead and accept that there are consequences from making decisions. Leaders are doers, they do not sit on the sidelines.

COVID-19 represents all the things business does not like – uncertainty, unpredictability and adverse economic consequences.

Lastly, don't run out of cash. Have a balance sheet that is able to withstand shocks, and look for the opportunities that arise.

Take away – As boards face increasing scrutiny of their deliberations and decisions, it is vital that directors do not respond by retreating into a mindset that is so risk-averse it stymies investment, innovation, and creativity.

Panel Discussion: Dealing with climate risks – understanding the communities' expectations

Climate change is at a tipping point and directors can no longer claim they weren't aware of how it will affect their organisation.

Nerilie Abram (Professor in Climate Science ANU) stated that the global average temperature is already 1 degree warmer than pre-industrial levels and from this point there are two pathways:

1. Taking action on climate change can limit temperature rises to 1.5 to 2 degrees, or
2. Doing nothing will see the average temperature rise by 4 degrees by the end of the century.

Kathleen Conlon (Director of REA Group, Aristocrat Leisure and Lynas) said boards have improved their risk management practices, which is helping them to deal with climate change.

There are three questions directors need to ask. Firstly, is there a strategic opportunity that comes out of climate change, such as for Lynas, whose batteries' raw materials are central to renewable energy? Secondly, will there be a fundamental change to the way the company operates? Finally, where is the disruption or significant liability going to occur?

Take away - Australia needs a consistent and enduring bipartisan policy framework in the same way we approach defence and infrastructure - national challenges that extend beyond the term of any one government.

Panel Discussion: [Tackling social purpose: What is your board doing?](#)

A properly clarified purpose is a powerful lens for strategy development, according to panel participants.

Geoff Brunsdon (Chair of Sims Metal Management) described how board and management worked together in 2017, in its centenary year, to align purpose and strategy.

Framing the work around 30-year megatrends, businesses and milestones, its purpose became "to create a world without waste to preserve our planet". The words came entirely from its employees.

Richard Boele (Global Leader Business and Human Rights Services at KPMG and Chair of inclusive sport organisation Boccia Australia) said being able to paint a larger picture about societal change and what the organisation is doing to contribute to that helps alignment.

Organisations needed to go the distance. Don't start on articulating a purpose if you are not going to live it – it's better not to have a purpose.

So where should directors start? Directors should start by listening to its most vulnerable stakeholders and make sure it is an authentic process.

Boele warned there is a dark side to purpose. Sometimes we can allow behaviours that aren't ok because the purpose, the end goal, becomes so important it doesn't matter how you get there. The important role of a board is to test, probe and question. We spend a lot of time talking about the positive side but as a board it is important we think about both.

Take away - Clarity of purpose is a powerful mechanism to drive strategy so long as board and management are clear on the purpose and they own it.

Panel Discussion: Sports governance in the spotlight

Board composition, working with volunteers, the pros and cons of federated structures, budgets and improving culture and diversity were among key governance issues discussed.

Marina Go (Chair of the Super Netball Commission) said the biggest challenge for sports boards is getting the composition right. She said that diversity is an issue for sports boards and boosting this often requires the challenge of changing an organisation's constitution.

She recommended developing a skills matrix and encouraging people, often volunteers, who have the skills required to apply for board positions.

The most important thing for board members is to understand their role and legal obligations, and it is the Chair's responsibility to remind people of that.

Gabrielle Trainor AO (AFL Commission) said Australia has 75,000 sports boards and 1.8 million sporting volunteers. Passion is an incredibly important ingredient in anyone who gets involved with sport, but you need to be aware of your responsibilities.

David Reid (Deputy Chair of Basketball Australia) said sports boards were often caught up with "putting out fires" and should ensure they make time to deal with strategy. He said the

value of grassroots volunteers could not be overestimated and that it was essential that board members, who were often volunteers themselves, accept “we’re all in it together”.

Take away – The boards of sport organisations need high quality directors who fully understand their legal roles and responsibilities, and appreciate the benefits of good sound governance beyond just their passion for the sport.

Panel Discussion: Future trends: shifts we are seeing globally

Artificial intelligence (AI), climate change, improving how we listen to diverse ideas and 5G were discussed as key trends challenging boards and organisations.

A poll of the audience found 53 per cent of people believed their boards were least prepared for AI. Some 7 per cent were at least prepared for 5G, 24 per cent for climate change and 16 per cent for really listening to diverse views.

