



# 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

**25 AUGUST 2020**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

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

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

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

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

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

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

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

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

## AGENDA

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

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 11 August 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**

Nil

### 6 **NOTICE OF MOTION**

Nil

### **OPEN COUNCIL REPORTS**

### 7 **ENVIRONMENT AND PLANNING**

Nil

### 8 **INFRASTRUCTURE AND SERVICES**

#### 8.1 **SPORT AND RECREATION STRATEGIC PLAN**

**DIRECTORATE:** REGIONAL SERVICES

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

**Reference:** Item 8.1 to Ordinary Council 16 May 2020 - Minute No 126/20

**3 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Sport and Recreation Strategic Plan”, Council adopt the plan titled “Tamworth Regional Council Sport and Recreation Strategic Plan”.*

## SUMMARY

Tamworth Regional Council acknowledges the significant contribution that sport and recreation brings to the community. To ensure that Council maximises its benefit for the community, Council has produced a Sport and Recreation Strategic Plan and associated Summary Report that provides a road map for planning and developing sport and recreation facilities (structured and unstructured) across the Tamworth region over the coming 10 plus years.

Following the Ordinary Council Meeting of 16 May 2020, the draft Sport and Recreation Strategic Plan and Summary Report were placed on Public Exhibition for 30 days between 1 and 30 June 2020. A total of 15 respondents commented on the draft documents.

## COMMENTARY

Council acknowledges the significant contribution that sport and recreation brings to the community. The planning and design of such facilities needs to be carefully considered to ensure that the needs of the community are addressed now and into the future. Council engaged a specialist open space and recreation management firm to assist in the preparation of the Tamworth Regional Council Sport and Recreation Strategic Plan (The Plan) which is **ATTACHED**, refer **ANNEXURE 1**.

A Summary Report of The Plan, designed as a high level summary of the detailed plan has also been developed, and is **ATTACHED**, refer **ANNEXURE 2**.

The Plan provides a road map for planning and developing sport and recreation facilities (structured and unstructured) across the Tamworth region to align with the planned growth identified in Tamworth's Blueprint 100 strategy.

The methodology used in preparation of The Plan includes the following seven key stages:

### **Stage 1: Background research and trend analysis**

The strategic direction for sport and recreation is influenced by a number of policies and plans as well as peak body strategic directions at various levels, including international, federal, state, regional and local. The relevant information from each of the documents reviewed is detailed in The Plan. The Plan also identifies a range of trends that will influence sport and recreation in the coming years.

### **Stage 2: Facility audit**

The Plan includes a facility inventory of the recreation facilities across the Tamworth region. While The Plan focuses on Council's role in the provision of sport and recreation facilities, the inventory also includes several facilities which are owned privately or by clubs to ensure that the full suite of opportunities across the region is considered.

### **Stage 3: Community consultation**

Extensive community consultation has been undertaken to ensure the community and key stakeholders had the opportunity to contribute to the development of The Plan and to ensure the values and aspirations of the community and stakeholders are reflected in The Plan. The following mechanisms were used to engage with the community and stakeholders:

- online club/user group survey (nine respondents);
- online community survey (164 respondents);
- community workshops (two in Tamworth, one in Nundle, one in Barraba, one in Kootingal and one in Manilla);

- stakeholder interviews; and
- site tours.

Opportunities for the community to engage in this project were advertised on Council's website, social media, media releases, radio advertisements, newspaper adverts, and by distribution of a flyer to all contacts on Council's community directory.

#### **Stage 4: Issues and opportunities identification**

The Plan identifies all relevant issues, opportunities and gaps associated with the existing sport and recreation network uncovered through the relevant research and community consultation.

#### **Stage 5: Delivery of a draft Sport and Recreation Strategic Plan and Summary Report**

A draft of The Plan and Summary Report were produced to be placed on public exhibition for comment by the community.

#### **Stage 6: Public exhibition**

The Draft Sport and Recreation Strategic Plan and Summary Report were placed on public exhibition for 30 days from 1 June 2020 to 30 June 2020, to seek community feedback. A total of 15 people commented on the draft documents and this feedback is collated and **ATTACHED**, refer **ANNEXURE 3**, with a summary of this community feedback detailed in Table 1.

*Table 1 – summary of community feedback*

<b>Section</b>	<b>Feedback summary</b>
<b>Introduction</b>	Rugby would like to promote the code to the region.
	The membership numbers detailed for cricket are less than they actually are.
<b>Demands and Trends</b>	Running/walking/jogging are detailed as trending however feature little in the rest of the report.
	The area of land between the Gipps Street playing fields and Scott Road should be cleaned up for passive recreation.
	167 respondents to the survey is insufficient to gauge the views of the Council area.
	Horse sports and equestrian are growing.
	The membership numbers detailed for cricket are less than they actually are
	Infrastructure should be considered for the sport of parkour.
<b>Facility Inventory</b>	There are not cricket wickets at Gipps Street.
	The Yuundu Warruni Cultural Trail at the Tamworth Mountain Bike Park should be listed as a walking trail.
<b>Consultation</b>	Nine organisations (sporting clubs) responding to the survey is insufficient to gauge the views of the Council area.
<b>Supply and demand</b>	Mountain biking should be included in Activity-Specific list on page 36.



<b>analysis</b>	Equine sports require facilities to cater for future growth.
	The plan details additional turf wickets are not required in Tamworth. This is incorrect as ovals were taken away at TRECC and Scully Park and have not been replaced.
<b>Challenges and opportunities</b>	Improvements to roads and existing cycling tracks are required for cyclists.
	The growth of equine sports will be a challenge for Council.
<b>Vision and principles</b>	The vision looks great. Well done to TRC for planning for a healthy and vibrant environment for the whole community.
<b>Action plan</b>	Running/walking/jogging should have a greater priority in the action plan.
	The action associated with the Barraba Tennis Courts should include upgrading the supporting infrastructure.
	A review and potential consolidation of the Barraba Sports Ground and Barraba Rugby League Ground is not required and should not be an action.
	Council needs to pursue State and Federal funding to enact the actions in the action plan.
<b>Appendices A</b>	No comments received
<b>Appendices B</b>	No comments received
<b>Appendices C</b>	Gipps Street playing fields do not have cricket ovals or pitches anymore.
<b>Appendices D</b>	The plan details additional turf wickets are not required in Tamworth. This is incorrect as ovals were taken away at TRECC and Scully Park and have not been replaced. Other towns have better cricket facilities than Tamworth.
<b>Appendices E</b>	No comments received
<b>Appendices F</b>	No comments received
<b>Summary Report</b>	No comments received
<b>Additional Comments</b>	The proposed aquatics centre will not meet the community's needs. There has been a deliberate attempt to neglect the existing pools.
	The infrastructure in Chauvel Park should be improved. A band stand in Bicentennial Park is warranted.
	The land between the Gipps Street Playing fields and Scott Road should be used as recreational land before being converted to playing fields. A golf driving range is a suggestion.
	The Pavilion at No. 1 Oval requires an upgrade to service the local community and visitors adequately.

## Stage 7: Community feedback review

The community feedback was collated and presented to the Councillors and EMT in a Councillor Workshop on 14 July 2020. In this workshop, and based on the community feedback, the Councillors recommended amendments to the Draft Sport and Recreation Strategic Plan to produce a final Sport and Recreation Strategic Plan. A summary of the recommendations are detailed in Table 2.

Table 2 – summary of Councillor Workshop recommendations for final draft

Section	Recommendation(s) for final Sport and Recreation Strategic Plan
<b>Introduction</b>	Sports and Recreation technical staff to work with Tamworth Cricket Incorporated to cross check membership numbers. This information is to be provided to the consultant preparing the Plan.
	Update the construction date of the Adventure Playground at the Marsupial Park to 2015 and the hierarchy status to 'Regional'.
	The Precinct titled 'Eastern Highlands' to be renamed "Kootingal/Moonbi/Bendemeer" throughout the document.
<b>Demands and trends</b>	Sports and Recreation technical staff to work with Tamworth Cricket Incorporated to cross check membership numbers. This information is to be provided to the consultant preparing the Plan.
<b>Facility inventory</b>	Have the Plan updated with the removal of Cricket wickets identified at the Gipps Street Sporting Fields.
	Include the Yuundu Warruni Cultural Trail at the Tamworth Mountain Bike Park in the list of 'Recreational walking and/or cycling' section of the Facility Inventory.
	Include commentary of the bouldering gym as recreational facility and pursuit in Tamworth throughout the Plan.
<b>Consultation</b>	Nil recommendations
<b>Supply and demand analysis</b>	Include mountain biking as a sport listed in the Activity-Specific Provision Needs section.
	Sports and Recreation technical staff to work with Tamworth Cricket Incorporated to cross check membership numbers. Sports and Recreation technical staff to continue to liaise with Cricket NSW to determine appropriate number of turf fields.
	Add Precinct N (Manilla and district) and Precinct M (Kootingal/Moonbi/Bendemeer) to the list of growth development areas across Council.
<b>Challenges and opportunities</b>	Each 'challenge' and 'opportunity' to be detailed further validating its inclusion. Each 'challenge' and 'opportunity' to be assigned to an action in the Action Plan (as are 'relevant trends')
<b>Vision and principles</b>	Nil recommendations
<b>Action plan</b>	The timeframe status of Action item 8.7 to be updated from 'medium' to 'immediate'.
	Reword action 4.3 to read: 4.3. Barraba Sports Ground and Barraba Rugby League Ground: Develop an individual masterplan for both the Barraba Sports

