



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

28 JULY 2020

**PAUL BENNETT
GENERAL MANAGER**

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

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

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 14 July 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

7.1 DEVELOPMENT APPLICATION NO. DA2020-0074 FOR ADDITIONS TO EXISTING ANIMAL ESTABLISHMENT AT LOT 14 DP 755334, BEING 144-162 KING GEORGE V AVENUE EAST TAMWORTH

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Emma Briggs, Senior Development Assessment Planner

5 ANNEXURES ATTACHED

GENERAL MANAGER'S ADVISORY NOTE TO:

Councillors

Applicants

Persons making public submissions (written or verbal) Members of the Public

Record (Division) of Voting

In accordance with Section 375A(3) of the Local Government Act 1993, a Division is required to be called whenever a motion for a planning decision is put at a meeting of

the Council or a Council Committee.

A DIVISION under Section 375A(3) of the Act is required on this Planning Application.

Relevant Planning Application

In accordance with Section 10.4(4) of the Environmental Planning and Assessment Act 1979, a person who makes a relevant planning application to Council is required to disclose the following reportable political donations and gifts (if any) made by a person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local Councillor of the Council;
- (b) all gifts made to any local Councillor or employee of the Council.

Relevant Public Submission

In accordance with Section 10.4(5) of the Environmental Planning and Assessment Act 1979, a person who makes a relevant public submission to Council in relation to a relevant planning application made to the Council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing two years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local Councillor of the Council;
- (b) all gifts made to any local Councillor or employee of the Council.

Disclosure of Reportable Political Donations and Gifts

Planning Applications

NIL

Public Submissions

NIL

RECOMMENDATION

That in relation to Development Application No. DA2020-0074 for Additions to Existing Animal Establishment at Lot 14 DP 755334, being 144-162 King George V Avenue East Tamworth consent, be refused for the following reasons:

- a) *The current use of the site as a veterinary hospital is operating without development consent and includes the occupation and use of an unauthorised building contrary to the requirements of Clause 4.2 of the Environmental Planning & Assessment Act 1979.*
- b) *On the basis that the development application does not satisfy Clause 7.2 of the Tamworth Regional Local Environmental Plan 2010 in consideration of the following:*
 - i. *The proposal leads to an increase of flood risk to life and property which is inconsistent with the objectives of Clause 7.2(1)(a).*
 - ii. *The proposal is not compatible with the land's classification as a "floodway" and a "high hazard hydraulic zone and is therefore inconsistent*

- with the objectives of Clause 7.2(1)(b).*
- iii. It has not been demonstrated that the unauthorised land use and building will not result in any significant adverse impacts on flood behaviour and the environment, therefore the proposal is inconsistent with Clause 7.2(1)(c) and Clause 7.2(3)(b).*
 - iv. The proposal is not compatible with the lands flood hazard (Floodway and high provisional hydraulic hazard) and is therefore inconsistent with the objectives of Clause 7.2(3)(a).*
 - v. Based on the isolated location of the site and the identified flood hazard categorisation (Floodway and high provisional hydraulic hazard) the proposal is unable to incorporate measures to manage risk to life from a flood, therefore the proposal is inconsistent with Clause 7.2(3)(c).*
 - vi. The proposal has the potential to increase damage to the natural environment, and therefore is inconsistent with Clause 7.2(3)(d).*
 - vii. The development has the potential to result in social and economic impacts to the community and therefore is inconsistent with Clause 7.2(3)(e).*
- c) On the basis that the development application does not satisfy the site specific requirements for Development on Flood Affected Land in accordance with the Tamworth Regional Development Control Plan 2010.*
 - d) The continued use of the development and use of the unauthorised building is not in the public interest based on the potential for increased risk to life and property as a result of the development being located in a floodway and high provisional hydraulic hazard flood zone.*

APPLICATION DETAILS:

Application No.	DA2020-0074
Application For:	Additions to Existing Veterinary Hospital
Date Received:	23 August 2019
Applicant:	Sixhills Group Pty Ltd
Owner:	SJ & MJ Steiger
Land/Address:	Lot 14 DP 755334 Peppertree Park 144-162 King George V Avenue EAST TAMWORTH NSW 2340
Zoning:	RU4 Primary Production Small Lots - <i>Tamworth Regional Local Environmental Plan 2010</i>

DEVELOPMENT ASSESSMENT SUMMARY

There are two key issues that relate to this proposal resulting in the recommendation to refuse the development application. The first issue is that the use of the existing premises

to which this application relates, is operating as a “veterinary hospital” without the required approvals being obtained and that part of the premises being used as a “veterinary hospital” has been constructed without the required approvals being obtained.

The second is the location of the existing premises and unauthorised building use which is subject to inundation by flooding and has been identified as being located within a “floodway” and “high provisional hydraulic hazard (flood) zone”. The continued use of the building as a veterinary hospital in the identified floodway is not compatible with the land and presents a risk to property and life.

In this instance, it is recommended that the Development Application be refused.

BACKGROUND

Historical Approval for Animal Establishment

A development application (DA638/2000) for an “animal establishment” comprising the construction of a “livestock barn” was approved by Tamworth City Council on 2 June 2000. At the time of the approval, an “animal establishment” was defined under the Tamworth Local Environmental Plan (TLEP) 1996 as:

animal establishment means a building or place used for the breeding, boarding, training, keeping or caring for animals for commercial purposes, and includes a riding school and a kennel or cattery.

The “animal establishment” was approved on the basis that the structure was to be used as an ancillary building (“livestock barn”) for the Tamworth Veterinary Hospital (operating at 106 Brisbane Street Tamworth) to provide housing and services (primarily associated with breeding) for livestock. The approved plan shows a open style barn shed, having a floor area of 21m x 12.0m (252m²), with no internal walls, office space or amenities.

The building was classified under the Building Code of Australia (BCA) as a Class 10a being a non-habitable building which includes sheds, carports and private garages (residential outbuilding).

An Occupation Certificate was issued by Tamworth Council on 08 October 2002.

The current approved plan is **ATTACHED** to this report as **ANNEXURE 1**.

Current Application and Unauthorised Land Use and Building Works

The subject application presented to Council is for a small addition to an existing building which is operating as a veterinary hospital building comprising a clinic area with floor area of 17.2m² and external covered area of 15.4m² being an additional gross floor area of 32.6m².

During the assessment of the application, inconsistencies were identified between the current approved use of the site and uses referred to in the submitted Statement of Environmental Effects (SEE). These inconsistencies being:

- The current use of the site as a “veterinary hospital”; and
- The observed building additions comprising an “existing office area” that are not shown on the approved plan from 2000.

Unauthorised use of the premises as a Veterinary Hospital

The submitted Statement of Environmental Effects does not investigate the approval status of the existing “veterinary hospital” operating at the site. The SEE refers to the “existing veterinary hospital” implying an approved use.

However, as previously ascertained, the approved use is an “animal establishment”, not a “veterinary hospital”. At the time of approval, both uses were separately defined under the Tamworth Local Environmental Plan 1996 (TLEP 96) as follows:

- **“animal establishment** means a building or place used for the breeding, boarding, training, keeping or caring for animals for commercial purposes, and includes a riding school and a kennel or cattery”; and
- **“veterinary hospital** means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.”

The function of the building as an animal establishment was a key reason for the original Council approval which was approved to operate in a similar capacity to a typical open style farm building which was ancillary to the Tamworth Veterinary Hospital. However, since development approval was granted (2 June 2000), the operations within the building have changed considerably to a stand alone “veterinary hospital” business with full time staff, office area, amenities and specialist rooms contained within the building. The current use of the building as a veterinary hospital in an identified floodway now has an even greater risk to property and life.

Consequently, the building is being used for a purpose (veterinary hospital) for which planning approval is required but has not been obtained. Further, the current use as a “veterinary hospital” is in contravention of the existing planning approval for an “animal establishment”.

The construction of building additions comprising an existing office area

The submitted Statement of Environment Effects does not investigate the approval status of the existing building. When comparing the submitted plan with the current approved plan it is noted that a skillion addition on the western side of the building (with a floor area of approximately 60m²) has been constructed. The submitted plan indicates that this part of the building is an “Existing Office Area (to remain unchanged)” implying that it is an approved use. However, no approval has been sought or obtained for the construction of these building additions.

No previous approvals have been granted for either the building additions or the use of the premises as a “veterinary hospital”. Consequently, there has been no opportunity until now for Council to carry out an assessment in relation to the suitability of the site for this use, specifically having regard to potential flooding impacts. This is addressed in the following sections of this report.

Plans demonstrating the extent of unauthorised works and uses are **ATTACHED**, refer **ANNEXURE 2**.

Whilst it cannot be ascertained when the unauthorised works were constructed or the veterinary hospital use commenced, it is noted the subject site has changed ownership twice since the approval of DA638/2000 on 2 June 2000. The current owners purchased the property in 2018.

Flooding

The subject site is identified as a “flood planning area” on the Flood Planning Map of the TREL P 2010. The Tamworth City-Wide Flooding Investigation (Lyll & Associates 2019) identifies the subject site as being located within the hydraulic category of a “floodway” and within the “high provisional hydraulic hazard” zone.

Flood Mapping plans contained within the TRLEP 2010 and the Tamworth City-Wide Flooding Investigation are **ATTACHED**, refer **ANNEXURE 3**, to the report.

The Floodplain Development Manual (2005) issued by the NSW Government defines these terms as follows:

- floodways are "areas conveying a significant proportion of the flood flow and where partial blocking will adversely affect flood behaviour to a significant and unacceptable extent"; and
- high provisional hydraulic hazard zone is defined as "possible danger to personal safety; evacuation by trucks difficult; able-bodied adults would have difficulty in wading to safety; potential for significant structural damage to buildings".

In this regard, Clause 7.2 of the TRLEP 2010 requires Council to consider whether the land use is compatible with the flood hazard and to ensure risk to life and property is minimised in consideration of planning provisions and the Floodplain Development Manual.

A detailed consideration of the development having regard to the provisions of Clause 7.2 is carried out within the body of the report. However, in summary, Council cannot be satisfied that the continued use of the site as a “veterinary hospital” including the unauthorised part of the building incorporating the office area, is compatible with the location of the site within a hydraulic category of a “floodway” and within the “high provisional hydraulic hazard” zone and therefore should be refused.

DESCRIPTION AND CURRENT USE OF THE SITE

The subject site is legally described as Lot 14 DP 755334 and known as “Peppertree Park” 144-162 King George V Avenue East Tamworth. The site has an area of approximately 10.89 hectares and is located approximately 1.7km from the Peel River Bridge, south east of the Tamworth Central Business District. The site is bound by the Peel River to the north.

A locality map and aerial imagery of the development site is **ATTACHED**, refer **ANNEXURE 4**, to this report.

The site is improved by a single story dwelling, farm buildings and an unauthorised veterinary hospital (Tamworth Equine Veterinary Centre). The unauthorised veterinary hospital comprises an office, clinic, shed, storage and stable area. The existing unauthorised veterinary hospital building has a floor area of approximately 323m². A car park, as well as other ancillary stock yards and shelters are also located on the site.

THE PROPOSED DEVELOPMENT

The subject application presented to Council is for a small addition to the existing unauthorised veterinary hospital building comprising a clinic area with floor area of 17.2m² and external covered area of 15.4m² being an additional gross floor area of 32.6m².

The submitted plans are **ATTACHED**, refer **ANNEXURE 5**.

ASSESSMENT REPORT

The following matters listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, are relevant in considering this application.

S4.15(1)(a)(i) Provisions of any environmental planning instrument

Local Environmental Plan

Tamworth Regional Local Environmental Plan 2010:

The subject site is zoned RU4 Primary Production Small Lots under the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010). The objectives of the RU4 zone are as follows:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

As previously outlined, the current approved use of the site is for an “animal establishment”. This definition did not include the use of the building as a “veterinary hospital” which was a separately defined term.

The current definitions under the TRLEP 2010 which are comparable to the defined terms under the preceding TLEP 1996 are:

- ***animal boarding or training establishment*** means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.
- ***veterinary hospital*** means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

An ***animal boarding or training establishment*** and a ***veterinary hospital*** are both permissible developments in the RU4 zone.

The submitted Development Application form and submitted Statement of Environmental Effects clearly indicates that the proposal is for additions to an existing “veterinary hospital”. While it is noted that the current definition of an *animal boarding or training establishment* includes reference to an “ancillary veterinary hospital”, this does not by default legitimise the use of the building as a “veterinary hospital”. On this basis, an ancillary veterinary hospital would need to be in association with (or ancillary to) an animal boarding or training establishment.

It is important to clarify that the issue of permissibility of the land use is not in question. Rather, the issue is the current approval status and whether the unauthorised land uses and building works are suitable in a floodway and high provisional hydraulic hazard zone which is discussed in detail below.