Dr Stefan Hajkowicz (Senior Principal Scientist at CSIRO’s Data 61) said when it came to the capabilities and applications of AI, “you ain’t seen nothing yet”.

He said AI would improve every organisation including banking, aged care, health diagnosis, and the justice system. Data privacy is not a simple challenge, AI is a boon for human justice and doing things more ethically.

Deborah Yates (KPMG National Managing Partner, People and Corporate Affairs) said the future of work requires skilful, capable and inclusive leaders. It’s the difference between genuinely listening to ideas from people like you to genuinely listening to ideas from people who are different to you.

Take away – Companies soon won’t need a digital strategy because there will not be any other type of strategy. Digital will play a significant role in boosting profits.

Panel Discussion: An update on the regulatory environment

In governance terms, the new word of the year for 2020 is “purpose”, Professor Pamela Hanrahan (Deputy Head School of Taxation and Business Law, UNSW).

Last year’s word was culture. The shift in the definition of the purpose of the corporation (by US Business Roundtable), away from just shareholders to all stakeholders shows that the narrative around purpose is changing.

Lawyers are asking if this has legal implications and does that mean we are legally required to do something different? In Australia we have always served the best interests of the company and it is really about authenticity of purpose. If you stick to articulating the purpose of the company all stakeholders are always at the heart of director duties.

Hanrahan does not see that this has legal as well as governance implications or that we are legally required or permitted to do (or not do) something different. However, the question of purpose is a debate that should be addressed by the law and by regulators sooner than later.

This year directors must keep an eye on the following issues:

- Climate change standardised reporting – is it an ESG issue or a financial issue? (Based on Task Force on Climate-related Financial Disclosures (TCFD) recommendations.
- Legislative program from the Hayne Royal Commission, which is having flow-on implications (including the Financial Accountability Regime).
- Corporate criminal responsibility reference by the Australian Law Reform Commission (ALRC) and the issue of “attribution”.

- Enforcement – where's the risk?

Take away – It is necessary to ensure proper individual accountability for corporate misconduct, and directors need to be fully informed of their legal responsibilities.

Panel Discussion: COVID-19 – The board's response to novel coronavirus

Stan Grant (MC) speaks to Belinda Hutchinson AM (Non-executive Director of Qantas, and Chancellor of Sydney University) on the key actions that boards need to take for the COVID-19 crisis. Having the absolutely best management team was key and that contingency planning was important.

Key actions:

- review risks
- create a risk register
- scenario planning
- delegating to the management team
- ensure the management team have plans for each phase.

Take away – A list of questions that boards should be asking:

- Which plans need to be activated and when?
- Do our plans account for this type of ongoing threat? Do they contain an appropriate focus on employee wellbeing, supply chain disruption, service delivery impacts, short- and long-term financial impacts?
- What support does management need? What is the best way to support them?
- Is the business communicating timely messages to both internal and external stakeholders?
- How are we monitoring the ongoing risks?
- Are we routinely revisiting and clarifying our priorities as the crisis evolves and the landscape changes?
- Is the business planning for post-pandemic communications and stakeholder impacts?
- Are we scenario planning and testing for any negative fallout?
- Are we adjusting revenue projections if necessary and taking action to boost financial resilience?

Panel Discussion: The latest insights from Edelman on trust

Michelle Hutton (CEO Australia and Chief Growth Officer Asia Pacific Edelman) says Australia is at important crossroads, entering a post-trust era. Australia has been in distrust for the past decade and it's time to ask, is this our new reality?

The latest results show trust has stagnated among the general population around the world. The majority of markets remain distrustful. Surprisingly, when comparing trust between the informed public (17%) and the general public (83%) the informed public were largely trusting, and the general public were largely distrusting.

However, three months later, in the wake of the bushfires, floods and sport grants saga, there is a stark shift. The gap between the informed and general public has narrowed. These

devastating events appear to have been the catalyst for a significant fall in trust in the informed public.

Not a single institution is seen as both ethical and competent. Business is seen as competent but not ethical, NGOs are seen as ethical but not competent, government and media are seen as neither. And 72 per cent of Australians don't have trust in our current leaders to successfully address our country's challenges.

Australians no longer feel in control. We live in a society where we are influenced by events, rather than influencing events. The public has concerns around the environment, job security, globalisation and the pace of technology.