	Ground and the Barraba Rugby League Ground. Key considerations for the masterplans include a review of the utilisation of both fields and identifying efficiencies in land use, maintenance and operations.
<b>Appendices A</b>	Nil recommendations
<b>Appendices B</b>	Nil recommendations
<b>Appendices C</b>	Remove the mention of cricket ovals and pitches at the Gipps Street playing fields in the facility inventory.
<b>Appendices D</b>	Sports and Recreation technical staff to work with Tamworth Cricket Incorporated to cross check membership numbers. Sports and Recreation technical staff to continue to liaise with Cricket NSW to determine appropriate number of turf fields.
	Update the 'Required Facilities at LGA Population Trigger Points' for football (soccer) to include the geographical location of the 'additional multi-use playing fields'.
	Have the consultant review the Equestrian Sports 'Required Facilities at LGA Population Trigger Points' based on the acknowledgement of six district level facilities.
<b>Summary Report</b>	Nil recommendations
<b>Additional Comments</b>	Include an item in the action plan for Council to explore the utilisation of the recreational land between the Gipps Street playing fields and Scott Road until (/if) it is required for active recreation.
	Remove the word 'boutique' from action 2.1

### Stage 8: Final Sport and Recreation Strategic Plan

With the inclusion of the recommendations from the Councillors, a final version of The Plan and Summary Report were developed by the consultant.

Of note, the original estimated membership numbers for cricket were based on broad participation data from AusPlay. This was the best available data as various attempts to source this information from the local associations and Cricket NSW received no response. Cricket NSW has since provided actual current membership numbers totalling 1,350. The revised participation growth is projected to be 52%. The projected facility requirements have not changed significantly with the revised projected membership numbers due to:

- the Benchmarks for Facility Infrastructure suggest a provision ratio of 1 cricket oval for every 8,000 – 10,000 people. This equates to 10 – 12 cricket ovals for a population of 100,000;
- the multipurpose nature of cricket ovals has been considered in the projected facility requirements, acknowledging that they can also provide for other seasonal field sports and passive open space; and
- Tamworth's role as the regional hub for Northern Inland NSW and the strong participation requires cricket facilities with capacity to cater for users from beyond the local government area boundary.

Chapter 08 of The Plan is a list of actions identified in The Plan. Each action has an associated delivery timeframe of immediate (2020–2022), short (2023–2027), medium (2028–2031), longer (2032–2042) and ongoing. It should be noted, however, that of the 122

actions, only eight are currently funded. All other actions remain unfunded and will need to be considered in future operational budgets.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

All costs to date are within the approved budget for this project. All unfunded actions will need to be considered in future operational budgets.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Community consultation for The Plan was undertaken in two separate stages for the project.

Firstly, as part of Stage 3 of the project, extensive community consultation was undertaken to ensure the community and sporting organisations actively contributed to the development of the Draft Sport and Recreation Strategic Plan and Summary Report. During this period a total of 173 respondents completed a survey of which the data was used to formulate the draft plan.

Secondly, as part of stage 6 of the project, the Draft Sport and Recreation Strategic Plan and Summary Report were placed on public exhibition for a total of 30 days between 1 and 30 June 2020. A total of 15 respondents commented on the draft documents.

Council technical staff engaged face to face with the community through community pop-up stands in Tamworth, Nundle, Barraba, Manilla and Kootingal. Council technical staff engaged directly with the community via questions on the MyTRC Portal.

In light of COVID-19, and to ensure the safety of staff and the community during the public exhibition period, alternate online options were offered to the community to engage directly with the Project Manager. Three live question and answer sessions were held on Facebook and a live 'ask me anything' session ran Instagram stories for a period of twenty four hours. The project had a total reach (online views) on Facebook of 39,777 and the 20 posts in the Instagram story had on average 308 views.

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

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

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

A Spirit of Community - C13 Provide high-quality specialised sporting facilities to drive sporting excellence for the region and state.

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

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## **8.2 AMENDMENT TO LIGHTING CHARGES FOR MARIUS STREET FIELD 2 LIGHTS**

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

### **RECOMMENDATION**

*That in relation to the report “Amendment to Lighting Charges for Marius Street Field 2 Lights”, Council:*

- (i) authorise the change in fee to be publicly advertised for 28 days; and*
- (ii) present a further report to Council to consider any submissions received and to adopt the new fee.*

### **SUMMARY**

The current adopted Fees and Charges 2020-2021 contains an error in the calculation for the Marius Street Field 2 lighting charges.

This report aims to seek an amendment to the approved fees to ensure that the fees applied for Marius Street Field 2 are consistent with all other sporting field lighting charges.

### **COMMENTARY**

Recently Council completed a project to install new lighting and power upgrade at the Marius Street Sports fields under the Stronger Country Communities Fund Round 2.

This project resulted in another full size football (soccer) oval being lit to a training standard which allows the improved distribution of night time training across more fields, minimising overuse of our lit sporting fields.

Early this year, Council staff included these new lights in the Fees and Charges 2020-2021 which was adopted by Council on 23 June 2020. The fees are an hourly rate that takes into consideration the number of lights used, the power (wattage) of each light, maintenance required and expected life span of lights. This ensures equity across all sports fields on a user pays basis.

Recently, Council staff discovered that the calculation of this fee contained an error and that the listed fee in the adopted Fees and Charges 2020-2021 of \$7.77 per hour should in fact be only \$5.31 per hour (inclusive of GST).

The \$7.77 per hour charge was calculated on 2019-2020 charges for the use of 12 x 2,000 watt lights, when in fact the Marius Street Field 2 only has 8 x 2,000 watt lights and needs to have CPI added to the 2019-2020 fee. The correct fee to be charged for 2020-2021 should therefore be \$5.31 per hour (inclusive of GST), and it is recommended that Council approve this amendment of the Fees and Charges 2020-2021.

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

Nil

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

Nil

**(c) Legal Implications**

Section 61 of the Local Government Act 1993, requires that all fees including a new or changed fee must be publicly advertised for 28 days.

**(d) Community Consultation**

The change in fee will be publicly advertised for 28 days for public comment. A further report will be presented to Council to consider any public submissions received and to adopt the new fee.

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

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

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

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**8.3 CANCELLATION OF THE 2020 TAMWORTH REGIONAL SPORTS AWARDS**

**DIRECTORATE: REGIONAL SERVICES**

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

**RECOMMENDATION**

*That in relation to the report “Cancellation of the 2020 Tamworth Regional Sports Awards”, Council endorse the proposal to cancel the 2020 Tamworth Regional Sports Awards due to the current COVID-19 pandemic.*

**SUMMARY**

Following a recommendation from Council’s Sports Working Group, Council is asked to endorse the cancellation of the 2020 Tamworth Regional Sports Awards due to the impact of the COVID-19 pandemic and associated restrictions.

**COMMENTARY**

On 1 July 2020, Council’s Sports Working Group discussed the scheduling of the 2020 Tamworth Regional Sports Awards. This awards ceremony was scheduled to be held in October 2020, but due to the impact that COVID-19 has had on both the ending of summer sports earlier in the year and the subsequent substantial impact on the winter sports, it was proposed that the event be cancelled for 2020.

Members of the Sports Working Group were unanimous in the support of this proposal due to both the lack of sports that have been played as well as the restrictions on large social gatherings.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

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**(c) Legal Implications**

Nil

**(d) Community Consultation**

A Public Notice and relevant social media will be created to inform the community following the outcome of this Council Report.

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

A Spirit of Community – C32 Provide responsive, effective emergency management and emergency prevention services.

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**8.4 UPDATE ON WATER SUPPLY ISSUES RELATED TO THE INCREASED SECURITY OF THE TAMWORTH/MOONBI/KOOTINGAL WATER SUPPLY**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Bruce Logan, Director Water and Waste**

**Reference: Item 12.5 to Ordinary Council 14 July 2020 - Minute No 197/20  
Item 8.5 to Ordinary Council 28 July 2020 - Minute No 208/20**

**2 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Update on Water Supply Issues Related to the Increased security of the Tamworth/Moonbi/Kootingal Water Supply”, Council:*

- (i) receive and note the report; and*
- (ii) agree the Director Water and Waste will represent Council on the Peel Environmental Water Technical Advisory Group as part of the interim approval for the operation of the Chaffey Dam pipeline.*

**SUMMARY**

The purpose of this report is to update Council in relation to various matters associated with increased security of the Tamworth/Moonbi/Kootingal water supply.