Clause 7.2 Flood Planning

The subject site is identified as a “flood planning area” on the Flood Planning Map of the TRELPL 2010. Consequently, Council is required to consider Clause 7.2 in the assessment of the application which is reproduced below:

- (1) *The objectives of this clause are as follows—*
- a) *to minimise the flood risk to life and property associated with the use of land,*
 - b) *to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change,*
 - c) *to avoid significant adverse impacts on flood behaviour and the environment.*
- (2) *This clause applies to:*
- a) *land that is shown as “Flood planning area” on the Flood Planning Map, and*
 - b) *other land at or below the flood planning level.*
- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—*
- a) *is compatible with the flood hazard of the land, and*
 - b) *is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
 - c) *incorporates appropriate measures to manage risk to life from flood, and*
 - d) *is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
 - e) *is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

An assessment of the development against the provisions of Clause 7.2 is carried out below:

Subclause	Commentary
(1)(a)	<p>It is acknowledged that the subject application seeks approval for a minor extension to an existing building. However, the current approval relating to the site is for a "livestock barn" associated with an “animal establishment”. Based on the submitted Statement of Environmental Effects, the use has evolved to what is more consistent with the definition of a “veterinary hospital”, which includes an “office area” comprising reception area and foyer, offices, pharmacy store and amenities including kitchen. The use of the premises as a stand alone “veterinary hospital” business is clearly an intensification of the use of the site from what was originally approved, thus impacting upon the following in the event of a flood:</p> <ul style="list-style-type: none"> • The requirement for special evacuation needs (both human

	<p>and animals/livestock);</p> <ul style="list-style-type: none"> • Ability to safely evacuate given King George Avenue is the only access and is wholly located in the floodway, and the closest flood free area being the other side of Paradise Bridge approximately 1.7km from the site; • Occupant awareness given the building may be occupied by both employees and clients, or other visitors to the site as a result of the business operations; and • Increased risk for potential damage and danger to personal safety based on the above; <p>On this basis the development leads to an increase of flood risk to life and property which is inconsistent with the objectives of Clause 7.2(1)(a).</p>
(1)(b)	<p>The Tamworth City-Wide Flooding Investigation 2019 identifies the subject site as being located within the hydraulic category of a “floodway” and within the “high provisional hydraulic hazard zone”. The categorisation of the land as being within a “high provisional hydraulic hazard zone” means:</p> <ul style="list-style-type: none"> • possible danger to personal safety; • evacuation by trucks difficult; • able-bodied adults would have difficulty in wading to safety; and • potential for significant structural damage to buildings. <p>The continued use of the site for a veterinary hospital is not considered compatible with the lands flood hazard (high provisional hydraulic hazard zone) based on the following;</p> <ul style="list-style-type: none"> • The requirement for special evacuation needs (both human and animals/livestock) when no safe flood free evacuation option is available; • Occupant awareness given the building may be occupied by both employees and clients, or other visitors to the site as a result of the business operations; • Increased risk for potential damage and danger to personal safety based on the above; and • Increased potential for damage to buildings and equipment (for example office equipment, including electrical, laboratory equipment, surgical tools and supplies) used in the operation of a “veterinary hospital”. <p>Therefore, it is not recommended to legitimise the continued use of the premises as a veterinary hospital nor the unauthorised building works. Based on the above, the proposal is inconsistent with the requirements of Clause 7.2(1)(b) of TRLEP.</p>

(1)(c)	<p>The Applicant submitted a report prepared by Barnson Pty Ltd which considered structural soundness of the existing building, the proposed addition and flood affectation.</p> <p>The proposed addition has been designed to withstand flood waters, whilst the livestock barn approved under DA0638/2000 included certification from engineer regarding structural soundness in flood water. However, the structural soundness of the unauthorised building addition (68.7m²), to withstand the force of flowing floodwaters, including debris and buoyancy forces, has not been addressed, nor the unauthorised internal fitout of the building as offices. Council has not been satisfied that the unauthorised structure has been designed to mitigate the flood risk, and therefore, the building itself and contents of the building including lab equipment, biological samples, laboratory equipment and any animals under care are at risk of damage loss and becoming mobile hazards moving down stream posing further risk to the receiving community and critical infrastructure.</p> <p>It has not been demonstrated that the development nor the unauthorised structures will not result in any significant adverse impacts on flood behaviour and the environment, therefore the proposal is inconsistent with the requirements of Clause 7.2(1)(c) of TRLEP.</p>
(2)(a)	<p>The subject site is identified as a “flood planning area” on the Flood Planning Map of the TREL P 2010</p>
(2)(b)	<p>The subject site is identified as a “flood planning area” on the Flood Planning Map of the TREL P 2010</p>
(3)(a)	<p>The continued use of the site as a veterinary hospital and occupation of the unauthorised structure is not compatible with the high provisional hydraulic hazard zone. The unauthorised building works have not been certified to confirm they can withstand the force of flowing floodwaters, including debris and buoyancy forces. Further, emergency access is not available as King George Avenue is the only legal point of access and is also situated within the floodway.</p> <p>Furthermore, the proposed and existing floor level of the building is 382.685 AHD which does not achieve the required Flood Planning Level (FPL) of 384.05m AHD (includes 0.5m freeboard). Information provided by the Applicant indicates that the floor level of the existing office area (ie unauthorised portion of the existing building) is 600mm above the existing ground level. A survey has not been submitted which confirms the floor level of the unauthorised office area. However, the office floor would need to be raised by 0.765m to be at the FPL.</p> <p>On this basis the development leads to an increase of flood risk to life and property, the development is not compatible with the</p>

	<p>flood hazard of the land and therefore the proposal is inconsistent with the requirements of Clause 7.2(3)(a) of TRLEP.</p>
(3)(b)	<p>The submitted Barnson Report addresses the flood affectation created by the proposed addition (17m²) as being a rise in floodwater of 8mm, which is described in the Report as being “negligible”. As has been established in this report, part of the existing building has not been approved. While it is acknowledged that the potential impact on the entire floodway may be negligible from the existing building as a whole (including the unauthorised part), the impact of the proposed building addition on the existing building has not been addressed. That is, it is considered that the location of the proposed building addition has the potential to direct flows to within the existing building by the side entry immediately upstream, potentially having direct consequences for the section of the unauthorised building referred to as offices on the submitted plan set.</p> <p>The development will potentially result in flood affectation onto the unauthorised building, therefore the proposal is inconsistent with the requirements of Clause 7.2(3)(b) of TRLEP.</p>
(3)(c)	<p>The location of the subject site in the middle of the floodway prohibits flood free access to the site in the event of an emergency. Whilst the Applicant has suggested implementing an emergency evacuation plan to comply with this clause, the Floodplain Development Manual recommends that evacuation measures proposed for individual developments is not an appropriate measure to rectify adverse impacts, to manage the consequences of inappropriate decisions or to override any flood management plan.</p> <p>Furthermore, given the extreme variables in predicting flood behaviour and determining the need for an evacuation, it is not practical to have an evacuation plan tied to any specific indicator and this could potentially leave Council liable for any loss of life and property if relied upon.</p> <p>Therefore, as stated in the Floodplain Development Manual, private emergency plans and early warning systems should not form the basis for development consent.</p> <p>In addition, given that no documentation has been provided to certify that the unauthorised portion of the existing building can withstand the force of flowing floodwaters, including debris and buoyancy forces, Council cannot be satisfied that appropriate measures are in place to manage risk to life from flood.</p> <p>The proposal is unable to incorporate measures to manage risk to life, and therefore the proposal is inconsistent with the requirements of Clause 7.2(3)(c) of TRLEP.</p>
(3)(d)	<p>Although this has not been addressed by the Applicant, it is</p>

	<p>acknowledged that the proposed building addition is unlikely to cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p> <p>However, there is increased risk of damage to the natural environment arising from the potential displacement of structures incapable of withstanding the flow of floodwaters, as well as the displacement of movable objects associated with the operation of the veterinary hospital.</p> <p>The proposal has the potential to increase damage to the natural environment, and therefore the proposal is inconsistent with the requirements of Clause 7.2(3)(d) of TRLEP.</p>
(3)(e)	<p>The location of the subject site within a “floodway” and “high provisional hydraulic hazard zone” in conjunction with the unauthorised building and intensified land use increases the risk of generating significant economic costs in the event of public and private property and infrastructure damage as a result of a flood event. This cost may not also be limited to the property owner but to members of the community who may need to assist in the event of any emergency evacuation and the reconstruction of damaged/destroyed public infrastructure (e.g bridges) as a result of displacement of structures and moveable objects/equipment unable to withstand the flood event.</p> <p>The development has the potential to result in social and economic impacts to the community based on the above, and therefore the proposal is inconsistent with the requirements of Clause 7.2(3)(e) of TRLEP.</p>

S.4.15(1)(a)(ii) Provisions of any draft environmental planning instrument

Nil

S.4.15(1)(a)(iii) Provisions of any Development Control Plan

Tamworth Regional Development Control Plan 2010 (TRDCP 2010):

The development proposal has been assessed with respect to the Development Controls of the TRDCP 2010. The following assessment is provided with respect to the relevant provisions:

Development on Flood Affected Land	
Access	Flood free access is not available. The only available access route from the subject site is via King George Avenue which is located within the floodway and high provisional hydraulic hazard zone. Based on the depths and velocity, King George Avenue will not achieve the safe wading criteria as specified in the Development Control Plan and Flood Planning Development Manual.

<p>On-site Sewer Management (OSSM)</p>	<p>It is acknowledged that an approval under S.68(C5) of the <i>Local Government Act 1993</i>, to install a new replacement aerated waste water treatment system (previous system not approved) was granted by Council on 8 May 2019. Contrary to the requirements of the Development Control Plan the OSSM facilities are below the flood planning level.</p>
<p>General Development Requirements</p>	<p>The existing approved component of the building, as well as the proposed addition, is certified to withstand the force of floodwaters. However, no certification has been provided with regard to the unauthorised portion of the building.</p> <p>A site survey has not been provided as part of the application showing existing ground levels, finished ground levels, finished floor levels, flood levels and location of existing/proposed buildings and safe evacuation path on the site relative to AHD.</p> <p>The submitted Barnson Report states that all building components proposed for the areas below the 1:100yr ARI (plus freeboard) are all in the range of 'suitable' under the Flood Proofing Guidelines.</p>
<p>Commercial/Retail/Industrial Development</p>	<p>Council are unable to ascertain if the unauthorised veterinary hospital has the existing or future capacity to incorporate measures to seal or flood proof the building. Extensive work may be required to the existing building to achieve the required height levels for fittings susceptible to flood damage, or to ensure that all contents stored are located above the 1:100 year ARI flood level.</p> <p>Nonetheless, based on the incompatibility of this use within a “floodway” and “high provisional hydraulic hazard zone” it is considered the use of the site for a veterinary hospital (commercial development) is not suitable.</p>
<p>Non-residential rural buildings</p>	<p>Non-residential rural buildings are not permitted in flood ways. It is acknowledged that buildings and structures have been approved onsite in relation to the operation of the animal establishment, however the intensification of the land use (without consent) and the unauthorised office area increases the potential flood risk to life and property.</p> <p>Despite being approved as a non-residential rural building, the existing building has evolved (without approval) to a building more compatible with a “commercial” building. However, it is acknowledged that such buildings are not permitted in “floodways” under the current controls.</p>

S.4.15(1)(a)(iiia) Provisions of any Planning Agreement

There are no planning agreements that relate to the subject site or type of development.

S.4.15(1)(a)(iv) Any matters prescribed by the Regulations

In accordance with Clause 94 of the Environmental Planning and Assessment Regulations 2000, Council is required to consider whether the measures contained within the building are inadequate to protect persons using the building, and to facilitate their egress from the building, in the event of fire, or to restrict the spread of fire from the building to other buildings nearby.

The applicant provided Council with a Draft Fire Safety Schedule on 30 September 2019, for a Class 6 Building being a building that supplies services direct to the public. Council can be satisfied that essential fire safety measures can be installed within the building to enable the issue of a Fire Safety Certificate.

S.4.15(1)(b) The likely impacts of development including environmental impacts on both natural and built environments and social/economic impacts in the locality

The natural environment	<p>The subject site is located on the Peel River floodplain. There is established landscaping associated with the existing buildings on site including the dwelling and veterinary hospital. As previously discussed, the Tamworth City Wide Flood Investigation 2019 identifies the site as being located within a “floodway” and “high provisional hydraulic hazard zone”.</p> <p>There is increased potential for impact on the Peel River floodplain in the event of structure displacement or the escape of equipment from the subject site.</p>
The built environment	<p>The subject site contains an existing dwelling, associated outbuildings, as well as the building subject of this application. It is acknowledged that there are other dwellings and ancillary outbuildings located along King George V Avenue which are subject to inundation by flooding.</p> <p>As previously discussed throughout this report, concerns are raised with regard to the continued use of the existing building as a “veterinary hospital” given the location of the site within a “floodway” and high hazard flood zone”. Consequently, the proposed building addition has the potential to increase risks to property during a flood event.</p>
Social and economic impacts	<p>The location of the subject site within a “floodway” and “high provisional hydraulic hazard zone” increases the risk of generating significant economic costs in the event of property and equipment damage as a result of a flood event. This cost may not be limited to the property owner but also to members of the community who may need to assist in the event of any emergency</p>

	<p>evacuation.</p> <p>As previously stated, there is potential for increased costs associated with flood events where structures are unable to withstand flood events or equipment stored on site has been displaced resulting in damage to public infrastructure (e.g bridges).</p> <p>The proposed building addition is to accommodate services which are not currently able to be carried out on site. Therefore, it is acknowledged that the refusal of the subject application has the potential to have detrimental economic impacts for the existing tenants leasing the subject site. In addition, further detrimental economic impacts to the current property owner, as well as the tenants, are acknowledged where business relocation is required.</p>
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S.4.15(1)(c) *The Suitability of Site for the Development*

The operation of a “veterinary hospital” is not considered compatible with the location of the site within a “floodway” and “high provisional hydraulic hazard zone” given the potential for increased risks during a flood event due to:

- The requirement for special evacuation needs (both human and animals/livestock);
- Occupant awareness given the building may be occupied by both employees and clients, or other visitors to the site as a result of the business operations;
- Increased potential damage and danger to personal safety based on the above; and
- Increased potential for damage to equipment (for example office equipment, including electrical, laboratory equipment, surgical tools and supplies) used in the operation of a “veterinary hospital”.

As previously discussed, the Applicant has failed to satisfy Council that the existing building to which the additions are proposed can withstand the force of the flowing of floodwaters, including debris and buoyancy forces as appropriate. Further, Council cannot be satisfied that the proposed addition will not result in flood affectation to the existing building, including the unauthorised part containing the office areas. Consequently, Council cannot be satisfied that the site is suitable for the proposed building addition or the continued use of the existing building as a “veterinary hospital”.