However, there is cause for hope. Organisations need to show competency and be ethical. Successful companies must adopt a stakeholder model. And CEOs themselves are expected to act. 78 per cent of Australians believe CEOs should be leading on change rather than waiting for governments to step in.

Take away – Having a clear organisational 'compass' around ethics is critical. Boards and Executive teams must establish clear and concise core values, purpose and principles and set the tone from the top.

Australian Governance Summit 2020 Reader

I have placed a copy of the Reader in the Councillors Library. The Reader follows the Summit program and provides a selection of expert presenter submissions and recently published articles and extracts from the AICD.

Conclusions

An excellent Summit with some 1,600 delegates at an impressive venue with excellent highly qualified and experienced speakers. It provided opportunities to network, gain a greater understanding of director duties and responsibilities in a rapidly changing external environment, and how to improve board performance and decision-making.

Councillor Glenn Inglis
10th March 2020.

12 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.

12.1 TENDER A2019/65 - NORTHERN INLAND REGIONAL WASTE - TENDER FOR CRUSHING AND SCREENING OF CONCRETE, BRICK AND TILE – FILE NO SF1182

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

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&(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 recommend the acceptance of a Tender for the Screening and Crushing of Concrete, Brick and Tile at Council's Forest Road Waste Management Facility. The report discusses the merits of the Tenders received via the Northern Inland Regional Waste (NIRW) on behalf of the NIRW member Councils and recommends a preferred Tenderer.

12.2 PROPOSED RESTRICTION AS TO USE AND PUBLIC POSITIVE COVENANT OVER PART LOT 140 IN DEPOSITED PLAN 1223292 WINDMILL HILL ESTATE NORTH TAMWORTH – FILE No LF32328

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 14.1 to Ordinary Council 25 July 2017 - Minute No. 236/17
1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to seek Council's authorisation to execute a document creating a Restriction as to Use and Public Positive Covenant over privately owned land at Windmill Hill Estate on terms as set out in the body of this report.

12.3 PROPOSAL TO LICENCE THE TAMWORTH REGIONAL BOTANIC GARDEN KIOSK – FILE No E079/2020

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Paul Kelly, Manager Sports and Recreation

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to advise Council of the outcome of an expression of interest process in relation to the Tamworth Regional Botanic Garden Kiosk, and authorise a licence for the use of the kiosk as set out in the body of this report.

12.4 FIRE AND RESCUE NSW INSPECTION REPORT – FILE NO LF290

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Nicole Chegwyn, Team Leader - Building Certification
2 CONFIDENTIAL ENCLOSURES ENCLOSED

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (g) of the Local Government Act 1993, on the grounds that the matter and information is advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

SUMMARY

The purpose of this report is to notify Council of a Fire Inspection Report issued on behalf of the Commissioner of Fire and Rescue NSW that is required to be tabled at Council's Meeting by Schedule 5, Part 8, Section 17(2) of the *Environmental Planning and Assessment Act 1979*.

12.5 LEASE TO EASTERN AUSTRALIA AIRLINES - QANTAS CLUB LOUNGE AT TAMWORTH REGIONAL AIRPORT – FILE NO SF8060

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: John Sommerlad, Director Business and Community
1 CONFIDENTIAL ENCLOSURES ENCLOSED

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (a),(d)i&(d)ii of the Local Government Act 1993, on the grounds that the matter and information is personnel matters concerning particular individuals other than Councillors, 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 advise Council on the negotiations with Eastern Australia Airlines (Qantas) on the relocation of the Qantas Lounge facility at Tamworth Regional Airport following the redevelopment of the Passenger Terminal Building Stage 2.

12.6 PROPOSAL TO RENEW LEASE OF SPACE IN COUNCIL BUILDING – FILE NO LF5037

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Kirrilee Ringland, Manager Property and Legal Services
Reference: Item 16.4 to Ordinary Council 24 September 2019 - Minute No 330/19

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 received to renew a lease part of Council's available space at 24 Fitzroy Street Tamworth being part of Level 1, Peel House.

12.7 EXPRESSION OF INTEREST E068/2020 - TAMWORTH REGIONAL AIRPORT - LEASE OF HANGAR NO 6 – FILE NO E068/2020

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) (a),(d)i&(d)ii of the Local Government Act 1993, on the grounds that the matter and information is personnel matters concerning particular individuals other than Councillors, 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 recommend to Council that it accept the Expression of Interest from Sigma Aerospace for the Lease of Hangar No 6 at Tamworth Regional Airport.

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.