**COMMENTARY**

Councillors would be aware there are a number of avenues being pursued with the NSW Government in an effort to increase the security of the Tamworth/Moonbi/Kootingal water supply. As part of this process the Mayor Councillor Col Murray, General Manager, Mr Paul Bennett and the Director Water and Waste took part in a discussion with the Minister for Water, Housing and Property, the Hon. Melinda Pavey MP and State Government staff on Wednesday 5 August 2020, to discuss several issues.

This report summarises the avenues being pursued and includes latest advice as a result of the meeting with the Minister.

**1 Peel Water Sharing Plan**

Council has previously agreed to pursue the following changes to the Peel Valley Water Sharing Plan.

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**1.1 Clause 48 – Minimum Daily Flow Rules - The Operator is required to ensure a minimum daily release of three Megalitre (ML) is made from Chaffey Dam.**

As previously reported to Council an interim approval has been issued by the NSW Government in relation the operation of the new Chaffey Dam Pipeline. This interim approval allows for the three ML per day environmental releases, detailed in the Peel Water Sharing Plan, to cease when the storage level falls below 20%. Instead the water that would have been released is stored for release to address environmental issues as and when they arise.

Given Chaffey Dam storage is now above 20% the daily three ML releases have recommenced.

Council has advocated that the arrangement put in place as part of the interim approval should be put in place permanently, regardless of storage volume and the three ML per day release be stopped.

**1.2 Clause 52 – Maintenance of Water Supply – the lowest period of accumulated inflows is listed as prior to 1 July 2010.**

Council believes the period used to calculate inflows should be extended out to 1 July 2020, to include the latest drought of record.

The Director Water and Waste appeared before a NSW Government Upper House inquiry in relation to the Water Management Amendment (Water Allocations - Drought Information) Bill 2020. The report from the inquiry is **ATTACHED**, refer **ANNEXURE 1**, with Chapter 2 the relevant section.

**1.3 Division 5 – Available Water Determinations (AWD)**

The Water Sharing Plan is supposed to detail the rules relating to how water is shared in the Peel Valley. Council does not believe the WSP contains enough detail in relation to just how this is done, in particular around the assessment of Available Water Determinations (AWD).

From discussion with DPIE staff responsible for calculating the AWD, the following broad process is followed:

<b>Steps</b>	<b>Issues</b>
1 In April/May each year – the volume of water left in the storage in Chaffey Dam is identified	
2 The volume in one is then reduced by	
a) 100% of Town Water Supply entitlement in year one and 70% in year one (there is only one such license in the Peel – to supply Tamworth Moonbi and Kootingal	The WSP does not mention year two at all
b) An allowance for stock and domestic	No detail of this in the WSP
c) Allowance for Basic Land holder rights	No detail of this in the WSP



d) Allowance for minimum releases	No detail of this in the WSP but assumed it includes three ML per day as detailed elsewhere in the WSP
e) Other high security entitlements	No detail of this in the WSP. Do High security licenses receive 100% of their entitlement in year one and something else in year two
f) An allowance for instream losses and operating losses	No detail of this in the WSP
3 Plus an allowance for inflow over the next 12 months	No detail in the WSP. Advice is future inflows are the worst 12 months inflow for the first year and the second year includes residual of the worst 24 months inflow. Presently these inflows are based on historic figures up to 30 June 2010.
4 The amount set aside in 2 a) is then reduced by considering the volume of water stored in Council's Dungowan Dam and making some assessment of how much of the water for Tamworth's needs will be supplied from Dungowan, reducing the volume set aside in Chaffey for this purpose.	No detail in the WSP. How can this be taken into account when the dam is Council owned and how Council uses the water stored in the dam is up to Council and any license conditions. If the volume set aside in Chaffey Dam is based on Council's entitlement why would the amount of water stored in Dungowan Dam alter this figure?
What is left is then used to calculate the AWD for general security	

The table demonstrates the majority of the criteria included in the calculation of AWD's are not detailed in the current Water Sharing Plan, so how the NSW Government contends water is shared in accordance with the rules detailed in the relevant WSP is questionable. The lack of detail fosters suspicion that the process can be altered to suit circumstances or other agendas and outcomes.

**1.4 Change the WSP to allow the provision of 100% of Council's entitlement in year 2 and 100% of Council's entitlement in year two during the AWD process.**

Even if, as suggested, the AWD process includes 100% of Council's entitlement in year 1 and 70% of Council's entitlement in year 2 Council has adopted a position requesting the year 2 allowance be increased to 100%.

Advice from the NSW Government is that the current Peel Water Sharing Plan which covers regulated and unregulated streams, fractured rock and alluvium sources has been extended for a maximum of two years. However, it is understood the Draft Namoi

Water Resource Plan has been submitted to the Murray Darling Basin Authority (MDBA) and with it, the draft Peel Water Sharing Plan for the Regulated River Source. This draft Plan is the same as the Plan placed on public display and the subject of community consultation late in 2019. It is further understood once the MDBA has approved the Namoi Water Resource Plan, assuming minimal change and those changes do not materially affect the draft Water Sharing Plan for the Peel Regulated River, then the WSP will also be approved. Advice is that the process of approving the Water Resource Plan will be complete by the end of 2020.

Council would also be aware the NSW Natural Resources Commission (NRC) is required to review all Water Sharing Plans, across the State, before the term of each plan ends. The NRC has released its report on the review of the Peel Water Sharing Plan and the Executive Summary is **ATTACHED**, refer **ANNEXURE 2**. Some of the changes/issues highlighted by the NRC support Council's position on the WSP, however it is noted the report by the NRC is advisory only and the NSW Government is not bound to adopt any of its recommendations.

The NSW Government has repeatedly advised Council that a WSP can be changed at any time and the WSP for the Peel Regulated River Source will have to be changed to include the new Dungowan Dam. That said, there does not appear to be any recognition of Council's issues within the Government and certainly no appetite to agree to any of the changes requested by Council at this time.

## **2 Operation of the Chaffey Dam Pipeline**

Council has adopted a position that the new Chaffey Dam Pipeline should be operated at all times and water should only be released from Chaffey Dam into the Peel River, for town water supply purposes, when the demand for water is greater than the capacity of the pipeline to supply.

Under the interim approval, mentioned above, Chaffey Dam pipeline ceases to operate when the storage level in Chaffey Dam is greater than 20%. At this point any water required for Tamworth/Moonbi and Kootingal's requirements will be released from the dam into the Peel River for extraction at Council's Peel River Pump Station. Whenever water is released from the dam into the river, instream losses occur.

During the meeting on 5 August 2020 the effect on the environment and aquifer recharge of not supplying town water via the river, appears to be the main concern of the Government. It was pointed out that just because water is not being released from the dam into the river for town water, it will be released into the river for other customers and these releases can address the environmental and aquifer recharge concerns.

The position that aquifer recharge will reduce if the volume of water released from the dam into the river is an interesting one. The current WSP includes the AWD for licenses in the Peel Alluvium will never be less than 51%. This would suggest that even if there is zero flow in the Peel River license holders should be able to access 51% of their entitlement. Council has long argued that the alluvium and the river are much more closely connected than the figure of 51% would indicate. It seems the comments raising concerns about aquifer recharge if water is not released from Chaffey Dam into the Peel River would suggest that the Government agrees with Council's position. Further it would appear regulated river customers are paying the costs associated with operating Chaffey Dam and seeing their water security reduced through releases from the dam to support aquifer recharge, so that groundwater

license holders in the alluvium can access water at a fraction of the cost the regulated users pay.

Given a lack of support for Council's argument in relation to operation of the pipeline, Council suggested an alternative approach that instead of continuing to release the three Megalitres of water per day into the river, store this water in the dam and use the stored water to address environmental issues and recharge aquifers as required. In return the pipeline could be operated at all times. The Government indicated this would have to be modelled to identify any adverse effects and it is believed this modelling will be undertaken.

Council also indicated that even if the pipeline is not operated all the time, provision must be made to allow the pump station and associated pipeline to be operated regularly to ensure the quality of the water in the pipeline, when the pump station is shut down, does not deteriorate and from general best practise asset management principles which include the need to operate pumps and pipelines periodically.

The Government did agree that the pump station and pipeline should be able to be operated regularly and indicated that this would be considered as part of the review of the interim agreement to operate the pipeline, which ends in October. One concern is that without approval to operate the pipeline in the short term, if the pipeline is shut down until October then the water quality in the pipeline, since it was shut down on or around 29 July 2020, will be very poor and will present a problem to Council and consumers along the Dungowan Pipeline downstream of the connection with the new Chaffey Dam Pipeline when pipeline is recommenced.

It should also be noted that the present approval to operate the pipeline is an interim measure and rules around long term operation of the Chaffey Dam Pipeline will be included as future changes to the WSP for the Peel Regulated River Source.

In relation to whether Council or WaterNSW is going to operate the new pipeline long term, discussion has commenced between WaterNSW and Council. Updates will be provided to Council as necessary.