S.4.15(1)(d) *Any Submissions Made in Accordance with the Act or Regulations*

The application was neither advertised nor notified to adjoining property owners.

S.4.15(1)(e) *The Public Interest*

In this case, the continued use of the existing building as a “veterinary hospital” within a “floodway” and “high provisional hydraulic hazard zone” has the potential to result in social and economic costs arising as a result of increased risk to property damage. Not only does this include damage to property on the subject site but also other properties within the flood plain, as well as public infrastructure such as bridges. The potential for increased costs arising from incompatible and potentially structurally unsound development within a floodway is not considered in the public interest.

Additionally, the continued use of the existing building as a “veterinary hospital” within a “floodway” and “high provisional hydraulic hazard zone” increases the potential risks to life during a flood event and is therefore not considered to be in the public interest.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The application was not required to be advertised or notified.

(e) Reason for Consideration by Council

It is recommended that the application be refused and that appropriate compliance action be undertaken.

(f) Delivery Program Objective/Strategy

A Region for the Future – F21 Protect our natural environment.

CONCLUSION:

This report provides an assessment of the development with regard to all relevant matters listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Although the proposal seeks approval for a minor extension to an existing “veterinary hospital”, the “veterinary hospital” is operating without the required approvals being obtained. Furthermore, part of the existing building occupied by the “veterinary hospital” has also been constructed without the necessary approvals. Due to the location of the subject site within a “floodway” and “high provisional hydraulic hazard zone”, Council cannot be satisfied that the proposed development and existing use is compatible with the flood hazard of the land, or incorporates appropriate measures to manage risk to life from flood.

For these reasons, the site is not considered suitable for the proposed building addition or the continued operation of the “veterinary hospital”, and therefore the application is recommended for refusal.

7.2 PROPOSED ROAD NAMES - FLINDERS STREET, WESTDALE SUBDIVISION - STAGE 4

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Carolyn Tickle, Development Hub Supervisor

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed Road Names – Flinders Street, Westdale Subdivision – Stage 4”, Council:

- (i) approve in principle the road names ‘Bonney’ Street and ‘Baudin’ Street;***
 - (ii) advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads (General) Regulation 2008, Part 2, Division 2 to enable interested***
-

parties the opportunity to make comment; and

- (iii) provided no submissions are made which object to the proposed road names proceed to publish adopted names in the Government Gazette and notify Australia Post, NSW Land and Property Information, Chief Executive of the Ambulance Services of NSW, NSW Fire Brigades, NSW Rural Fire Service, NSW Police Force, State Emergency Services and NSW Volunteer Rescue Association Incorporated with sufficient particulars for identification of the roads.*

SUMMARY

The purpose of this report is to nominate names for the newly created roads within Stage 4 – Flinders Street Subdivision – DA2018-0561 Lot 200 DP 1257004.

The existing street name theme is Explorers.

COMMENTARY

Development Consent was granted for Staged Residential Subdivision to Create 46 Lots – Consent Date 13 August 2018. This naming report is applicable to Stage 4 of the development.

The developer has requested that the road names be assigned to the public roads within the subdivision. The following names are proposed:

- 'Bonney' Street and 'Baudin' Street

The location of the roads are shown on the **ATTACHED** plan, refer **ANNEXURE 1**.

The history of the selected names is as follows:

'Bonney' – Charles Bonney (1813-1897) overlander, politician and civil servant who became Commissioner of Crown lands in 1856. Bonney was remembered as a capable and intelligent bushman and his wide knowledge of Australian geography was recognised where he was elected a fellow of the Royal Geographical Society in 1861.

'Baudin' – Nicolas Thomas Baudin (1754-1803) explorer, cartographer, naturalist and hydrographer. Baudin was selected by Bonaparte to lead what has become known as the Baudin expedition to map the coast of Australia (New Holland) along with nine zoologists and botanists. The scientific expedition proved a great success, with more than 2500 new species of plants discovered. In his honour, the following places bear Baudin's name – Baudin Beach on Kangaroo Island, Baudin Rocks and Nicholas Baudin Island as well as six animals one being Baudin's black cockatoo.

The proposed names have been reviewed under the 'Geographical Names Board (GNB) Guidelines for the Naming of Roads' and there is no objection to the use.

Should Council support the proposed names it is then necessary to place on exhibition for public comment in accordance with the *Roads Act 1993*, Section 162, *Roads (General) Regulation 2000*, Part 2 Division 2.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The proposed road names will be exhibited for public comment in accordance with the *Roads Act, 1993*, Section 12, *Roads (General) Regulation 2008*, Part 2, Division 2.

(e) Delivery Program Objective/Strategy

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

7.3 PROPOSED RENAMING OF A SECTION OF BOURNES LANE, MOORE CREEK

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Carolyn Tickle, Development Hub Supervisor

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed Renaming of a Section of Bournes Lane, Moore Creek”, Council:

- (i) approve in principle the proposed renaming of a section of Bournes Lane, Moore Creek;*
- (ii) write to the affected land owners; and*
- (iii) seek concurrence with the Geographical Names Board.*

SUMMARY

The purpose of this report is to rename of section of Bournes Lane, Moore Creek, east of Thornbill Road, Moore Creek.

COMMENTARY

A concern has been raised with the addressing of properties along a section of Bournes Lane, Moore Creek shown on the **ATTACHED** plan, refer **ANNEXURE 1**.

A section of Bournes Lane was closed with the various stages of Forest Hills subdivision being developed and as a result the east extent of Thornbill Road has caused the street addressing of this section not to be contiguous in numbering.

NSW Address Policy Section 6.7.7 for road extents states: *where a road extent is broken into separate sections by redevelopment or redesign, the name shall only be retained on one section and the other section(s) renamed as part of the development process.*

The road naming theme surrounding the area is Flora and Fauna. It is proposed to write to all the affected land owners to advise and allow for comment. Council will then propose a name to the Geographical Names Board for concurrence.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Council will write to the affected land owners of the proposal to rename the section of Bournes Lane, Moore Creek.

(e) Delivery Program Objective/Strategy

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

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH GLOBAL GATEWAY PARK - STATUS AND FUNDING

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Graeme McKenzie, Manager, Project Management and Engineering Services

Reference: Item 12.4 to Ordinary Council 11 February 2020 - Minute No 26/20
Item 7.3 to Ordinary Council 26 February 2019 - Minute No 33/19

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Global Gateway Park – Status and Funding”, Council receive and note the report.

SUMMARY

This report discusses the status of the proposed development known as the Tamworth Global Gateway Park (TGGP), formerly known as the Glen Artney Enterprise Area. The TGGP is a 246 hectare parcel of land located between Westdale and the Glen Artney Industrial area and is bounded by the Oxley Highway, Goddard Lane, Goonan Street and Marathon Street.

The report outlines the status and inter-relationships involved in the development of the TGGP, the freight intermodal and the reactivation of the rail line between the West Tamworth rail yard and the intermodal.

The report also presents the current status for the individual development components within the TGGP, including the status of the funding for those components.

COMMENTARY

History of the Tamworth Global Gateway Park

Council had been involved in discussions relating to the possible development of a rail/road intermodal for the Tamworth area since 2014, with the proposed site located off the old Barraba spur line and accessing privately owned land west of Marathon Street.

Negotiations for the purchase of a parcel of the privately owned land for the intermodal site were protracted and eventually the purchase of the full parcel of land bounded by the Oxley Highway, Goddard Lane, Goonan Street and Marathon Street was considered.

Following resolution by Council the land sale was completed on 5 February 2016, for a purchase price of \$16 million plus GST, with the aim of securing the site for future industrial and business purposes. The land purchased was a total of 246.30 hectares and consisted of two lots with a variety of existing land use zonings. Lot 2, DP 816346 (111.5 hectares) consisted of 68.8 hectares of land adjoining Goddard Lane that was zoned Heavy Industrial (IN3) with the residual Rural Small Holdings (RU4). Lot 462, DP 1178998 (134.8 hectares) consisted of a combination of R1- General Residential land adjoining Marathon Street, R5- Large Lot Residential and RU4 - Rural Small Holdings. The image below shows the subject land prior to acquisition by Council.



Figure 1

As part of the sale, a four hectare parcel at the intersection of Goddard Lane and the Oxley Highway was identified as an option for the original landowner to purchase. This option has since lapsed and this block is now considered a prime parcel of land for the initiation of development of the overall site.

Following substantial master-planning and utility servicing assessment, with a number of studies being undertaken to confirm that the land is suitable for the preferred land-uses, a planning proposal was developed in 2018, to amend the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010).

The amendment to the TRLEP 2010 came into effect on 24 August 2018, and changed the zone provisions from Residential (R1 and R5) and Rural (RU4) to General Industrial (IN1) and Business Park (B7) and extended the Heavy Industrial (IN3) on the site.

The amendment also removed lot size provisions from the entire site.

As part of Council's resolution of 8 May 2018, to amend the TRLEP 2010, it was resolved to prepare and exhibit a draft Development Control Plan (DCP) specific for the site. The DCP was formulated and then exhibited from 19 November to 17 December 2018, and a number of submissions were received.

Instead of proceeding with the DCP at that time it was decided to develop a Structure Plan to provide more detail and align this with an Infrastructure Delivery Plan and Marketing Strategy.

The Structure Plan was developed in the first half of 2019, and continues to evolve in response to infrastructure planning, marketing strategy and the Blueprint 100 process. For the purpose of broadly identifying the land and linking future development into global markets, the name Tamworth Global Gateway Park (TGGP) has been adopted.

A copy of the Draft Structure Plan is **ATTACHED**, refer **ANNEXURE 1**.

TGGP Project Structure

The development of the TGGP is a complex project. To develop the 246 hectares in an efficient and timely manner, meet the needs of future developers, design and deliver the necessary infrastructure and fund the project, requires a co-ordinated approach and response from a number of sections within Council and detailed specific engagement with a number of State agencies and private entities.

For the benefit of this report and to better understand the connectivity between the various components of this project, the following breakdown is provided:

Project 1: Rail Line Reactivation

To support the development of the rail/road hub in the TGGP, Transport for NSW (TfNSW) are running a project to reactivate approximately 5 kilometres of the rail line from the West Tamworth Rail yard to the TGGP. TfNSW are using John Holland Rail to project manage the delivery of this project. This project is being developed in consultation with Tamworth Regional Council and Qube Logistics (Qube). This project is being funded by the State Government through the new Department of Regional NSW.

Project 2: Intermodal Site

This is the actual site that provides the interface between the rail and road freight. This site is within the TGGP site and located in the north western part of the TGGP, adjacent to the rail corridor shown on the plan **ATTACHED**, refer **ANNEXURE 1**. Qube were chosen by Council following an open expression of interest (EOI) process as the preferred company to

build and operate the intermodal facility. Qube are in the process of preparing a Development Application (DA) for the operation of the intermodal facility, which is expected to be submitted in the coming month.

Qube will fund and develop all of the infrastructure on site required for the operation of the intermodal, with the exception of the rail line from the intermodal to the existing rail corridor, which will be delivered by TRC (in consultation with TfNSW) and funded by the Department of Regional NSW. The access road to the intermodal off Goddard Lane will also be delivered by TRC and is being jointly funded by TRC and the Federal Government's Building Better Regions Fund (BBRF).

Project 3: Development of TGGP

This part of the project involves the full development and marketing of the 246 hectare parcel of land that has been the subject of a previous rezoning process. This project is being run wholly by Tamworth Regional Council, with funding assistance from the State Government's Growing Local Economies (GLE) program. The project will involve the design of the road infrastructure and the necessary servicing to support future industrial and business park demand.

Status of the Projects

Project 1 – Rail Line Reactivation

The development of the project to reactivate the Barraba spur line from the West Tamworth rail yard out to the proposed intermodal site has been protracted but is progressing well at the moment. The State Government announced \$7.42 million funding for the project in November 2017. This funding primarily covered the upgrade of the existing rail line, however additional works at the West Tamworth Rail Yard, upgrade of multiple road crossings, extensive work required at the Wallamore Road/Evans Street intersection, undergrounding of trunk power and the rail extension to the intermodal site have caused significant delays and a need to review the overall scope and estimate for the project.

In early 2019, Transport for NSW (TfNSW) were appointed by the Department of Premier and Cabinet as Project Managers for the reactivation project. As the reactivation of the rail line would be within an existing rail corridor, John Holland Rail, as TfNSW's current contractor, were engaged to manage the design process to allow an accurate estimate to be prepared.

In October 2019, a tender process run by John Holland Rail saw engineering company Lindsay Dynan appointed to undertake detailed design for the reactivation of the rail line. Currently the design is at the 50% stage. Recently an upper limit estimate was prepared by John Holland Rail on the basis of the 50% design. The revised estimate is currently being considered by the Department of Regional NSW. The current project program shows the rail line operational within the corridor by October 2021.

The design issues for the reactivation of the rail line are complex in relation to both flooding and impacts on the existing road network. The transport impacts include the reactivation of three level crossings, at Gunnedah Road, Dampier Street and Evans Street and assessment of the operation of the pedestrian crossing at Mahony Avenue. The impacts of these issues are now better understood, however, have delayed progress in relation to the delivery of the design.

Communication for this project is being managed by TfNSW.

Project 2 - Status of the Intermodal Project

Council undertook an EOI from companies with suitable experience and capacity to develop and operate the intermodal site as part of the TGGP. This process was completed in 2017, and Council resolved to select Qube as the preferred operator of the Tamworth intermodal. In order for the intermodal to function, the rail line between the West Tamworth rail yard and the TGGP needs to be reactivated.

Lindsay Dynan are also designers for Qube for the intermodal site, which should make the co-ordination of the designs and the interface between the State owned rail corridor and the Council owned land, that the intermodal site will be constructed on, more efficient.

Qube have recently prepared a program for the design, approval and construction of the intermodal, which shows a completion date of April 2021. It is likely that Qube will adjust their delivery program to align with the delivery program for the reactivated rail line as this is one critical element in determining the viability of the intermodal.