Finally, Council may recall the interim approval for operation of the pipeline stipulates a Peel Environmental Water Technical Advisory Group be established to advise about environmental releases. An informal approach has been made to Council asking if Council would like to be represented on this group and if so, the name of Council's representative.

### **3 Scott Road Drift Wells**

As per Council's adopted Emergency Water Supply Plan staff are working on maximising the volume of water accessed from the Scott Road Drift Wells. As per Council's recent resolution from its Meeting of 28 July 2020, a broker has been engaged and has sourced almost 350 Megalitres of water in the Peel Alluvium available for temporary trade. Discussion with both NRAR and WaterNSW about administrative requirements to have this water attached to the Scott Road Wells is on ongoing, but it appears this transaction may be completed relatively quickly.

Discussion has also continued with the NSW Department of Planning, Industry and Environment (DPIE) in relation to attaching more water permanently to the Scott Road Drift Wells. Staff have suggested that Council would be prepared to pay for the installation of piezometers in adjacent bores, either monitoring and/or privately owned bores, and monitor the Standing Water Level (SWL) in these bores in real time. If this was done then Council's license at the Scott Road wells could be changed such that

Council could extract as much water as required (up to the capacity of the wells to deliver) as long as the SWL in the monitored bores remained within an agreed range. If the SWL fell below the agreed range then Council would reduce extraction from the wells until the SWL returned to the agreed range. This is considered a sensible and practical solution to concerns about possible adverse effects on adjacent bores if Council extracts from the Scott Road wells. Council would also have to purchase additional water on the open market to allow for extractions from the wells.

DPIE has indicated a new model is being developed for groundwater, expected before the end of the year and the suggestion made by Council will be modelled using the new model.

DPIE has also suggested they may be prepared to look at other short term options whilst the drought continues and associated with the Scott Road Drift Wells including further emergency pumping from the Peel River. At the moment the maximum volume of water that can be pumped from the six Scott Road Drift wells is 10 Megalitres per day. Wells 1 and 1A are considered to be extracting surface water so can continue to be used. The maximum volume that can be extracted from Wells 1 and 1A is approximately five ML's per day. The other four wells can only be used when Council has sufficient water entitlement attached to the wells to allow pumping. This means there is spare capacity in the pump station that accumulates water from each of the wells and pumps it to Calala Water Treatment Plant (WTP). To utilise this spare capacity, it may be possible for Council to install a temporary pump in the Peel River adjacent to the existing Scott Road Wells and pump water from this temporary pump station to the existing storage used to accumulate flows from the wells before pumping to the WTP. An additional five Megalitres per day could be extracted from the river in this way. Of course there would have to be some rules about when the water could be extracted depending on flow in the Peel River.

The second option is to make application under the recently passed Water Supply Critical Needs Act to include the Scott Road Wells under this Act and thereby waive some of the environmental and other considerations associated with attaching more water, on temporary basis, to the Scott Road Drift Wells. However, latest advice is that this does not appear to be an avenue to continue to pursue.

#### **4 Fractured Rock**

As per the resolution by Council at its Meeting of 14 July 2020, the Expression of Interest document inviting interested parties to investigate possible fractured rock water supplies for Tamworth Moonbi Kootingal is underway.

During the meeting with the Minister, when this was raised, one of the staff present advised that fractured rock water in the Peel was 100% allocated. Whilst this was news to Council staff, the further advice was that not much of the allocated water is actually used and therefore it may be possible for Council to purchase fractured rock entitlements on the open market, if necessary, and the investigation of fractured rock water reaches this point.

#### **5 Allocation of water from the new Dungowan Dam**

During discussion with the Minister, concerns were raised about just how much of the new water stored in the new Dungowan Dam will be made available to Tamworth/Moonbi/Kootingal.

The advice was that these matters would be included in the business case presently being prepared for the new Dam and expected to be completed in 2021, before construction of the dam commenced.

Since the meeting this issue has been further pursued and Council has pointed out the discussion notes prepared for Council in readiness for a meeting with Elton Consulting about the new dam project indicated “The New Dungowan Dam is expected to increase Tamworth’s water supply by around seven GL per annum”.

This figure was also quoted in the February 2020 facts sheet on the project released by Water NSW.

Given the discussion at the meeting with the Minister and concerns about just how much additional water is going to be made available for Tamworth as a result of the new dam the following advice has been requested:

- where the seven GL number has been drawn from;
- seven GL is based on a storage of what size;
- Council presently has an entitlement of 5,600 Megalitres for the old Dungowan Dam. Is seven GL an increase of 1,400 Megalitres over our existing entitlement or an additional 7,000 Megalitres per year; and
- is the seven GL based on Council not losing any of its existing entitlement from Chaffey Dam.

No response to these questions had been received at the time of preparing this report.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(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.

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**8.5 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE - GENERAL - 5 AUGUST 2020**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Murray Russell, Manager Infrastructure and Works**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

***That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General – 5 August 2020”, Council:***

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- (i) approve the installation of a broken dividing line marking on Thornbill Road, Moore Creek, to mitigate traffic speeds;*
- (ii) approve the proposed relocation of the existing Piper Street bus stop closer to the TAFE entrance gates;*
- (iii) approve the following changes on Johnston Street, North Tamworth:*
  - a. installation of yellow line marking in the No Stopping zones at the bus and parking pull-in bays;*
  - b. changes to the No Stopping zone on the northern side to open the bay to unrestricted parking; and*
  - c. reduction in length of the No Parking zone between the bridge and Gorman Street, to provide additional unrestricted parking bays for pick up and drop off; and*
- (iv) approve the relocation of the existing No Parking signs that are north and south of the Bupa Aged Care driveway on Bligh Street, such that they are five metres either side of the driveway.*

#### **SUMMARY**

The purpose of this report is to advise Council of four recommendations made by the Tamworth Regional Local Traffic Committee at the meeting held via video conference in August 2020.

#### **COMMENTARY**

The Minutes of the meeting held 5 August 2020, are **ATTACHED**, refer **ANNEXURE 1**.

#### **59/2020 Kingfisher Drive and Thornbill Road Moore Creek, consider line marking based special warrant – review of traffic data**

Following speed complaints and a request for data from the Police representative, traffic data for Kingfisher Drive and Thornbill Road was presented to the Committee for analysis and discussion on the warrant for line marking.

Based on the traffic data, driver behaviour on Kingfisher Drive is generally in compliance with the posted speed limit. Additional treatments such as dividing line markings are not required.

Based on the traffic data, Thornbill Road may benefit from dividing line marking to mitigate traffic speeds.



**COMMITTEE RECOMMENDATION:** support the installation of broken dividing line marking on Thornbill Road, Moore Creek, to mitigate traffic speeds.

#### 67/2020 - Reduced Bus Zone on Piper Street East Tamworth

Proposal to move bus stop to the entrance gates of TAFE, and extend down Piper Street towards Janison Street 30 metres.



**COMMITTEE RECOMMENDATION:** approve the proposed relocation of existing bus stop closer to TAFE entrance gates.

**69/2020 – Johnston Street at Tribe Street North Tamworth, school traffic parking complaint**

Council Operations Engineer and Council Rangers carried out a site inspection and found that the congestion issue appears to be due to the intersection queuing, not parking behaviour.



**COMMITTEE RECOMMENDATION:** the Committee support the following changes on Johnston Street North Tamworth:

- installation of yellow line marking in the No Stopping Zones at the bus and parking pull-in bays;
- changes to the No Stopping Zone on the northern side to open the bay to unrestricted parking; and
- reduction in length of the No Parking Zone between the bridge and Gorman Street, to provide additional unrestricted parking bays for pick up and drop off.

**71/2020 – No Parking signs on Bligh Street, North Tamworth, Bupa Aged Care Facility Driveway**

Residents on Bligh Street have complained about the lack of parking and proximity of parked cars to their driveways, making ingress and egress difficult and allegedly unsafe.

Some residents have claimed that the cars parked in front of their homes are employees of the facility and that the No Parking exclusion around the Bupa aged care facility was excessive and further reduced available on street parking.

Administrators of the aged care facility allege Council installed the signs, however there is no record of this with Council, nor can the aged care facility administrators provide any documentation, dates or contacts for period of installation.





**COMMITTEE RECOMMENDATION:** approve the relocation of the existing No Stopping sign south of the driveway, such that it is five metres from the driveway, and remove the No Parking sign north of the driveway.

Note: there is an error in the Committee's recommendation that would result in an open ended parking zone. The recommendation to Council has been amended slightly to rectify this.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

59/2020 - will be funded from the Infrastructure and Works signs and line marking budgets;

67/2020 - will be funded from the Infrastructure and Works signs and line marking budgets;

69/2020 - will be funded from the Infrastructure and Works signs and line marking budgets; and

171/2020 - will be funded from the Infrastructure and Works signs and line marking budgets.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

59/2020 – Consultation with TRC Rangers;

67/2020 – Consultation with TAFE NSW and bus lines;

69/2020 – Consultation with Police; and

71/2020 – Consultation with Bupa aged care facility and residents immediately adjacent to aged care facility.

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

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

## 8.6 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Louise Cadell, Sustainability Officer - Water

**Reference:** Item 8.9 to Ordinary Council 28 April 2020 - Minute No 104/20

### RECOMMENDATION

*That in relation to the report “Regular Update on Drought Response and Water Sustainability”, Council receive and note the report.*

### SUMMARY

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

### COMMENTARY

#### Current regional water supply situation

The latest update as of 18 August 2020 is provided below:

Area	Restrictions	Water Supply	Situation
Barraba	Permanent Water Conservation Measures	Split Rock Dam	Split Rock Dam level is currently sitting at 4.8%  Restrictions on releases from Split Rock Dam were lifted in March 2020 which was the trigger for Council to return to reviewing Barraba and Manilla independently as per the Drought Management Plan
Bendemeer	Permanent Water Conservation Measures	MacDonald River	Due to sustained flows in the MacDonald River, Bendemeer was moved to Permanent Water Conservation Measures from Monday 2 March 2020.
Nundle	Permanent Water Conservation Measures	Peel River/Nundle Bore/Crawney Road Bore	The Peel River at Nundle has been flowing consistently since February, and was moved to Permanent Water Conservation Measures in May 2020.
Manilla	Permanent Water Conservation Measures	Namoi River/Manilla River	The Namoi River has sustained flows above the requirement to return to Permanent Water Conservation Measures.  Restrictions on releases from Split Rock Dam were lifted in March 2020 which was the trigger for Council to return to reviewing Barraba and Manilla

			independently as per the Drought Management Plan
Attunga	Permanent Water Conservation Measures	Attunga Bores	The groundwater level has recovered and the bores are meeting maximum pumping rates, Attunga was moved Permanent Water Conservation Measures in May 2020.
Tamworth/ Moonbi- Kootingal	Level 4	Chaffey Dam/Dungowan Dam – Moonbi-Kootingal via Nemingha Pipeline	<p>Rain events throughout winter have resulted in consistent inflows into Chaffey Dam. The dam is currently sitting at 24.5%.</p> <p>On 23 January 2020, Chaffey Dam reached its lowest point to date of 12.8%. The Communications Engagement Plan is ready to act on two scenarios – whether the dam drops and hits 10% or if it continues to rise and reaches 25% - the trigger for Level 4 Water Restrictions.</p> <p>Dungowan Dam is at 100%, following numerous rain events in the catchment area. Dungowan Dam will continue to supply Tamworth, Moonbi and Kootingal residents for the foreseeable future. There is around 150 days of water available in Dungowan Dam. An amendment to Council's Drought Management Plan at the Ordinary Meeting on 28 April 2020, allows water to be sourced from Dungowan Dam whilst the storage level is above 50%. From 14 July 2020 Tamworth, Moonbi and Kootingal residents' water supply has been sourced from Dungowan Dam, two of the six Scott Road Drift Wells considered to be extracting surface water and the Peel River accessing tributary flows.</p>

#### Communications Engagement Plan – Level 4 Water Restrictions

Good inflows into Chaffey Dam following multiple rain events in August saw the storage level reach 24.5% (as of 18 August 2020). This is the highest the dam level has been since 28 May 2019.

The trigger point to ease Tamworth, Moonbi and Kootingal residents back to Level 4 water restrictions is 25% in the dam. This is guided by the Drought Management Plan which was adopted in 2015 following community consultation, and amended in 2016 to include the augmentation of Chaffey Dam to 100GL.

With more rain predicted for the region in the near future the communications engagement plan has been updated. The plan intends to build on the solid foundation laid by the Level 5 Water Restrictions – Let's Work Together campaign and will continue to use the Let's Work Together theme with adjustments made to the colour scheme as outlined in the Water Restrictions Communications and Engagement Plan. Advertising through traditional media such as television, radio and print in conjunction with a strategic media strategy will be used to reach the masses. Social media and other experiential marketing opportunities will be implemented to appeal to the needs, wants and desires of targeted audiences.

With concerns residents may become complacent with the slight easing in restrictions and recent rain; every effort will be made to continue to encourage conservative water use.

### **Values and Perception Survey**

The Communications Engagement Plan Values and Perception Survey for all communities living on Permanent Water Conservation Measures is drawing to a close.

There has been positive engagement from the residents in these communities, having a valuable say on water and the way water messaging is communicated with them.

So far more than 100 people have answered the survey. The demographic that is most frequently answering the survey to date online, is aged between 50 and 70 and female.

Nearly all residents who have answered the survey indicated that saving water is extremely important to them and that water should be extremely valued right across the Tamworth Region.

The majority of survey participants also indicated that they heard or saw something about the 'Let's Work Together' Communications Engagement Plan campaign for Level 5 Water Restrictions for Tamworth, Moonbi and Kootingal. Interestingly, so far a 'lack of education' has been a popular answer for the reason why people don't save water at home, as well as 'high water use gardens'.

It was also interesting to note that the answers about how much water an Evaporative Air Conditioning unit uses varied greatly.

Advertising for the survey has taken place in both the Barraba Community News and Manilla Newspaper and there have been regular Facebook posts targeted at those residents which have been reaching more than 10,000 people.

The top responding communities have been Barraba, Manilla and Attunga. Promotion of the survey in the centres it has been released will continue. The results of the survey will help inform the review of the Drought Management plan when that is undertaken.

A similar survey will be released to Tamworth, Moonbi and Kootingal residents when water restrictions ease further.

### **Large Water Users**

In preparation for the possibility that Chaffey Dam could still drop to 10% in the storage, Phase 1 of the Emergency Water Supply Plan has been actioned.

This includes talking to Large Water Users for a follow up discussion of their Water Efficiency Assessment results, which was completed in 2019.

The aim of the meetings established whether any of the recommendations have been adopted.

The feedback from this group was extremely productive. It is encouraging to see that they have a positive attitude when it comes to water conservation and all of large water users have implemented some of the recommendations from the Assessment, and are investigating further water saving initiatives.

Already, this group has made significant savings and have been receptive when it comes to working together with Council to implement these water saving initiatives in the future.

### **Water Saving Rebates**

This financial year has seen a strong start for the water saving rebate scheme, with many residents taking up the opportunity to install water efficient devices in their homes.

75 rebates have been approved this financial year for residential water users, at a value of more than \$14,275. Council is able to calculate the estimated water savings so far for a number of items to more than 1000 kilolitres per year.

It is pleasing to see the number of Evaporative Air Conditioner Servicing and Maintenance rebates is consistently the most applied for. This reflects continued efforts to encourage residents to not only take advantage of the available rebates, but also ensure their Evaporative Air Conditioners are running as efficiently as possible. This has been done through regular radio interviews and also via Facebook and Newspaper advertising of the rebates scheme.

Rebate type	Approved
Ceiling fan	7
Dual Flush Toilet *	4
Toilet with Cistern Sink	2
Evaporative Air Conditioner Servicing and Maintenance	25
Showerhead *	1
Oxijet	3
Large Rainwater Tank *	4
Medium Rainwater Tank *	1
Large Rainwater Tank (stand alone)	6
Medium Rainwater Tank (stand alone)	6
Small Rainwater Tank (stand alone)	7
Plumbers Audit	9
<b>TOTAL (Number)</b>	<b>75</b>
<b>TOTAL (\$)</b>	<b>14,275</b>
<b>TOTAL SAVINGS (kL) *</b>	<b>1,036</b>

\* Conservative estimated water saving to Council calculated for these rebate items only

**(a) Policy Implications**

These projects and activities are implemented from stated outcomes of Council's *Demand and Drought Management Plans* and the *Drought Management Plan – Communication and engagement Plan*.

**(b) Financial Implications**

Nil

**(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.

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

### **9.1 REVIEW OF THE GENERAL POLICY REGISTER**

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

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Review of the General Policy Register”, Council:*

- (i) endorse the proposed revocation or amendment of the General Policies identified in the Annexures and advertise the proposed changes for a period of 28 days for public comments prior to formal revocation or amendment by Council; and*
- (ii) request a further report to Council following the review period to consider any public comments received.*

#### **SUMMARY**

The purpose of this report is to present the updated policies to Council for endorsement to be placed on public exhibition for 28 days for adoption.

#### **COMMENTARY**

A review of the General Policy Register has been undertaken to ensure that the policies are relevant and appropriate for Tamworth Regional Council.

Many policies have been reviewed and these policies need to be adopted by Council before they can be implemented. The changes to each policy are highlighted in the **ATTACHED** General Policy Register, refer **ANNEXURE 1**, and a summary is listed in the table below.