Qube, through Lindsay Dynan, are well advanced in preparation of reports and plans to form the basis for the Development Application (DA) for the operation of the intermodal and construction of the necessary buildings.

With reference to the current structure plan for the TGGP, vehicle access and general services are required for the operation of the intermodal site. The provision of access and services needs to be aligned with the planned start date for operation of the intermodal. This work will involve the construction of the access road off Goddard Lane and the adjoining road that will provide access to the western boundary of the intermodal site. General servicing will include water, sewer, stormwater, street lighting and access to power, gas and telecommunications. Council has been successful with an application under the Federal Government Building Better Regions Fund (BBRF) Infrastructure Projects Stream Round 4 program, with Council receiving 50% of the project funding (\$2,202,291), equally shared over the 2020-2021 and 2021-2022 financial years.

The design for the kerb and gutter and servicing of the eastern side of Goddard Lane has also been finalised and Issued for Construction (IFC). The design for the road access from Goddard Lane to connect the intermodal has commenced.

Project 3 – Development of the TGGP

This project is significant for Council, the community and the wider region. The 246 hectare parcel of land represents the western growth corridor described in Council's Blueprint 100 and the site for a large component of future job creation for the city and the region.

The development of this land will be undertaken in a staged sequence to ensure that sufficient industrial and commercial land is available ahead of the market demand and that the upfront cost of the necessary infrastructure is minimised. Specialist advice has been sought in relation to anticipated future demand for Industrial and Business Park development for the city.

Current design is underway to provide road access and services to the proposed intermodal site, including upgrading the eastern side of Goddard Lane. Design will also shortly commence for road access in the Business Park area of the TGGP off the new Country Road Roundabout. Upon completion of the designs, detailed cost estimates for the construction will be prepared. These cost estimates will be critical to informing the Business Plan, which is expected to be submitted to Council for approval at the end of August. Pending the Business Plan approval Council will be in a position to consider the funding for construction of the associated infrastructure.

Government Funding for Projects within or related to the TGGP

To date Council has been successful in obtaining State and Federal Government funding for significant components of work that are important in initiating development at the TGGP. Both the State and Federal Governments recognise the strategic importance of Tamworth as the main regional city in North West NSW.

The four main projects connected with the TGGP that have received funding from the government are as follows:

- Country Road Roundabout** – will provide access from the Oxley Highway to the Business Park area of the TGGP. The roundabout will also provide a new access to the Tamworth Airport and future access to the southern Tamworth bypass, via Country Road and Burgmanns Lane. This project is currently at 100% design stage and construction has commenced with an expected completion date late in July 2021.
- Trunk Stormwater Drainage** – to facilitate the development of the intermodal site and future land releases within the TGGP. This project is currently at 80% design stage. Pending third party approval through John Holland Rail and TfNSW for the culverts to cross the rail corridor, construction should be undertaken during the 2020-2021 financial year.
- Taminda ring road (Jewry Street) extension** – involves the extension of Jewry Street through to Wallamore Road. It will be an important link to the TGGP in the short term and part of the future railway overpass and link to the Oxley Highway at the Cole Road roundabout. A concept design has been developed for the Jewry Street extension and a detailed design is now required. It is expected that this will be designed in 2020/2021 and constructed during the 2021-2022 financial year. It should be noted that these future roadworks have some impact on the flooding in the Timbumburi Creek area. The flood modelling work has been undertaken and will require additional culverts to be constructed as part of the rail line reactivation to minimise flood impacts from the future roadworks.
- Intermodal Access Roads** – involves the construction of the roads and services to provide vehicular access to the intermodal site. This will also provide road access to and unlock additional land within the TGGP. Currently detailed design for this component of the project has just commenced. An application to the Federal Government for stimulus funding was made and this funding application was successful. Council will be required to match this funding on a dollar for dollar basis prior to accepting the funding.

The funding contribution from each tier of government for each component of works is shown below.

Table 2

Funding Contributor	Component of works				TOTAL
	Country Road Roundabout	Trunk Stormwater	Taminda Ring Road	Intermodal Access Road	
TRC	\$0.9543 million	\$1.1448 million	\$0.654 million	\$2.202 million ⁽¹⁾	\$4.9551 million
Federal Government	\$4.532 million	nil	nil	\$2.202 million	\$6.734 million
State Government	\$4.0567 million	\$10.3032 million	\$5.886 million		\$20.2459 million
TOTAL	\$9.543 million	\$11.448 million	\$6.54 million	\$4.404 million	\$31.935 million

It is noted that each of the projects requires a contribution from Council. At this point in time, the Council contributions for all of the projects, with the exception of the Intermodal access road⁽¹⁾, have been formally approved by Council. ⁽¹⁾There is a report to this Council Meeting recommending Council fund its contribution of \$2.202m to the Intermodal access road.

It is proposed that a Business Plan will be submitted at the Council Meeting on 25 August 2020, that will seek approval to proceed with the construction of the initial stages of the TGGP.

Council's contribution to the \$31.9 million of project expenditure is \$4.96 million (subject to Council accepting the Federal funding for the Intermodal Access Roads) which equates to 15.5% of that total. Each of these projects increases the value of the TGGP land, but more importantly brings forward the activation potential of the TGGP in terms of development activity and job creation for the city and region, consistent with Blueprint 100.

It should also be noted that the above figures do not include the \$7.42 million State Government funding already committed for the reactivation of the rail line. This has been omitted as the funding and project is being managed by TfNSW.

Council Project Costs to Date

Council costs for the project to date have predominantly been the land acquisition costs, interest paid to service the loan, land holding costs and professional fees for studies to support the masterplan, the land rezoning and the preparation of the structure plan.

The subject land was purchased using an internal loan from existing Council Reserves. The land was purchased for \$16 million (ex GST). At present, Council has spent \$19.2 million on the project, including the land acquisition, and received government funding of \$26.98 million (State \$20.25 million and Federal \$6.73 million).

Time is a critical factor as holding costs and interest on the loan will continue to accumulate. The loan, an internal loan from the Water Fund, is required to be paid back on 1 March 2021. A capital expenditure review is being undertaken to assist in determining the mechanism to pay the existing loan back and to extend the loan for further construction work. All of this will be subject to formal Council approval at a future Council Meeting, following the review/endorsement of the TGGP Business Plan.

Staging of the TGGP

Development of a sustainable staging plan for the TGGP is also a critical element in the planning of this project. The staging plan will position the project with available land that meets the needs of the market and is planned so as to minimise the required expenditure for development and at the same time maximise revenue from sale of land.

Overall servicing strategies have been prepared for stormwater, water supply and sewer. Preliminary discussions have been held with the relevant authorities for provision of electricity, gas and telecommunications for the TGGP.

At this stage, three specific areas have been considered for a staged release. It is anticipated that further staging and marketing strategies will be developed following completion of the marketing capacity and strategy report, which will be an attachment to the Business Plan. A copy of the plan showing the three proposed areas is **ATTACHED**, refer **ANNEXURE 2**.

Area 1: Land fronting Goddard Lane

This parcel of land will be relatively easy to develop but will require the construction of major components of the western trunk stormwater project, widening of Goddard Lane and provision of all necessary services, including water and sewer.

Currently the design for Goddard Lane kerb and gutter has been Issued for Construction (IFC) with construction scheduled for the latter part of 2020, subject to Council approval.

The design for the western trunk stormwater is well advanced. Funding exists for this project through Growing Local Economies (GLE) funding. It is expected that procurement of long lead time items (stormwater box culverts, etc.) will commence prior to the detailed design being finalised. Construction and servicing of Goddard Lane will bring 156,900 square metres of fully serviced premium land to the market for sale.

The four hectare parcel of land at the intersection of Goddard Lane and the Oxley Highway was earmarked as a possible sale to the original landowner and is seen as a high profile block that could act as a ‘trigger’ for further development within the TGGP. This block is a significant distance away from both sewer and stormwater connections and unless a prospective buyer is offering the full market value of the block and proposing to develop the site in a manner that fits the significance of the corner block of the TGGP, the land should be included in the general release of Goddard Lane land.

Area 2: Intermodal Land

The agreement with Qube for the development of the intermodal is on the understanding that the parcel of land for the intermodal will be lease free for a number of years to balance Qube’s capital contribution during construction. The intermodal facility will be owned by TRC on behalf of the community and operated by Qube.

To provide access to the intermodal site a new road off Goddard lane and a new road fronting the intermodal will need to be constructed with services provided to the site. The federal Government has agreed to fund 50% of these costs and Council’s 50% contribution is the subject of a separate report to this Meeting.

The current planning for the reactivation of the old rail line shows the earliest the intermodal could operate is from September 2021. To meet its commitments to the intermodal Council will need to have these roadworks and services completed by July 2021.

The completion of these works would bring additional land to the market for sale, with the expectation being that the proximity to the intermodal will make these lots attractive and saleable.

Design for the access roads and services required for the intermodal site and adjoining lots commenced in late May 2020, and are expected to take three months to complete. Construction could be run concurrently with the works on Goddard Lane, with the understanding that the works are completed in time for commencement of operation of the intermodal.

Construction of the intermodal access roads will not only allow activation of the intermodal, it will bring additional land of around 107,600 square metres to the market.

Area 3: Stage 1 of the business park off Country Road roundabout

This parcel of land will be relatively easy to develop once the Country Road roundabout has been completed. This allows access off the Oxley Highway and will create an opportunity for sale of the prime blocks facing the highway. It was stressed during the preparation of the structure plan and also during the Blueprint 100 process, that these blocks are not only

critical to the TGGP but also as a highlight for the city's western entrance corridor, which caters for visitors entering the city via the airport. Currently the Country Road roundabout is scheduled for completion in July 2021.

In addition to this, sewer for the business park site is proposed to be provided from the trunk sewer that will be installed to serve the Hunter Land development on New Winton Road. Timing for the construction of the sewer main needs to be monitored to understand the impact on land release in the business park of the TGGP.

The design for the roadworks and services for the first release of the business park has not commenced, however will be completed prior to March 2021, with construction potentially following on from the completion of the Country Road roundabout.

Construction of the first stage of the business park will provide land with a total area of 39,500 square metres to the market for sale.

TGGP Business Plan

Council requested the Director Regional Services to prepare a Business Plan for the development of the TGGP and report back to Council for approval and consideration of budget allocations prior to construction of the various work packages.

At this point in time the following is a list of actions that are underway that will inform the TGGP Business Plan.

- Council's Business and Economic Development team have researched how other industrial parks have been staged and marketed. They have also sought professional advice from industry experts in relation to the most effective methods of marketing, including identification of critical elements in the design to meet current and emerging developer needs. The team has also prepared an overarching document on the strategic advantages of the TGGP and Tamworth, as a place to invest;
- a Marketing and Development consultant has been retained by Council to provide specialist advice in relation to the marketing of the project and the preparation of the Business Plan. Currently a marketing demand study is being finalised to inform the Business Plan;
- an EOI has been advertised with a view to engaging a Marketing and Sales agent specialising in the Industrial sector. The EOI requires that the agent be either a locally based agent partnering with a national agent (with an established national presence) or vice versa to ensure that Council gets the benefit of national exposure and local understanding; and
- cost estimates have been prepared for various components of the TGGP based on preliminary designs. These cost estimates, with appropriate contingencies, will be built into the Business Plan. As design progresses from preliminary to IFC, the works will be costed to a more accurate level as more confidence is established with the design.

It is expected that the Business Plan will be submitted to Council in August for consideration and approval.

(a) Policy Implications

Nil

(b) Financial Implications

The TGGP has received \$26.98 million in State and Federal Government funding for associated projects.

Council has committed to fund 10% of the projects funded under the State’s Growing Local Economies program and dollar for dollar for the Federal BBRF funding. In relation to the GLE funding, it has previously been resolved that the Council contribution for the three projects will be as follows:

- i) Country Road roundabout: \$954,300 funded in 2020-2021 from the Regional Development Fund. Of this contribution \$712,000 will be recovered from the Hunter Land development contributions on New Winton road, with a \$421,000 contribution at the release of Stage 1 and a \$291,000 contribution for Stage 2.
- ii) Taminda ring road (Jewry Street) extension: The \$654,000 contribution is to be funded in the 2021-2022 budget from the Civil Construction Reserve.
- iii) Trunk stormwater drainage: The \$1.1448 million contribution is to be funded in the 2020-2021 budget from the Westdale Land Reserve.

In order to execute the agreement with the Federal Government for the BBRF funding of the Intermodal access road, Council will need to formally approve the allocation of \$2.202 million as a 50% contribution to the \$4.404 million project. This budget allocation is subject of a separate report to Council.

(c) Legal Implications

Nil

(d) Community Consultation

The intermodal project control group (PCG) are coordinating media releases with Council’s Communications team as the intermodal project progresses.

(e) Delivery Program Objective/Strategy

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

8.2 CO-PRINCIPAL PARTNER OF THE AWA STATE CONFERENCE, TAMWORTH 12-13 NOVEMBER 2020

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Co-Principal Partner of the AWA State Conference, Tamworth 12-13 November 2020”, Council agree:

- (i) to be Co-Principal Partners of the Conference, with Hunter H2O at a cost of \$5,000 excl GST; and*
 - (ii) provide the necessary funding 50% from the Water Reserve and 50% from the Wastewater Reserve.*
-

SUMMARY

The NSW branch of the Australian Water Association (AWA) is holding the 2020 NSW state AWA conference in Tamworth on 12 and 13 November 2020.

Hunter H2O has approached Council to see if Council would be willing to be co – Principal Partner of the Conference.

COMMENTARY

The Australian Water Association lists on its website the following:

The Australian Water Association is Australia's biggest water network inspiring and driving a sustainable water future. We provide individuals with career enrichment and organisations with business opportunities as share information and knowledge connect members with industry and stakeholders, and inspire positive change.