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<b>Policy</b>	<b>Comment or Changes</b>
1.1 Floodplain Management	No changes in this review.
1.2 Asset Management Policy	No changes in this review. This policy was reviewed and endorsed to be placed on public exhibition on 28 April 2020, no submissions were received and the General Policy Register was updated accordingly.
1.3 Asset Disposal Policy	Minor grammar changes. Included wording to offer historical and locally significant items to local historical groups. Deleted duplicate sentence.
1.4 Procurement Policy	Minor grammar changes. Extra words add at point 3 to complete sentence.
2.1 Tamworth Lawn Cemetery - Management	Policy changed to the Cemetery Management Policy and refers to the Plan of Management for Cemeteries.
2.2 Tamworth Lawn Cemetery Plaques	Policy Removed and included in the Cemetery Plan of Management.
3.1 Contracts – Disclosure on Request of Information Contained in Council Contracts	Updated information in line with GIPA.
4.1 Airports - Advertising	No changes in this review.
4.2 Airports and Landing Strips – Landing Fees Credit Limit on Payment – Tamworth Regional Airport	No changes in this review.
4.3 Airports and Landing Strips – Leases – Tamworth Regional Airport	No changes in this review.
4.4 Aquatic Management Plan	No changes in this review.
5.1 Financial Assistance Program – Section 356 of the Local Government Act	Policy modified to include information from policies 18.2 and 19.1.
5.2 Financial Assistance to Community Groups and Organisations – Loans and	Changes to Item 3 with including half a percent and new Item 8 requiring Income and Expense and Balance Sheet

Bank Guarantees	information annually for the period of the loan.
5.3 Public Art Policy	No changes in this review.
5.4 Welcome to Country and/or Acknowledgement of Country	No changes in this review.
5.5 Customer Service Charter	The Customer Service Charter was adopted internally as part of the Customer Experience Project and should be included in the General Policy Register.
6.1 Art Gallery Loans	No changes in this review.
6.2 Art Gallery Purpose and Policies	Change to title and to update Objectives and wording to reflect practices.
6.3 Tamworth Powerstation Museum – Collection Management Policy	Deleted and Replaced with Tamworth Regional Museums Collections Policy
6.4 Community Mowers for use by Section 355 Committees	Minor grammar change.
6.5 Complaints and Procedures	Minor grammar changes. Updated to reflect Councils current processes for handling complaints.
6.6 Art Gallery Donations and Cultural Gifts	No changes this review.
6.7 Year Round Care Policy	The full policy has been removed from the General Policy Register and replaced with a link where it can be found on Council's website.
7.1 Building Over Water and Stormwater Easements	No changes this review.
7.2 Country Music Festival – Raffle Tickets – Regulation of Sales in the Central Business District	Minor grammar changes. Item 3 changed to open in the second half of the year for the following January.
7.3 Encroachments onto Public Roads	Minor grammar changes.
7.4 Footpaths – Use of Public Footpaths for Restaurant Seating	Combined with Policy 7.5.



7.5 Footpaths – Outdoor Seating	Deleted and combined with policy 7.4.
8.1 Copyright of Plans	Minor changes to make intent clearer.
8.2 Corporate Sponsorship	Minor grammar and style changes to be similar to other policies.
8.3 Tamworth Regional Council Public Interest Disclosures Policy	Changes to resemble the Ombudsman’s model policy.
8.4 Workplace Surveillance Policy	As the Policy related to Staff, it has been removed and placed in the Operational Policy Register.
8.5 Corporate Branding Policy	No changes this review.
8.6 Media Engagement Policy	Minor grammar changes.
8.7 Social Media Policy	Minor grammar changes.
8.8 Kerbside Greenwaste Bin Contamination	Moved to 18.4. Minor correction to name of Strategy.
8.9 Kerbside Recycling Bin Contamination	Moved 18.5. Minor correction to name of Strategy.
9.1 Electronic Lodgement Policy – Planning/Building & Subdivision Applications	No changes this review.
9.2 Sanctions for Developers/Consultants Involved in Development	Minor grammar changes.
9.3 Payment of Bond in Lieu of Constructions	No changes this review.
9.4 Approvals Issued Pursuant to Section 68 of the Local Government Act 1993 Bathrooms in Sheds or Outbuildings	Policy Removed.
10.1 Debt Recovery	Changes to instalments given changes to COVID and update recovery process in line with current practices.
10.2 Investment	No changes in this review.  This policy was reviewed and endorsed to be placed on public exhibition, no submissions were received and was adopted on the 26 May 2020. The General Policy Register was updated

	accordingly.
10.3 Ratepayers Hardship Policy	No changes this review.
11.1 Access to Information held by Council	Minor grammar changes and update policy.
11.2 Apologies – By Council	No changes this review.
11.3 Competitive Neutrality – Complaints Management Policy	No changes this review.
11.4 Fraud and Corruption Prevention Policy	No changes this review.
11.5 Gathering Information Policy	Remove from General Policy Register as no longer meets current Council practices and no required in the Register.
11.6 Gifts and Benefits – Councillors and Staff	No changes this review.
11.7 Payment of Expenses and Provision of Facilities to Councillors	Changes to align the Policy with OLG Policy template.
11.8 Provision of Information to Councillors and Interactions Between Councillors and Staff	Changed to reflect the new Code of Conduct.
11.9 Travel – Overseas Visits	Minor correction changes.
11.10 Oversight and Liaison with General Manager Policy	No changes this review.
11.11 Provision of Meeting Facilities to Visiting Parliamentarians	No changes this review.
11.12 Policy for Awarding Freeman of the City or Key to the City of Tamworth	No changes this review.
11.13 Protocols for Visiting Dignitaries and Official Functions	As the Policy related to Staff, it has been removed and placed in the Operational Policy Register.
11.14 Related Party Disclosures	No changes this review.
11.15 Payment to Independent Members of the Audit and Risk Committee	Policy reviewed and updated to commence from 1 July 2020.
12.1 Developer and Contractor Public Liability Insurance Requirements	No changes this review.

12.2 Public Liability and Professional Indemnity Minimum Cover	No changes this review.
13.1 Tamworth Regional Council Liquor Licensing Policy	No changes this review.
14.1 Helicopter Operations	No changes this review.
14.2 Ovals – Advertising Signs at Tamworth No.1 Oval	No changes this review.
14.3 Restrictions on the Consumption of Alcohol in Council's Parks, Reserves and Swimming Pools	No changes this review.
14.4 Scattering of Ashes in Public Parks and Reserves Policy	No changes this review.
14.5 Significant Sport Event Fee Subsidisation Policy	No changes in this review. This policy was reviewed and endorsed to be placed on public exhibition, no submissions were received and was adopted on the 26 May 2020. The General Policy Register was updated accordingly.
14.6 Outdoor Fitness Trainer Policy	No changes this review.
15.1 Council – Closure of Council Facilities over the Christmas/New Year Period	Minor changes to Policy to apply to changes in the Local Government Act.
15.2 Dungowan Dam Trespassing	No changes this review.
15.3 Smoke Free Workplace	No changes this review.
15.4 Naming of Council Facilities	No changes this review.
16.1 Access Ramps in the Central Business District of Barraba	No changes this review.
16.2 Appeals – Door Knocks	No changes this review.
16.3 Appeals – Street Appeals	No changes this review.
16.4 Bus Shelters - Advertising	No changes this review.
16.5 Consumption of Alcohol at Approved Outdoor Dining Facilities in the Tamworth Central Business District	Deleted and combined with policy 7.4.

Alcohol Free Zone	
16.6 Enforcement of Parking Restrictions Policy	No changes this review.
16.7 Footpath Reservations – Works Undertaken By Adjacent Landowners	No changes this review.
16.8 Parking – Unrestricted Use Of Metered Parking Spaces - Tamworth	No changes this review.
16.9 Public Gates and Grids on Local Roads	No changes this review.
16.10 Rural Addressing	No changes this review.
16.11 Smoke-Free Environment Policy	No changes this review.
16.12 Street Lighting	No changes this review.
16.13 Street Naming	No changes this review.
16.14 Street Numbering	No changes this review.
16.15 Urban Tree Removal and Replacement Policy	No changes this review.
16.16 Vandalism	No changes this review.
16.17 Resident Funded Sealing Works	No changes this review.
16.18 Pop-Up Public Art Decoration of Peel Street Trees	No changes this review.
17.1 Weight of Loads on Roads	No changes this review.
18.1 Discharge of Liquid Trade Waste	Moved to 19.1. The full policy has been removed from the General Policy Register and replaced with a link where it can be found on Council's website.
18.2 Waste Disposal – Waste Depots – Exemption From Charges	Policy removed and included in policy 5.1 Financial Assistance Program – Section 356 of the Local Government Act
18.3 Waste Management Charge for Council Community Groups	Now 18.1. Minor changes to update policy and advised that it must be approved by Council.
18.4 Waste Collection Services – Multiple Unit Residential Developments	Now 18.2. No Changes this review.