Our members cover every facet of the water sector including professionals and practitioners working in utilities, engineering, urban design and planning, science, research, academia, energy, resources, manufacturing, mining and agriculture.

Our digital and print publications, our many events, and our specialised programs provide a platform for our members to share their expertise with the wider water sector and connect with each other for future collaboration. Whether it's expanding your business internationally, supporting young water professionals through mentoring, connecting with likeminded professionals through our specialist networks, or nominating your projects for an industry award, we offer something for everyone.

In everything we do we aim to inspire water professionals to work towards a sustainable water future.

The AWA has over 542 corporate and 3,947 individual members across Australia. Of these around 1,100 are associated with the NSW branch.

The NSW State Conference of the AWA has been held annually in Sydney for a number of years. In 2018, the Conference was first held in the regional centre of Newcastle and, based on the success of that event, the 2019 Conference was held in Orange. In 2020 the Conference is to be held at the West Leagues Club in Tamworth on 12 and 13 November 2020. The Conference was originally scheduled for 13 and 14 August 2020, but due to COVID -19 has been postponed to November.

The AWA expects approximately 150 delegates to attend the two day Conference.

There are a number of sponsorship opportunities for business in relation to the Conference. The highest cost packages are the Principal Partner packages (three of) available at a cost of \$10,000 excluding GST. The Principal Partner package includes:

- acknowledgement as a Principal Partner and inclusion of Council's corporate logo prominently on all marketing materials for the Conference particularly the event webpage and EDMs;
- acknowledgment of Council's sponsorship at the Conference by the MC and/or AWA host;
- opportunity for a Council representative to provide a five minute address during the proceedings of the Conference;

- inclusion of Council's corporate logo at the Conference on all event materials, including delegate name badges, plenary room lectern, conference banners, delegate handbook and power point template;
- the opportunity for two council banners to be displayed at the event venue;*
- Council profile and promotional material included electronically on the Conference app*;
- opportunity to provide guests with a momentum gift*;
- acknowledgement in social media and post-event articles in AWA publications including the NSW Branch Newsletter 'NSW Source'; and
- two full Conference delegate registrations.

* - to be provided by the Partner

Hunter H2O, who has had an ongoing engagement with Council providing consultancy services in the water and wastewater area for almost 20 years, has suggested Council and Hunter H2O agree to be co Principal Partners of the conference. Should Council agree, then it is expected that Hunter H2O will provide the five minute address during the proceedings of the Conference. The Mayor has been asked to welcome the delegates whether or not Council agrees to sponsor.

A copy of the draft program is attached, although the program is subject to change. Councillors will notice the drought, the impact of drought on Tamworth, and various measures taken to reduce that impact, feature in a number of the presentations.

(a) Policy Implications

Nil

(b) Financial Implications

The cost of Principal Partner sponsorship of the conference is \$10,000. If Council takes up Hunter H2O's suggestion of co-Principal Partner then the cost to Council would be \$5,000 excluding GST.

Should Council agree to sponsor then funds will have to be allocated. It is suggested funding should be 50% from the Water Reserve and 50% from the Wastewater Reserve

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.3 BUILDING BETTER REGIONS FUNDING FOR INTERMODAL ACCESS ROADS

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Graeme McKenzie, Manager, Project Management and Engineering Services

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Building Better Regions Funding for Intermodal Access Roads”, Council:

- (i) approve the amount \$2,202,291 from the Westdale Land Reserve Fund to be Council’s contribution to Building Better Regions Fund funding of the Intermodal Access Roads project; and*
- (ii) approve a further amount of \$100,000 from the Westdale Land Reserve to fund the project management costs for this project.*

SUMMARY

Council has applied for and been successful for funding from the Federal Government Building Better Regions Fund (BBRF) program for the construction of the intermodal access roads. Council will receive 50% of the project funding (\$2,202,291), equally shared over the 2020-2021 and 2021-2022 financial years, conditional on Council matching the funding on a dollar for dollar basis.

In order to execute the agreement with the Federal Government for the BBRF funding of the intermodal access road, Council will need to formally approve the allocation of \$2,202,291 as a 50% contribution to the \$4,404,582 project.

It is proposed that Council’s contribution come from the Westdale Land Reserve Fund. To meet the Federal Government’s funding requirements, the funding deed has to be signed by Council by 14 August 2020.

COMMENTARY

The Tamworth Global Gateway Park (TGGP), formerly known as the Glen Artney Enterprise Area, is a 246 hectare parcel of land located between Westdale and the Glen Artney industrial area and is bounded by the Oxley Highway, Goddard Lane, Goonan Street and Marathon Street that has been identified as the future industrial growth area for the city.

Within the TGGP is a proposed site for an intermodal which provides an interface between rail and road freight for the city and region. This site is within the TGGP and located in the north western part of the TGGP, adjacent to the rail corridor (the plan is **ATTACHED** refer **ANNEXURE 1**).

For the intermodal to be accessible by trucks the intermodal access roads are required to be constructed. This includes the stub road intersecting with Goddard Lane and the road extending along the western boundary of the intermodal site.

An application to the Federal Government for stimulus funding was made under the Federal Government Building Better Regions Fund (BBRF) Infrastructure Projects Stream Round 4 program. Council’s application was successful, receiving 50% of the project funding (\$2,202,291), equally shared over the 2020-2021 and 2021-2022 financial years. The funding is conditional on Council matching the funding on a dollar for dollar basis.

It is proposed that Council's contribution come from the Westdale Land Reserve Fund. To meet the Federal Government's funding requirements, the funding deed has to be signed by Council by 14 August 2020.

In addition to this requirement, the funding deed has been set up in a way that will prevent any of the work being undertaken by Council staff or using Council plant, presumably to maximise the reach of the stimulus funding. To meet this requirement, it is expected that this section of the TGGP project will be delivered by an external contractor. The Council costs to project manage the external contract will be in the order of \$100,000 and it is proposed that these costs are sourced from the Westdale Land Reserve.

It is noted that the intermodal and the access road to the intermodal are sub-projects within the overall development of the TGGP. Council previously requested the Director Regional Services prepare a Business Plan for the development of the TGGP and report back to Council for approval and consideration of budget allocations prior to construction of the various work packages. The elements of the Business Plan are being developed and it is expected that it will be submitted to Council at the Ordinary Meeting on 25 August 2020 for consideration and approval.

Notwithstanding the pending approval, or otherwise, of the TGGP business plan, Council is committed to the development of a rail freight intermodal and the access road off Goddard Lane to the intermodal is a necessary part of this project.

(a) Policy Implications

Nil

(b) Financial Implications

Council has applied for and been successful for funding from the Federal Government BBRF program for the construction of the intermodal access roads. Council will receive 50% of the project funding (\$2,202,291), equally shared over the 2020-2021 and 2021-2022 financial years, conditional on Council matching the funding on a dollar for dollar basis.

In order to execute the agreement with the Federal Government for the BBRF funding of the intermodal access road, Council will need to formally approve the allocation of \$2,202,291 as a 50% contribution to the \$4,404,582 project. As Council staff cannot be funded under the federal government's program Council will also need to allocate funding (\$100,000) to cover the project management costs for this project.

It is proposed that Council's contribution come from the Westdale Land Reserve Fund. To meet the Federal Government's funding requirements, the funding deed has to be signed by Council by 14 August 2020.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.4 REMOVAL OF EARLY WARNING SYSTEM AT CHAFFEY DAM

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

RECOMMENDATION

That in relation to the report “Removal of Early Warning System at Chaffey Dam”, Council receive and note the report.

SUMMARY

Council has received advice from Water NSW that due to the upgrades undertaken at Chaffey Dam, concluding in 2016, the Early Warning System that was in place to warn residents of Woolomin of a probable maximum flood event, in the catchment of the dam, is no longer required and will be removed.

COMMENTARY

Chaffey Dam is operated by Water NSW on behalf of the NSW Government.

The village of Woolomin lies at the foot of the dam and, prior to the augmentation of the Chaffey Dam, residents were considered at risk in the event of a probable maximum flood event in the catchment of Chaffey Dam.

The letter from Water NSW is considered to be self explanatory and states as follows:

WaterNSW, the state’s bulk water supplier and system operator, is removing the Chaffey Dam Early Warning System (EWS).

The Chaffey Dam EWS was put in place as a safety measure to alert the community of Woolomin if a Probable Maximum Flood were to occur. A Probable Maximum Flood is the largest possible flood that modelling indicates could occur in any given catchment. For Chaffey Dam it is significantly larger than any on record for the valley, but it is still statistically possible.

In recent years Chaffey Dam has undergone a number of upgrades including the construction of an auxiliary spillway and raising of both the dam wall and the morning glory spillway. The dam is therefore now capable of safely passing a Probable Maximum Flood. For this reason, the Early Warning System for Woolomin is no longer required and the two towers are being removed.

Chaffey Dam has daily surveillance inspections by staff, as well as annual surveillance inspections by a Dam Surveillance Engineer. The routine inspections and monitoring regime in place at the upgraded Chaffey Dam meet industry good practice and regulatory requirements.

The work to remove the towers will take place over 2 days in late July or early August. The works are scheduled to take place during standard construction hours on Monday to Friday from 7am to 6pm and Saturday 7am to 1pm and we will update you when the dates for removal are confirmed.

WaterNSW is committed to informing the community and key stakeholders about the work and ensuring minimal disruptions.

(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.

8.5 ALLOCATION OF ADDITIONAL GROUNDWATER TO THE SCOTT ROAD DRIFT WELLS

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

RECOMMENDATION

That in relation to the report “Allocation of Additional Groundwater to the Scott Road Drift Wells”, Council:

- (i) agree to purchase 350 Megalitres of Peel Alluvium water on the temporary market and attach that water to the four Scott Road Drift Wells considered to be extracting Peel Alluvium groundwater; and*
- (ii) fund this purchase of temporary water from the Water Reserve.*

SUMMARY

The purpose of this report is to seek approval from Council to source temporary groundwater from the Peel Alluvium on the open market to attach to Council’s Scott Road Drift Wells to address issues associated with Council’s previous over extraction from these wells and to allow on going extraction in the 2020/2021 water year.

COMMENTARY

Councillors are aware that Council self reported the over extraction of water (considered to be groundwater) at the four Scott Road Drift Wells in the 2019-2020 water year, which ended 30 June 2020. Whilst staff were aware of the possibility of over extracting, the option of purchasing additional water, either temporary or permanent water to attach to the drift wells and thereby avoid over extraction was always considered available. This belief was held until staff at the NSW Department of Planning, Industry and Environment (DPIE) advised that just because Council could purchase more water, there was no guarantee approval to

attach this water to the drift wells would be granted because of the possible adverse effect on adjacent bores in the area. Whilst discussion continued with DPIE and the relevant Minister's office, extraction from the wells continued until 7 June 2020, when Council resolved to cease pumping. By this time over extraction had occurred.

The over extraction is presently being investigated by the Natural Resource Access Regulator (NRAR).

Council staff were of the view that once the new water year commenced on 1 July 2020, Council would be able to commence extractions again from the four groundwater drift wells in accordance with our entitlement and allocation, but during discussions with NRAR staff were advised that this is not the case. How it works is best explained by looking at the scenario of someone who owns a 100 Megalitre groundwater license in the Peel Alluvium. Say the allocation for water year A is 50%, which means the licensee can extract 50 Megalitres of water in that water year. If the licensee extracts 125 Megalitres in water year A then they have over extracted by 75 Megalitres. In the next water year (year B), if the allocation is again 50%, then they have the ability to again extract 50 Megalitres. But the 50 Megalitres they could extract is deducted from the over extraction from year A leaving a deficit of 25 Megalitres in year B, before extraction from the bore can commence again. The license holder has two options – not extract anything from the well/bore for another 12 months when, assuming the allocation is again 50%, they would fill the balance of the over extraction and have the right to extract 25 Megalitres, or the second option is buy either temporary or permanent water in sufficient volume in year B to attach to the well/bore to cater for the over extraction and any other extraction required from that bore in year B.

Council now finds itself in this situation in relation to the four drift wells considered to be extracting groundwater at Scott Road.

Discussions have been ongoing with DPIE and NRAR about what Council could do in this situation given uncertainty about how much water could be attached to the wells. During these discussions staff have made the following suggestions:

- up until 7 June 2020, Council was extracting from the four Scott Road groundwater bores in the 2019-2020 water year. Council is not aware of any license holder in the Peel alluvium contacting Council to complain that the extraction from one, or all, of these four bores was having an adverse effect on their bore. This shows there are times when considerably more water than what the model, or whatever DPIE is using to establish the volume of water that can be extracted from these wells, without impacting adjacent bores, can be extracted and suggests the model is inaccurately predicting adverse impacts;
- if adverse impacts are being predicted by modelling then Council has previously asked for the zone of influence for the four groundwater wells at Scott Road to be provided. If Council could get this information we could approach the owners of bores within the zone of influence and seek to purchase their entitlement, either temporarily or permanently. If we remove other entitlements from the zone of influence then, in theory, we can attach as much water as we want to the wells. This information has not been provided to date; and
- Council has previously indicated it would consider placing piezometers or similar in adjacent bores and linking extraction from Council's four bores to maintaining a certain range of standing water level in these adjacent bores. If this was approved then Council could pump as much water from the four wells as possible, without impacting

other bores, regardless of the surrounding conditions, e.g. flow in the adjacent Peel River.

The latest advice from DPIE is as follows:

DPIE Water assessments team has undertaken extensive additional analytical modelling work to enable an informed assessment of options Council may have in the assignment of additional license share component and/or annual allocation to the four Scotts Road Drift Wells 3,4,5 &6. Normally, this level of assessment provided by our Water Assessments team only occurs once a specific application has been lodged for assessment through NRAR, however in this case the criticality of Tamworth's medium-term water security has led to an acceleration in our efforts to support Council identify viable options to meet its town water supply objectives.

The maximum volume that would be approved under the current temporary trade assessment process would be 54 ML total without an impact assessment being required. Any greater volume does not pass the impact assessment and would not be approved under the current temporary trade rules. As discussed, all assessed pumping scenarios fail the existing permanent groundwater take impact criteria for impact on the river, nearest neighbours and the aquifer. These criteria are adopted Statewide for this type of system to manage these resources in a consistent manner.

In recognition of the critical drought circumstance that Council has been facing, DPIE Water has also assessed temporary trade impacts using modified criteria. That assessment indicates that a maximum volume of up to 350ML/a may potentially be able to be extracted from the wells as a one-off option for a 12 month period, subject to specific conditions which would likely include cease to pump criteria and appropriate real time groundwater monitoring.

Based on this advice Council has only one option should it wish to recommence extraction from the four Scott Road Wells considered to be extracting groundwater, in the current water year and that is to purchase or transfer water on the temporary market to attach to the wells.

Council does own other Peel Alluvium groundwater entitlements which it could transfer to the drift wells temporarily. If Council was to do this Council would only incur the cost of the transfer application, however Council's other entitlements are either tied up with leased properties or close to the limit of their extraction already.

It is therefore recommended Council purchase 350 Megalitres of Peel Alluvium water on the temporary market and attach that water to the Scott Road Drift Wells. Should Council agree, the water can be purchased and attached to the bores which will allow Council to fill the deficit caused by the over extraction in the 2019-2020 as well as allowing Council to source further water from the Scott Road groundwater Wells in the short term.

Discussion with the DPIE, NRAR and the Office of the NSW Minister for Water, Housing and Property will continue in regard to allowing further extraction from the Scott Road Drift Wells on a permanent basis.

(a) Policy Implications

Nil

(b) Financial Implications

Latest advice from a local water broker is the cost of acquiring Peel Alluvium water on a temporary basis is approximately \$50/Megalitre. Therefore, should Council agree with the recommendation the approximate cost will be \$17,500. Funds have not be

allocated in the current financial year to purchase temporary water and again should Council agree to purchase, funding would have to be made available from the Water Reserve.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.6 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY

DIRECTORATE: WATER AND WASTE

AUTHOR: Tracey Carr, Sustainability Coordinator

Reference: Item 8.9 to Ordinary Council 28 April 2020 - Minute No 105/20

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 responses in various centres across Council and any future planned works.

COMMENTARY

Current regional water supply situation

The latest update as of 20 July 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 4.58%. 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	Peel	The Peel River at Nundle has

	Water Conservation Measures	River/Nundle Bore/Crawney Road Bore	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	<p>The Namoi River has sustained flows above the requirement to return to Permanent Water Conservation Measures.</p> <p>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</p>
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 5	Chaffey Dam/Dungowan Dam – Moonbi-Kootingal via Nemingha Pipeline	<p>Minor rain events throughout winter have resulted in small inflows into Chaffey Dam. The dam is currently sitting at 15.5%.</p> <p>On 23 January 2020, Chaffey Dam reached its lowest point to date of 12.8% so it is encouraging to see some stability.</p> <p>Storage level at 10% is the next trigger point under the Drought Marketing and Communications Plan to increase and update communications with business and residential users as well as introduce the 100 Litres per person per day residential target.</p> <p>Dungowan Dam is at 68%. An amendment to Council's Drought Management Plan at the Ordinary Meeting on 28 April 2020, allows water to be sourced from Dungowan Dam should the level get to 50% and above. As of 14 July 2020, Tamworth, Moonbi and Kootingal residents' water supply is sourced from Dungowan Dam,</p>

			2 Scott Road Drift Wells which are considered to be extracting surface water and the Peel River.
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Evaporative Air Conditioners New Report It Feature

Evaporative Air Conditioning Unit water restriction breach reports continue to be a common occurrence. Most reports of this nature are due to service and maintenance issues. As Council now offers rebates for the servicing and maintenance of Evaporative Air Conditioner units, there is benefit in treating this type of water restriction breach separately to other breach reports i.e. outdoor watering, washing down surfaces. Council's Sustainability and Business Improvement divisions are working together to update the Request Management system to reflect this.

The update will include a new Report It water restriction breach type to the MyTRC App. Residents will be able to use this feature to directly report to Council the instance of an Evaporative Air Conditioner breach; alternatively can still contact Council's Customer Services.

Two warning letters, similar to the existing water restrictions letters, are also being created. These letters will include information about how to access the servicing and maintenance rebates, and the potential fines which could be incurred by not addressing the water breach issue.

By separating out Evaporative Air Conditioner breaches, Council is recognising how seriously this type of breach should be taken and also presents itself as a way to continue to educate the community. It also allows for efficient reporting to establish how many evaporative air conditioning breach reports have been made, allowing Council staff to focus the correct resources to resolving these issues.

Community Engagement Tool

Council's Sustainability Unit is in the process of developing a unique community engagement tool and suite of resources. This tool will have a broad appeal and will aid in water, waste and energy education, especially at schools and community events.

This education resource is aimed at early learning and primary school aged children and will also be an important tool in encouraging adult participation in the Council areas of Sustainability. Accompanying resources will be curriculum linked and easily accessible to educators online.

The engagement tool and resources is being funded from existing budgets across the three sustainability unit areas. There is the capacity to continue to expand this new tool, ensuring it remains relevant into the future.

The anticipated launch of the community engagement tool, accompanying social media presence and at least one education resource is National Water Week, 19 – 23 October 2020.

Water Notices

Councillors may be aware the opportunity is available for water messages to be sent out with quarterly invoices sent to customers for water consumption.

New look water notices, have now been developed and will be sent as part of the first quarter read, which commenced in July, 2020. For all customers who are residents in Tamworth, Moonbi and Kootingal or who are connected to the Dungowan Pipeline, information will be specific to the current Level 5 water restrictions.

Information included on the new Water Account notices for Tamworth, Moonbi and Kootingal residents

The A4 page of information will accompany the usual water account information and display Level 5 Can and Can't Do's, opportunities for water saving rebates, information about reporting water restriction breaches and how to complete a home water efficiency audit which can help quickly detect unexplained leaks. Should the water situation change for these residents, the water notices can be updated so the latest information is being sent out in line with the latest reads.

A separate water account notice is being created for all residents who are living on Permanent Water Conservation Measures, in the towns and villages of Barraba, Bendemeer, Manilla, Attunga and Nundle. The focus of this information will shift to encourage the adoption of sustainable water use post water restrictions, and how residents can make small changes around the home in order to conserve water. This includes information about Council's 'Let's Thrive' campaign which launched in 2017, and encourages the creation of water wise gardens. It will also include information regarding the water saving rebate scheme with the goal of encouraging more residents who live out of Tamworth, Moonbi and Kootingal to access these rebates. There will also be a comprehensive overview of what it means to live on Permanent Water Conservation Measures.

Online Water Education Portal

In 2018, an online water education video of the Tamworth water cycle and virtual tour of the Calala Water Treatment Plant was created. Since then, major infrastructure has been built as a result of current and future drought mitigation. This infrastructure is vital in the region's water cycle story.

As part of Council's commitment to water education, the Tamworth Region Water Cycle video has been amended to include the new works, why they were constructed and how it extends the water supply. This audio visual aid gives a background into Dungowan Dam and the old pipeline, and explains the new Water NSW constructed Chaffey to Dungowan Pipeline, the

Scott Road Drift Wells and the new Calala Raw Water Storage Dam and how all infrastructure works together.

The updated audio visual resource is finished and is now live on Councils website.

The goal is to educate school children, and all residents, on how these projects not only save water but improve water security for Tamworth, Moonbi and Kootingal residents during drought and times of low supply.

Water Saving Rebates

In June, Council's Business Improvement staff developed a Water Saver Rebate Scheme interactive dashboard. This tool enables easier accessibility to the number of rebates approved, at what cost to Council and identifies product trends.

This data builds on the new online water rebates system which went live on both Councils' website and within the Request Management (RM) system in early March 2020, incorporating all of the new and existing rebates available to both residents and businesses.

As of 20 July 2020, 317 rebates have been approved for residential water users, at a value of more than \$51,000. Council is able to calculate the estimated water savings for a number of items to more than six mega litres per year.

Rebate type	Approved
Ceiling fan	71
Dual Flush Toilet *	39
Toilet with Cistern Sink	1
Evaporative Air Conditioner Servicing and Maintenance	83
Swimming Pool Cover *	21
Showerhead *	19
Oxijet	3
Large Rainwater Tank *	14
Medium Rainwater Tank *	2
Small Rainwater Tank *	3
Large Rainwater Tank (stand alone)	12
Medium Rainwater Tank (stand alone)	7
Small Rainwater Tank (stand alone)	7
Greywater Diversion System *	2
Plumbers Audit	16
Waterblades	4
Shower Controller Device	3
TOTAL (Number)	307
TOTAL (\$)	51,522
TOTAL YEALY SAVINGS (kL) *	6466.5kL

* 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.

8.7 WASTE SUSTAINABILITY REGULAR UPDATE

DIRECTORATE: WATER AND WASTE

AUTHOR: Angela Dodson, Sustainability Officer

Reference: Item 8.3 to Ordinary Council 14 May 2019 - Minute No 152/19

RECOMMENDATION

That in relation to the report “Waste Sustainability Regular Update”, Council receive and note the waste sustainability projects and activities listed in the report.

SUMMARY

The purpose of this report is to provide an update to Council on Waste Sustainability activities that have been implemented or occurred since the last update to Council, advise on programs and strategies that are presently underway and to highlight planned initiatives to be implemented into future of the current financial year.

COMMENTARY

Council continues to provide educational opportunities conveying general waste management, recycling specific, upcycling ideas and litter prevention education through school visits, landfill tours, guest speaking at community group meeting opportunities, direct telephone calls or educational workshops and events. The following is an updated summary of activities and statistics.

It is noted that with the introduction of COVID-19 restrictions being implemented in March 2020, some of the normal activities undertaken in the Waste Sustainability area have had to be suspended. It is anticipated that once there is further relaxing of COVID-19 restrictions and community groups and schools start allowing external visitors back on to their campuses and bus travel for excursions is approved again, those opportunities for face to face education and engagement will become available again.

During this reporting period, there were 169 participants on guided tours of the Tamworth Forest Road Landfill, where visitors to the site were given an explanation of the management of various waste streams, landfill gas system and future expansion and site improvements, a variety of resource recovery opportunities where they can help recycle a wide variety of items for free.

There were 11 school educational visits, where 1107 students participated in recycling activities such as audits of their school bins, learning what should be put in their bins both at school and at home and a virtual look at where their recycling goes.

Invitations for Council's Waste Sustainability Officer to guest speak at four community group meetings, four community events and work with five businesses provided opportunities to attend their meetings to help educate members and staff about recycling or waste diversion opportunities and to facilitate discussion around making sure they are getting recycling correct, both at work and at home.

Clean up Australia Day

The Annual Clean up Australia Day was held Sunday 1 March 2020, just prior to the implementation of COVID-19 restrictions.

As in previous years, there were approximately the same number of site registrations of 39 spread across businesses, schools and community organisations or individual community members. However, it was anecdotally reported by site organisers that there was an increase in individual participants at those sites which was pleasantly surprising.

This year, for the first time, there were community clean up sites registered in the communities of Manilla and Barraba and Council arranged to support these events at their local landfills to make the disposal of the material collected easier through those sites by prior arrangement.

Approximately one tonne of material was collected across the region and most of this was light litter items of beverage containers or fast food packaging. There were a number of trolleys recovered from the Peel River at various rates of decomposition that were separated out to be disposed of in the metal bay at the landfill.



Northern Settlement Services Clean up Australia Day participants

Let's Talk Rubbish

After the previous successful year in the development of the Let's Talk Rubbish education campaign and resources, an ongoing media campaign was implemented to use produced campaign resources.

This was implemented through Council's social media channels, across TV through the multiple commercial channels and on the radio. It is estimated that across the television commercials there is a viewing audience of approximately 70,000 in the viewing region. It is also noted that during COVID-19 there was an estimated 29% increase in the daytime viewing of television between March – June 2020.

Let's Talk Rubbish - Challenge Recycling Virtual Tour

With the limitations of onsite visits to Challenge Recycling due to the high processing and large vehicle movements, a Virtual Tour of the facility was created to be used as an educational resource for use at schools or community presentations.

The virtual tour is interactive and can also be a resource to show residents and students where their recycling goes, how it moves around the recycling plant and shows the connection to the Staff at Challenge Recycling who have to sort through the recycling that comes through the yellow lid bins.

It also highlights some of the issues that staff at Challenge experience in their day to day jobs with contamination.

It has been used in the education sessions since it was launched in National Recycling Week in November 2019, with really positive feedback and engagement. It is free to access from Council's website should anyone wish to take a tour of the facility themselves. This resource also has the ability to be updated should there be any operational changes onsite to keep this resource current. This was a joint venture between Tamworth Regional Council, Challenge Recycling and Cleanaway as the current waste contractor.

Yellow Bin - Likeable Recyclables



Waste Voucher Trial Extension

At its Meeting of 14 May 2019, Council endorsed the continuation of the Waste Voucher trial in alignment with the Waste Contract extension until June 2021.

In the previous financial year there were two rounds of waste vouchers distributed to all domestic properties that receive a kerbside waste service.



Example of the 2019/2020 waste vouchers

There were 14% of waste vouchers redeemed during the course of the financial year and it is noted that during the COVID-19 period from March to June that there was a large number of vouchers presented at the Tamworth Landfill of 3,137 vouchers and 577 at the rural landfills with residents taking the opportunity to have a clean up at home during the restrictions once it was established that direct trips to the landfill were allowed under COVID-19 restrictions. It is noted that the waste vouchers for 2019/2020 expire on 31 July 2020.