18.5 Acceptance of Waste Generated Outside the Tamworth Regional Council Local Government Area	Now 18.3. Changes to approval and fees.
19.1 Sewer – Charge Exemption for a Public Charity	Policy removed and included in policy 5.1 Financial Assistance Program – Section 356 of the Local Government Act
19.2 Water – Meter Installation in Business Areas and Other Difficult to Access Areas	No changes this review.
19.3 Water – Stopped or Inaccurate Water Meters	Change to authorise the Director Water and Waste to approve any refunds or crediting of accounts required under this Policy.
19.4 Water – Requirements for the Provision of Reticulation Supplying Treated Water Under Trickle Flow Conditions	No changes this review.
19.5 Water and Sewer – Reimbursement of Developers for Sewer and Water Supply Infrastructure Within Reticulation Areas	No changes this review.
19.6 Sewer and Water Reimbursement for Developers for Sewer and Water Supply Infrastructure Outside Reticulation Areas	No changes this review.
19.7 Sewer Discharge Factor Policy for Non-Residential and Non-Rateable Properties	No changes this review.
19.8 Sewer – Excavating/Filling or Building Adjacent to or over Existing Sewer Mains	No changes this review.
19.9 Temporary Trade of Water Licence Allocations	No changes this review.
19.10 Water Consumption Charges Food Processor Category	No changes this review.
19.11 Water and Sewer – Headworks Charges – Industrial/Commercial Development	No changes this review.

19.12 Water Supply to Residential Dwellings with no Reticulated Supply	No changes this review.
19.13 Low Flow (Trickle Feed) Water Supply	No changes this review.
19.14 Westdale Recycled Water Policy	No changes this review.
19.15 Reduction in Water Consumption Charges	Change to authorise the Director Water and Waste to approve any refunds or crediting of accounts required under this Policy.
19.16 Drinking Water Quality	No changes this review.
19.17 Backflow Prevention Policy	No changes this review.

The General Policy Register must be placed on public exhibition for 28 days and adopted by Council.

**(a) Policy Implications**

The General Policy Register provides direction to staff and Council on matters relating to Council operations.

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The updated General Policy Register 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.

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**9.2 WRITING OFF OF RATES AND CHARGES FOR 2019/2020**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Seon Millstead, Revenue Accountant

1 CONFIDENTIAL ENCLOSURES ENCLOSED

**RECOMMENDATION**

*That in relation to the report “Writing Off of Rates and Charges for 2019/2020”, Council approve the writing off of Rates and Charges totalling \$127,534.00 in accordance with Section 131 of the Local Government (General) Regulation 2005.*

**SUMMARY**

The purpose of this report is to advise Council of Rates and Charges written off during the 2019/2020 financial year, in accordance with Section 131 of the Local Government (General) Regulation 2005.

## COMMENTARY

In accordance with Section 131 of the Local Government (General) Regulation 2005, the Writing Off of Rates and Charges and Small Balances during 2019/2020 totalling \$127,534.00 is submitted for approval.

The amounts written off are summarised as follows:

2015/2016 Postponed Rates/Interest	\$	114,825.24
2019/2020 Conservation Agreements	\$	8,877.07
Small Balances (Rates and Charges)	\$	3,653.45
Small Balances (Water Consumption Charges)	\$	<u>178.24</u>
	\$	<u>127,534.00</u>

Postponed Rates are covered under Section 585-598 of the Local Government Act 1993, and relate to land that is used for a single dwelling-house or rural land and which is zoned to permit commercial, multi-residential or subdivision development. A factor of the rates is postponed each year and written off after five years if the use has not changed.

Conservation Agreements are covered under Section 555 of the Local Government Act 1993, and relate to land that has some part included in a Conservation Agreement within the National Parks and Wildlife Act 1974. Rates are reduced each year based on the portion of the land area under the agreement.

The Rates and Charges Abandonment Register **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**, provides full details of each individual Rate and/or Charge written off during the 2019/2020 financial year.

### (a) Policy Implications

Nil

### (b) Financial Implications

Abandonments for Postponed Rates and Interest are against provisions created when they are levied. Abandonments for Conservation Agreements and small balances are allowed for in annual budgets.

### (c) Legal Implications

In accordance with Section 555(1)(b1) of the Local Government Act 1993, land that is the subject of a conservation agreement is exempt from all rates. Section 555(3) provides for rates being made and levied proportionately on the part of a parcel not subject to the Conservation Agreement.

In accordance with Section 595 of the Local Government Act 1993, if five years have elapsed since the commencement of a rating year for which part of the rates levied on land have been postponed under this Division, the part postponed and any interest accrued on that part must be written off by Council.

**(d) Community Consultation**

Nil

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

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

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**9.3 SPECIAL LOCAL ROADS AND TRANSPORT CONGRESS 2020**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Nicole Hunter, Executive Assistant**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Special Local Roads and Transport Congress 2020”, Council nominate Councillor representatives to attend the congress to be held in Wagga Wagga on 16-18 November 2020 as appropriate.*

**SUMMARY**

The Australian Local Government Association (ALGA) holds an annual National Local Roads and Transport Congress. This year’s congress is being expanded to include natural disaster and pandemic impacts, recovery and resilience, as well as their usual focus on roads and transport. This special congress is being held in Wagga Wagga on 16-18 November 2020.

**COMMENTARY**

In November each year the Australian Local Government Association (ALGA) convenes its National Local Roads and Transport Congress. As ALGA was forced to cancel its annual National General Assembly they have decided that this congress will be expanded to include natural disaster and pandemic impacts, recovery and resilience, as well as their usual focus on roads and transport. The Special Local Roads and Transport Congress – Roads, Regions and Resilience will be held in Wagga Wagga on 16-18 November 2020. A copy of the preliminary program is **ATTACHED**, refer **ANNEXURE 1**.

The special congress will focus on the transport challenges facing local government, but given that so many councils have been impacted by drought, bushfires, as well as the COVID-19 pandemic over the past year, the congress is also being designed to explore the significant impact of these events on local governments, how they have responded, and what support/advice can be provided to councils to increase resilience and recovery.

The Deputy Prime Minister, The Hon Michael McCormack MP, the Leader of the Opposition, The Hon Anthony Albanese MP, and the Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coulton, have all been invited to address the congress.

Registrations are now open with limited spots available. If the event is cancelled a full refund will be provided.

Tamworth Regional Council has traditionally supported the attendance at the annual National Local Roads and Transport Congress by the General Manager and/or Director Regional Services, relevant staff and nominated Councillors. In 2017, Councillor Phil Betts and the



General Manager represented Council at the congress in Albany, Western Australia. In 2018, the Mayor, Councillor Jim Maxwell and the General Manager attended in Darwin, Northern Territory, and last year Councillor Jim Maxwell attended in Hahndorf, South Australia.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Councillors have been allocated a sum of \$4,500 annually to specifically provide for attendance at local government sector conferences, workshops, industry working parties and community non-council functions and events. Expenses relating to the attendance of a councillor/s at the Special Local Roads and Transport Congress will be allocated against this vote.

The cost for the event including registration, accommodation, travel and meals will be approximately \$2,500 per person.

**(c) Legal Implications**

Council's formal resolution for the attendance of any delegate is required for insurance purposes whilst the representatives are performing bona fide council duties.

**(d) Community Consultation**

Nil

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

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

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**9.4 ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - JULY 2020**

**DIRECTORATE: CORPORATE AND GOVERNANCE**

**AUTHOR: Sherrill Young, Manager Financial Services**

**Reference: Item 9.3 to Ordinary Council 23 June 2020 - Minute No 173/20**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Annual Operational Plan 2020/2021 Budget Variation Report – July 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 2020/2021 at the Ordinary Council Meeting held 23 June 2020. 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 July 2020, for which there has been no previous specific report or approval.

The final Budget Review Statements for the 2020/2021 financial year will provide Council with a full review of revised budget forecasts and actual year to date results.

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## 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 updating of the budget is important for sound financial management.

This report aims to provide a timely endorsement of any variations identified and processed during July 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 July 2020

<i>Division</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	252,700	(17,300)	70,000	0	200,000
Infrastructure & Projects	0	(91,610)	91,610	(1,400,000)	1,400,000
Water & Wastewater	100,000	0	100,000	0	0
<b>TOTAL</b>	<b>352,700</b>	<b>(108,910)</b>	<b>261,610</b>	<b>(1,400,000)</b>	<b>1,600,000</b>

#### (a) Policy Implications

Nil

#### (b) Financial Implications

The variations included in the report have the following impact on forecast results for 2020/2021.

<b>Fund</b>	<b>Budget Variation</b>	<b>Operating Income</b>	<b>Operating Expenses</b>	<b>Capital Income</b>	<b>Capital Expenses</b>
General	252,700	(108,910)	161,610	(1,400,000)	1,600,000
Water	100,000	0	100,000	0	0
Sewer	0	0	0	0	0
<b>Grand Total</b>	<b>352,700</b>	<b>(108,910)</b>	<b>261,610</b>	<b>(1,400,000)</b>	<b>1,600,000</b>

#### (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 INVESTMENTS JULY 2020**

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

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Council Investments July 2020”, Council receive and note the report.*

**SUMMARY**

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

**COMMENTARY**

Interest rates on offer from eligible banks and financial institutions remain low. Many banks are declining to quote on term deposits stating that they do not need the funds. The outlook for the return on Council investments remains poor for the foreseeable future. At the time of writing this report term deposit quotes received show Council would have to invest for a period greater than or equal to two years to get a return on investment greater than 1%.