The June 2020 Bulky Household Waste Collection was also heavily utilised by residents with 313.5 tonne of materials collected for waste disposal, 185 tonne of metal waste diverted for recycling and 4.2 tonne of E-Waste diverted for recycling. Additionally there was five tonnes of material collected by Waste No More and 22 tonne of mattresses salvaged to go to reprocessing activities.

The first vouchers for the 2020-2021 financial year will be issued in early August 2020 as a green coloured postcard separately to rates notices, so that waste vouchers are received by the residents living at the property where the bins are located. The second waste voucher will be issued in February 2021.

The voucher trial is operating concurrently with the bulky household waste collection in alignment with the Waste Contract extension until June 2021.

A Snap shot of some of the future Waste Sustainability Activities:

The Sustainable North West Amazing Enviro Race

Tamworth Regional Council approved the sponsorship of this Sustainability high school focused event in March 2020, which traditionally has been held in May. However, due to COVID-19 restrictions at the time, it is proposed to hold this event in November 2020 this year, with the hope that restrictions by this time may have be eased. This is still the plan currently, however should the reintroduction of COVID-19 restrictions come into effect at any stage, a review will be undertaken with a view to reschedule the event for a future date.

Waste Education Strategy

Waste Sustainability is in the process of developing a Waste Education Strategy to align with Council's Sustainability Strategy, Integrated Waste Management and Resource Recovery Strategy and with the future 20 Year Waste Strategy currently under development by the NSW EPA and is anticipated for release during this financial year. This document is important for Council's future directions in waste management requirements and future educational opportunities.

Council is a member of Sustainable Advantage and is partnering with them in the development of this strategy with a focus on Commercial and Industrial waste management improvements and there will be consultation and engagement with businesses in the region about what their current practices and services they are using to manage their waste and what opportunities there are for improvement. It is anticipated Councils Waste Education Strategy will be finalised by the end of this financial year

Council has applied for a Bin Trim Grant through the NSW EPA Bin Trim Program but currently are unaware of the outcome of this application. Council will continue to watch for opportunities in this area.

Weeds Separation Education Plan for Self-haul Material to that Landfill

Currently being developed is a long term education strategy and resources for future changes at the landfill for those who self haul greenwaste material to the Tamworth landfill. It is not anticipated that these changes will come in to effect until the end of August/September to ensure that the educational resources are available.

The changes will be necessary to assist with processing of greenwaste on-site and operational process changes into the future.

There will be no changes to the greenwaste that can go into the kerbside greenwaste bin, it will only involve drop off material that is brought to site.

The education plan will involve a communications plan and has some cross unit activities with the Bio Security Officers of Council and other internal Council operations. Additionally Council is working with Tocal College and other areas of the Department of Planning, Industry and Environment in the creations of resources and educational opportunities.

Waste Warriors Expo

Tamworth Regional Council is one of the sponsors of this sustainability related event which was to occur Friday 12 June and Saturday 13 June 2020. With COVID-19 restrictions in place in April, the decision was made to postpone this event until further notice. The organising committee are yet to advise a rescheduled date.

Garage Sale Trail

Tamworth Regional Council is participating and making available the Annual Garage Sale Trail event for residents again this year. The event is usually hosted in October each year however, due to the COVID-19 restrictions the decision was made in April to postpone the event until November 2020, with the hope that the restrictions will ease. The new dates for this year will be 21 and 22 November 2020.

This event has been well supported in the community in the past and it is hoped that should restrictions allow, it will continue to be well supported this year.

(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.

8.8 POSSIBLE PROVISION OF AUTOMATED METER READING AND DATA MANAGEMENT TO TAMWORTH REGIONAL COUNCIL RETICULATED WATER SUPPLY AREAS

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

Reference: Item 8.2 to Ordinary Council 27 June 2017 - Minute No 190/17

RECOMMENDATION

That in relation to the report “Possible Provision of Automated Meter Reading and Data Management to Tamworth Regional Council Reticulated Water Supply Areas”, Council:

- (i) receive and note the report; and*
- (ii) make a final decision on this matter following consideration of tenders received, which are discussed in a further report to Council contained in this business paper and to be considered in that part of the Meeting closed to the public.*

SUMMARY

The purpose of this report is to inform Council of investigation completed to date in relation to the possibility of providing Automatic Meter Reading (AMR) devices to replace manual read water meters across Tamworth Regional Council area.

COMMENTARY

Council currently deploys a fleet of 21,800 water meters of between 20 and 200mm in diameter in the recording of water usage. This meter fleet is read by a combination of Council staff and labour hire personnel equivalent of 1.5 permanent positions. This usage data is imported into Council’s business system TechnologyOne for customer invoicing. Meters servicing domestic and small commercial properties are read and invoices issued quarterly. Large users (approx. 100 of) are read and invoiced monthly.

Automatic meter reading (AMR) is:

- the technology of automatically collecting consumption, diagnostic, and status data from a water meter and transferring that data to a central database for billing, troubleshooting, and analysing;
- with water AMR existing mechanical meters can be retrofitted with a reading device or an integrated meter (meter with in built reading device) can be installed;
- there are numerous options available but in general the AMR devices connect by way of a constructed low power data collection network. This network sends data back to a central collation system for billing and data analysis;

- most systems incorporate internal and external customer interfacing software packages to allow interpretation of data;
- due to the low data/power requirements AMR batteries generally have a life of 10-15 years (same life as a water meter);
- AMR has been used in utility industries for over 20 years but within the water sector the earliest use within Australia was the mid 2000's;
- more recently wide spread AMR systems have become the norm with the following nearby Council's implementing systems:
 - Dubbo Regional Council is preparing to roll out smart meters (over a period 12 months from June 2020) across the LGA to approximately 17,700 residential water meters and 2,300 non-residential water meters at an estimated cost of around \$5M;
 - Narrabri Shire Council implemented AMR in 2017;
 - Gunnedah Shire Council implemented AMR in 2019; and
 - Mid Western Regional Council implemented AMR in 2019.

In 2007, Council identified opportunities in AMR and undertook actions to trial and convert the meter fleet to an automated platform over an extended period. This rollout failed due to technical and installation deficiencies including the following and very few AMR devices were purchased and fitted:

- the need for a reed switch was not known at the time of tendering – led to additional cost;
- devices were connected to the meter via a cable which could get cut – either accidentally or not;
- devices connected to the meter using cable ties - deteriorated in the sun and devices fell off;
- hand held devices never worked as proponents said they would;
- drive by reading did not work as originally proposed; and
- serial number of the device had to match the meter number – Council staff had difficulty with the complexity of long numbers.

However in 2014, modifications were undertaken to the units left over from the 2007 tender and, using experience gained initially and since the 2007 tender, an AMR network was deployed in Bendemeer and Nundle. This system has proven reliable with about 95% of the meters installed being read automatically.

Given this success Council further engaged Water industry specialists Hunter H2O in March 2017, to provide a Technology Review on Automated Water Metering opportunities. This review identified emerging technologies and assessed a number of options available to Council where technology development had matured and presented viable opportunities to commit to AMR with confidence that technology advancement has reached a level of development where asset investment could be justified.

A report was presented to Council at its Ordinary Meeting held 27 June 2017, providing advice on the opportunities available from AMR technologies. After considering this report Council resolved to receive and note the report and request the Director Water and Waste to

prepare a further report in relation to this matter, once further information regarding options for Automated Meter Reading is available".

Council further engaged ITONLINE Group to undertake a "Meter Reading Options Study Report", specific to Tamworth Regional Council's needs. The report was finalised in November 2017, and identified "good value for money" in focussing on the rollout of AMR into the villages as a short term objective as the villages incur higher costs for manual meter reads relative to Tamworth. The medium or long term objective was to consider what value Council would place in "The Internet of Things" and "Smart Cities" opportunities.

Additionally in November 2017, the Water Directorate issued a Report on Smart Metering Technology to provide technical advice and guidance for water utilities considering AMR technologies to assist in determining the benefits available and appropriate paths for the implementation of AMR.

Further technology development is occurring at a rapid rate with much of the development across a wide range of directions. The main components of AMR can be broken down into three key areas being the meters or metrology, communications for data collection and transfer, and data management.

Metering options include mechanical meters, electronic (magnetic) meters and the newest technology to the market, ultrasonics. AMR capacity can be retrofitted to mechanical meters if they are "pulse ready" i.e. they have been manufactured with capacity to receive a "reed switch" or "magnetic pick-up" to allow consumption recording. Solid state AMR meters are meters with inbuilt data storage and communications capacity. It is likely that solid state meters will be the future of metering as it simplifies the meter and AMR identification processes and engineering outcomes.

Communications development is occurring at a rapid rate as providers identify the current and future opportunities in areas of utility servicing, Smart Cities, The Internet of Things (IoT open connectivity for domestic and commercial development) and others. The competition in this space is the driver for rapid development. Numerous technologies and protocols have been and are continuing to be developed and rolled out to service demand. There is a combination of proprietary and open networks available on the open market. Existing technologies have also been adapted to AMR requirements. The most commonly deployed communications to-date within the AMR space is LoRaWAN. This is a low power wide area network well suited to AMR due to the low power consumption and minimal infrastructure footprint required to cover large areas.

The data storage and management market has seen considerable development as demand for this increases proportionally with rising security costs to protect sensitive data from industrial espionage. While the service provision in this area is competitive it is expected there will always be volatility due the variables at play. In the future AMR will require encrypted communication protocols to protect sensitive private information as some limited customer data will be required to be stored in cloud-based storage systems.

The potential benefits of implementing an AMR system are:

Financial

- personnel assigned for meter reading can be diverted to other tasks including maintenance and management of the AMR system;
- tighter control over the billing cycle (all meters are read on the same day);
- ability to reduce the billing cycle (can go from three monthly to one monthly or pre-paid), may provide options for Council to improve the revenue stream;

- fine grained data from metering can be utilised in the strategic delivery of large cost infrastructure as an “on-time” delivery approach;
- special reads for change of ownership or tenancy can be done on demand; and
- automatic interface and transfer of meter reading data to the Council billing system removes the requirement for manual data entry into the billing system.

Water Loss

- the biggest benefit is providing means for early network and customer leak and water loss detection. This can provide a saving that may offset the ongoing costs of maintaining the AMR system, in some circumstances.

Maintenance

- safety is improved as manual reads of meters are no longer required and the associated driving/walking hazards are removed in fully automated systems (as opposed to those where the data is collected by walking or driving past the meter);
- AMR devices have the ability to provide near real-time advice for failing meters allowing Council to improve responsiveness to these large users. The added benefits include the ability to plan replacements limiting any negative impacts to critical customers;
- the data management software provide alarms and monitoring of the meters, sensors and network providing early feedback of faults and issues to the maintenance team. Reports for the maintenance team can be generated automatically and data can be transferred to a maintenance system if used; and
- meter fleet performance can be monitored, allowing replacement programmes based on performance rather than a fixed kilolitre throughput.

Customer Interaction

- monitoring and alarming can be setup in the software to monitor customer usage patterns (high usage, no usage, unaccounted usage etc.) and immediate detection of meter vandalism and theft. This would allow Council to act quickly to address issues and provide quick response and feedback to customers; and
- customers can have access to real time data to assist with their water management.

Council’s recently adopted Emergency Water Supply Plan includes one of the key ways to improve leakage monitoring and reduction in water use could be achieved through the implementation of automated meter reading (AMR).

However, a decision to move to AMR will involve considerable expenditure. Following the work undertaken to date and in light of the ever changing landscape in relation to AMR delivery it was decided to go to the market with a tender for supply of Automated Meter Reading and Data Management for Tamworth Regional Council Water Supply areas.

The tender sought to attract responses from the leading suppliers of AMR nationally and encouraged the respective submissions to include the full suite of the technology options available. It is considered highly desirable to include a customer portal as part of the project delivery objectives. The inclusion of an interface or portal delivering near-real time water usage information including alerts for high usage or possible leaks provides an ideal opportunity to engage residents and businesses in demand management initiatives.

A further report on this matter is included in this Council business paper to be considered in Closed Council which details the tenders received.

(a) Policy Implications

Nil

(b) Financial Implications

The financial implications are discussed in more detail in the report considering the tenderers received however, the cost to Council over 15 years, which is considered the life of the AMR devices, for the three available options open to Council is shown below:

Continue to manually read meters as per current practise	\$15.9 Million
Retrofit AMR devices to Council’s existing meters now and replace meters in the future as meter age dictates	\$18.5 Million
Replace existing 20 and 25 mm diameter meters now with new meters with AMR devices	\$16.6 Million

(c) Legal Implications

Nil

(d) Community Consultation

A substantial community engagement program would be developed should Council decide to undertake an AMR rollout.

(e) Delivery Program Objective/Strategy

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

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 ANNUAL OPERATIONAL PLAN 2019/2020 BUDGET VARIATION REPORT - JUNE 2020

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Sherrill Young, Manager Financial Services

Reference: Item 9.1 to Ordinary Council 25 June 2020 - Minute No 204/19

1 ANNEXURES ATTACHED

RECOMMENDATION

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

SUMMARY

Council adopted the original budget included in the Annual Operational Plan for 2019/2020 at the Ordinary Council Meeting held 25 June 2019. Any changes to the budget must be approved by Council at a later Ordinary Meeting. This report seeks Council approval for any required budget variations identified during the month of June 2020, for which there has been no previous specific report or approval.

The final Budget Review Statements for the 2019/2020 financial year will provide Council with a full review of revised budget forecasts and actual year to date results.