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 31 July 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:

<b>Institution</b>	<b>Cash at bank</b>	<b>Financial Assets Amortised Cost</b>	<b>Financial Assets at Fair Value</b>	<b>Total</b>	<b>% of Total</b>
NAB	12,789,965	45,000,000	0	57,789,965	36.17%
ANZ	0	5,000,000	0	5,000,000	3.13%
BOQ	0	5,000,000	0	5,000,000	3.13%
CBA	0	3,000,000	0	3,000,000	1.87%
St George	0	38,500,000	0	38,500,000	24.10%
TCorp	0	0	11,352,167	11,352,167	7.10%

Westpac	0	39,141,934	0	39,141,934	24.50%
<b>TOTAL</b>	<b>12,789,965</b>	<b>135,641,934</b>	<b>11,352,167</b>	<b>159,784,066</b>	

The amount invested at 31 July 2020, has decreased by \$9,436,004.22 compared to funds held at 30 June 2020.

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:

<b>Fund</b>	<b>Restriction</b>	<b>Amount</b>	<b>%</b>
General	Unrestricted	6,144,372	3.85%
General	Internally Restricted	34,056,149	21.31%
General	Externally Restricted	12,621,369	7.90%
<b>General Fund Total</b>		<b>52,821,890</b>	<b>33.06%</b>
Water	Unrestricted	2,040,303	1.28%
Water	Internally Restricted	26,783,993	16.76%
Water	Externally Restricted	20,944,902	13.11%
<b>Water Fund Total</b>		<b>49,769,198</b>	<b>31.15%</b>
Sewer	Unrestricted	2,081,979	1.30%
Sewer	Internally Restricted	40,305,944	25.23%
Sewer	Externally Restricted	14,805,055	9.27%
<b>Sewer Fund Total</b>		<b>57,192,978</b>	<b>35.79%</b>
<b>Total Investments</b>		<b>159,784,066</b>	

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'.

**(b) Financial Implications**

The low rate of return on investments continues to thwart Council's interest earnings.

**(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.

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**9.6 CODE OF MEETING PRACTICE UPDATE**

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

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Code of Meeting Practice Update", Council:*

- (i) endorse the updated Code of Meeting Practice, advertise the proposed Code for a period of 28 days and allow a period of 42 days for public comments prior to formal adoption by Council; and*
- (ii) request a further report, following the review period, to consider any public comments received.*

**SUMMARY**

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

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## COMMENTARY

The Office of Local Government (OLG) released Circular 20-31 on 14 August 2020, advising Councils that the *Local Government (General) Regulations 2005* have changed regarding the length of time that Councils webcasts are required to be kept.

While the *Model Code of Meeting Practice for Local Councils in NSW* requires Council's Code of Meeting Practice to specify the minimum time period that a webcast recording is to be kept on the website, it did not prescribe a minimum period. Tamworth Regional Council chose two meetings. The OLG is now requiring Councils to retain recordings of Meetings on their websites for at least 12 months, the Code of Meeting Practice **ATTACHED** has been amended accordingly, refer **ANNEXURE 1**.

The Code of Meeting Practice has also been reviewed to ensure that it complies with COVID-19 allowances. This includes modifying the Clauses that Councillors do not have to attend a Meeting in person and that if Council precludes members of the public from attending in person, that the Meeting will be livestreamed via audio visual link.

### (a) Policy Implications

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

### (b) Financial Implications

Nil

### (c) Legal Implications

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

### (d) Community Consultation

Council's Code of Meeting Practice must not be inconsistent with the Model Code of Meeting Practice and must be placed on public exhibition for not less than 28 days for public comment. However, Council must allow 42 days after the date on which it is placed on public exhibition during which submissions may be made.

### (e) Delivery Program Objective/Strategy

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

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## 9.7 TAMWORTH REGIONAL COUNCIL 2019/2020 DELIVERY PROGRAM AND OPERATIONAL PLAN QUARTERLY PROGRESS REPORT - APRIL TO JUNE 2020

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

**1 ANNEXURES ATTACHED**

## RECOMMENDATION

*That in relation to the report "Tamworth Regional Council 2019/2020 Delivery Program and Operational Plan Quarterly Progress Report April to June 2020", Council receive and note the Quarterly Progress Report.*

---

## **SUMMARY**

Council's 2018-2022 Delivery Program was adopted at the Ordinary Meeting of Council held on 26 June 2018. The purpose of this report is to present the Quarterly Progress Report on the delivery of the program for the period 1 April 2020 to 30 June 2020.

## **COMMENTARY**

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

In relation to progress reporting Section 404 (5) of the *Local Government Act 1993*, requires that "the General Manager must ensure that regular progress reports are provided to the Council, reporting as to its progress with respect to the principal activities detailed in its delivery program".

Council, this financial year, has continued its commitment to improving the information available to the Tamworth regional community with quarterly reporting of our actions against the actions contained in the Delivery Program.

The Quarterly Progress Report April to June 2020, as **ATTACHED**, refer **ANNEXURE 1**, provides a progress summary of all actions included in Council's current Annual Operational Plan, which supports Council's delivery of the 2018-2022 Delivery Program.

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

Nil

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

Nil

### **(c) Legal Implications**

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

### **(d) Community Consultation**

Nil

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

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

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## **10 COMMUNITY SERVICES**

Nil

## **11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL**

### **RECOMMENDATION**

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

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### **11.1 SUPPLY AND DELIVERY OF SEVEN 6,500KG GVM TIPPING TRUCKS - T112/2020**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services  
**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**

This tender is for the replacement of seven existing Council tipping trucks. These replacements are scheduled in accordance with Council's plant and fleet asset management plan. The new trucks will be used within Council's Sports and Recreation division.

### **11.2 VARIATION OF RESTRICTION ON USE OF LAND REGARDING LOT 42 IN DEPOSITED PLAN 1142114**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

#### **SUMMARY**

The purpose of this report is to request that Council resolve to consent to a variation of a Restriction on the Use of Land which currently applies to the land known as 1 Bentwing Place North Tamworth and described as Lot 42 in Deposited Plan 1142114. Specifically, the variation will authorise a change to the current location of a building envelope.

### **11.3 PROPOSED LICENCE FOR ACCESS - 474 PEEL STREET, TAMWORTH**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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



## **SUMMARY**

The purpose of this report is to seek Council's authorisation to formalise an existing arrangement for access between Council's property known as 474 Peel Street, and the Joblink Plus building adjacent to this property.

### **11.4 SUPPLY AND DELIVERY OF TWO 10,400KG GVM TIPPING TRUCKS WITH LIFTING CRANES - T137/2020**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services  
**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**

This tender is for the replacement of two existing Council tipping trucks fitted with lifting cranes. These replacements are scheduled in accordance with Council's plant and fleet asset management plan. The new trucks will be used within Council's Infrastructure and Works – Construction division.

### **11.5 PROPOSED ACQUISITION OF LAND**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**3 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

## **SUMMARY**

The purpose of this report is to advise Council of a proposal to acquire Lot 1 in Deposited Plan 795397 in accordance with the provisions as set out in the body of this report.

### **11.6 SUPPLY AND DELIVERY OF TWO 8,500KG GVM TIPPING TRUCKS WITH LIFTING CRANES - T144/2020**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services  
**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**

This tender is for the replacement of two existing Council tipping trucks fitted with lifting cranes. These replacements are scheduled in accordance with Council's plant and fleet asset management plan. The new trucks will be used within Council's Infrastructure and Works – Sealed Roads division.

#### **11.7 LEASE OF HANGAR NO 6, TAMWORTH REGIONAL AIRPORT**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** John Sommerlad, Commercial Director - Airport and Aviation Development

**Reference:** Item 13.7 to Ordinary Council 24 March 2020 - Minute No 88/20

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

#### **SUMMARY**

The purpose of this report is to seek Council's approval to amend the leasing term for Hangar No 6 at Tamworth Regional Airport.

#### **11.8 REMOVAL AND SAFE DISPOSAL OF BOTH ASBESTOS AND CONCRETE VENT SHAFTS, AND SUPPLY AND INSTALLATION OF STAINLESS STEEL VENTS IN TAMWORTH AND MANILLA NSW - T006/2021**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager 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) (d)ii of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a competitor of Council.

#### **SUMMARY**

The purpose of this report is to recommend the acceptance of a tender for the removal and replacement of four, 12m high asbestos cement (circa 1980) and 18, 12m high concrete (circa 1930) sewer vents in Tamworth and Manilla. The replacement vents will be stainless steel, painted environmental green, with a rotating cowl. This report discusses the merits of the tenders received; analysis based on a selection criteria, and recommends a preferred Tenderer.

## **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.