COMMENTARY

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

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

<i>Division</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Central Northern Regional Library	(1,629)	0	(1,629)	0	0
Cultural Services	(4,518)	0	(4,518)	0	0
Economic & Destination Development	(771)	0	(771)	0	0
Entertainment Venues	(1,971)	0	(1,971)	0	0
Events	(1,409)	0	(1,409)	0	0
Directorate Mgt - Business & Comm	(1,308)	0	(1,308)	0	0
Airport & Aviation Development	(406,539)	0	(1,539)	(405,000)	0
AELEC Precinct	(1,155)	0	(1,155)	0	0
Administration and Governance	(4,387)	0	(4,387)	0	0
Directorate Management C&G	(560)	0	(560)	0	0
Financial Services	(3,520)	0	(3,520)	0	0
People, Culture & Safety	(2,535)	0	(2,535)	0	0
Business Systems & Solutions	(4,137)	0	(4,137)	0	0
Legal	(760)	0	(760)	0	0
Communications & Engagement	(2,093)	0	(2,093)	0	0
Office of the General Manager	(978)	0	(978)	0	0
Compliance	(3,183)	(4,000)	817	0	0
Direct Mgt - Planning & Compliance	(1,006)	0	(1,006)	0	0
Development Engineering	(1,380)	0	(1,380)	0	0
Development	(4,709)	0	(4,709)	0	0
Integrated Planning	(1,693)	(8,456)	6,763	(62,512)	62,512
Directorate Management - Regional Services	(982)	0	(982)	0	0
Plant, Fleet & Buildings	96,796	0	(32,013)	0	128,809
Sports & Recreation Services	(10,600)	0	(10,600)	(9,205)	9,205
Design & Construction	(9,546)	0	(9,546)	0	0

Infrastructure & Projects	(13,993)	(720,979)	706,986	0	0
Waste Management	(8,746)	0	(9,288)	0	542
Water & Waste Overheads	(20,145)	0	(20,145)	0	0
Water & Wastewater	996,490	(436,382)	141,886	0	1,290,986
W&W General Fund Activities	22,202	0	22,202	0	0
TOTAL	601,235	(1,169,817)	755,715	(476,717)	1,492,054

(a) Policy Implications

Nil

(b) Financial Implications

The variations included in the report have the following impact on forecast results for 2019/2020.

Fund	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(419,300)	(733,435)	589,784	(476,717)	201,068
Water	1,245,825	(50,000)	24,839	0	1,270,986
Sewer	(225,290)	(386,382)	141,092	0	20,000
Grand Total	601,235	(1,169,817)	755,715	(476,717)	1,492,054

(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.

9.2 COUNCIL INVESTMENTS JUNE 2020

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

1 ANNEXURES ATTACHED

RECOMMENDATION

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

SUMMARY

This report provides an overview of Council Investments for the month of June 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 30 June 2020, is **ATTACHED**, refer **ANNEXURE 1**.

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

Institution	Cash at bank	Financial Assets Amortised Cost	Financial Assets at Fair Value	Total	% of Total
NAB	10,256,737	48,000,000	0	58,256,737	34.43%
ANZ	0	9,000,000	0	9,000,000	5.32%
BOQ	0	5,000,000	0	5,000,000	2.95%
CBA	0	3,000,000	0	3,000,000	1.77%
St George	0	38,500,000	0	38,500,000	22.75%
TCorp	0	0	11,343,583	11,343,583	6.70%
Westpac	0	44,119,750	0	44,119,750	26.08%
TOTAL	10,256,737	147,619,750	11,343,583	169,220,070	

The amount invested at 30 June 2020, has increased by \$16,140,443.30 compared to funds held at 31 May 2020.

There has been a significant increase in funds held in investments. This is due to the recent incoming of two loan principal amounts, one for the Water Fund Manilla operations and one for General Fund – specifically the Pilot Training Facility.

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

Fund	Restriction	Amount	%
General	Unrestricted	6,144,372	3.63%
General	Internally Restricted	43,492,153	25.70%
General	Externally Restricted	12,621,369	7.46%
General Fund Total		62,257,894	36.79%
Water	Unrestricted	2,040,303	1.21%
Water	Internally Restricted	26,783,993	15.83%
Water	Externally Restricted	20,944,902	12.37%
Water Fund Total		49,769,198	29.41%
Sewer	Unrestricted	2,081,979	1.23%
Sewer	Internally Restricted	40,305,944	23.82%
Sewer	Externally Restricted	14,805,055	8.75%
Sewer Fund Total		57,192,978	33.80%
Total Investments		169,220,070	

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.

9.3 2020 LOCAL GOVERNMENT NSW CONFERENCE

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "2020 Local Government NSW Conference", Council:

- determine issues that are important to Tamworth Regional Council for motions to be drafted and request a further report to be prepared for approval;*
- authorise the Mayor, Deputy Mayor and two Councillors to attend the Local Government NSW Annual Conference as Voting Delegates together with the General Manager; and*
- nominate other interested Councillors to attend the Conference as observers in accordance with Council's Policy for the attendance of observers.*

SUMMARY

This purpose of this report is to determine Council motions to submit to Local Government NSW for the State Conference and to nominate Councillor delegates to attend the Annual Conference on the 22-24 November 2020, at the Crowne Plaza, Hunter Valley.

COMMENTARY

The 2020 Local Government NSW Annual Conference will be held at the Crowne Plaza, Hunter Valley from Sunday 22, to Tuesday 24 November 2020.

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions, the Motions Submission Guide is **ATTACHED**, refer **ANNEXURE 1**, for reference. Members are encouraged to review the Action Reports from previous conferences before submitting motions for the 2020 Conference. Action reports from previous conferences are available on the Annual Conference page for each year on the LGNSW website. Motions are due by Monday 28 September 2020.

Tamworth Regional Council has been allocated four Voting Delegates, with additional Councillors to attend as observers. Each member must nominate its delegate(s) to the Conference by 3 November 2020.

(a) Policy Implications

Councillor(s) are authorised to attend the Local Government NSW Annual Conference in accordance with Council's policy relating to the *Payment of Expenses and Provision of Facilities to Councillors*.

Approval arrangements for Councillor discretionary trips, attendance of Councillors at conferences, seminars, forums, workshops, professional development programs and/or other significant expenses and facilities under this policy and for insurance purposes must be authorised by way of a formal resolution of an Ordinary Meeting of the Council.

(b) Financial Implications

Councillors have been allocated the sum of \$2,000 annually to specifically provide for attendance at the Local Government NSW Annual Conference or the National General Assembly. Authorisation of the attendance of Councillors is by way of a resolution of the Council.

Costs associated with the attendance of Tamworth Regional Council staff at the Conference would be funded from their respective budgets.

(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.

10 COMMUNITY SERVICES

10.1 DRAFT TAMWORTH REGIONAL MUSEUMS COLLECTION POLICY

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

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Tamworth Regional Museums Collection Policy”, Council:

- (i) approve the Draft Tamworth Regional Museums Collection Policy for public exhibition for 28 days; and*
- (ii) request a further report to Council summarising public comments received prior to the Policy being formally adopted.*

SUMMARY

The purpose of this report is to seek Council’s approval to place the Draft Tamworth Regional Museums Collection Policy (Collection Policy) on public exhibition for 28 days with a further report to Council to formally adopt the Policy.

This policy is a direct outcome from the development of the Tamworth Regional Museums Engagement Strategy (2019-2024). This Collection Policy aims to enhance strategically the depth and importance of Council’s existing museum collections by approaching collecting in a manner that reflects the Tamworth Region as a whole, single entity.

There are many existing museum objects currently owned by Council that are not currently covered under a Collection Policy. The Collection Policy will ensure all Council owned collections are identified, documented and cared for sustainably in the future.

COMMENTARY

The Tamworth Regional Museums Collection Policy guides the decision-making process for shaping the collections owned and cared for by Tamworth Regional Council. The Collection Policy is a set of principles that guides collecting, loans and deaccessions and is a reference document that should be used in conjunction with appropriate available professional expertise and resources.

The Collection Policy shall be reviewed every five years for its relevance and accuracy in relation to the International and National Standards and to ensure strategic collecting priorities reflect the changing nature of Tamworth.

The Tamworth Regional Museums Collection comprises objects that reflect Tamworth’s iconic cultural heritage and represent Tamworth via the following themes:

1. The **First City of Light** – exemplified in the Tamworth PowerStation Museum collection and displayed throughout Tamworth’s Local Government Area at various locations.
2. The **Music City** – exemplified in the Walk A Country Mile exhibits at the Australian Country Music Hall of Fame, the National Guitar Museum, Gallery of Stars Wax Museum and throughout Tamworth’s Local Government Area at various locations.
3. The **Fossickers Way** – representing the rocks, gems, minerals, fossils and mining history of Tamworth and the region display at the Nundle Visitor Information Outlet and the new Tamworth Science and Astronomy Centre.
4. Tamworth in **Film, Photography and Sound** – exemplified through the Tamworth Regional Film and Sound Archive collection.

5. The **Social History** Story of Tamworth and Region.

There are many existing museum objects currently owned by Council that are not currently covered under an existing museum collection policy. The Collection Policy will ensure all Council owned collections are identified, documented and cared for sustainably into the future. The Draft Collection Policy is **ATTACHED**, refer **ANNEXURE 1**.

Examples of these existing Council owned collections include the Walk A Country Mile exhibits at the Australian Country Music Hall of Fame, the new acquisitions at the National Guitar Museum and other Country music related museum objects, the Rocks, Gem and Mineral collection at the Nundle Visitor Information Centre, the Chris Bowman Minerals and Fossil collection, and the Tamworth Regional Film and Sound Archive.

The existing PowerStation Museum Collection Policy **ATTACHED**, refer **ANNEXURE 2**, will be replaced by the Tamworth Regional Museums Collection Policy.

(a) Policy Implications

Upon adoption, this policy will be included on Council's website. This policy will replace any existing council museum collection policies. The Tamworth Regional Gallery has a separate collection policy that will remain in use.

This policy relates to other Tamworth Regional Council plans and policies, including:

- Tamworth Regional Museums Engagement Strategy (2019-2024).
- Tamworth PowerStation Museum Strategic Plan (2016-2020).
- Australian Country Music Hall of Fame Strategic Plan (2020-2025).
- Tamworth Region Cultural Plan (2018-2023).

(b) Financial Implications

Nil

(c) Legal Implications

There are no specific legal implications for this document, however, the draft collection policy provides Council with guiding acquisition principles. The Tamworth Regional Museums Collection Policy states:

The Tamworth Regional Museums will collect objects that are relevant to the Tamworth Region and has a particular interest in items which tell the story of Tamworth as follows:

- Tamworth as the First City of Light
- Tamworth as a Music City
- The Tamworth region's mining and mineral history
- Tamworth's cultural identity in Film, Photography and Sound, and
- The Social History Story of Tamworth and Region.

Upon adoption the approved Collection Policy will be required to be provided to the Australian Government's Cultural Gift Program, replacing the existing Tamworth Powerstation Museum Collection Policy.

(d) Community Consultation

This policy is a direct action/outcome from the development of the Tamworth Regional Museums Engagement Strategy (2019-2024) previously adopted by Council in 2019. Extensive community consultation and information sessions with museum volunteers during 2019 were held as part of this process.

In addition to the above we have more recently consulted with the relevant Section 355 committees, key stakeholders for Council owned collections, the Powerstation Museum volunteers and the TRACC committee. This Policy will go on 28 days public display with Council's annual policy review.

(e) Delivery Program Objective/Strategy

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

10.2 CRIME PREVENTION WORKING GROUP MEETING - 7 FEBRUARY 2020

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Gino Tiberi, Crime Prevention and Development Compliance Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Crime Prevention Working Group Meeting – 7 February 2020", Council receive and note the Minutes of the Crime Prevention Working Group Meeting held 7 February 2020.

SUMMARY

The purpose of this report is to present the Minutes of the Crime Prevention Working Group (CPWG) meeting held 7 February 2020, and provide Council with an overview of the meeting outcomes.

COMMENTARY

The following information provides a summary of the main items discussed at the Crime Prevention Working Group Meeting held on 7 February 2020, as reported in the **ATTACHED** Minutes, refer **ANNEXURE 1**.

- Oxley Police District advised that there had been encouraging results across key crime categories. While reported incidents across almost all key offences had decreased, Assaults and Stealing from Motor Vehicles had shown some increase.

A number of education programs have and continue to be delivered to the public, which emphasise the importance of securing personal property. Unfortunately, it appears as though not all members of the public are heeding the advice as lax security practices continue to contribute to a significant proportion of property theft offences. Additional education programs are being considered with the view of increasing awareness.

No unexpected issues surfaced during the 2020 Country Music Festival and from a policing perspective, went very well. Visiting police had an opportunity to view and use

the CCTV network. They were very impressed by the system and provided extremely positive feedback.

- A graffiti statistics report was tabled outlining results between 1 September 2019 and 31 January 2020. Throughout this period eight separate incidents were registered costing Council \$2,146 to remove. During the same period last year 15 incidents were recorded costing Council \$4,249 to remove. These figures have continued to reveal a stable trend which has existed for the past three years.

The annual Graffiti Removal Day was held on 27 October 2019. The BMX Club and grounds on Marius Street were identified as a suitable location and subsequently cleaned. Rotary provided 24 volunteers who removed graffiti from various structures within the complex. Art work by local artist Shane Salvador was also incorporated into the clean-up, with a BMX related mural painted on the amenities block. The works were well received and appreciated by the Club. Further graffiti diversion programs are being considered for this site as well as other locations.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Spirit of Community – C31 Create safe places to live, work and play.

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

RECOMMENDATION

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

11.1 TENDER T086/2019 - TAMWORTH REGIONAL COUNCIL AUTOMATED METER READING AND DATA MANAGEMENT TO TAMWORTH REGIONAL COUNCIL RETICULATED WATER SUPPLY AREAS

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

Reference: Item 8.2 to Ordinary Council 27 June 2017 - Minute No 190/17

2 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 inform Council of the Tender outcomes for Request for Tender (RFT) T086/2019 – Automated Meter Reading and Data Management for Tamworth Regional Council Water Supply Areas and recommend preferred tender/tenderers.

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.