



TAMWORTH REGIONAL COUNCIL

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

ORDINARY COUNCIL AGENDA

22 SEPTEMBER 2020

**PAUL BENNETT
GENERAL MANAGER**

Order of Business

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE	5
2	COMMUNITY CONSULTATION.....	5
3	MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL.....	5
4	DISCLOSURE OF INTEREST	5
5	MAYORAL MINUTE	5
6	NOTICE OF MOTION	5
OPEN COUNCIL REPORTS		5
7	ENVIRONMENT AND PLANNING	5
7.1	REQUEST FOR ACCESS TO MARIUS STREET BORE AS ALTERNATE WATER SUPPLY FOR DURİ RESIDENTS	5
8	INFRASTRUCTURE AND SERVICES	7
8.1	FEE WAIVER FOR TAMWORTH CITY BMX CLUB TO USE THE REGIONAL CYCLING CENTRE	7
8.2	REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY.....	9
8.3	POSSIBLE FUNDING COOPERATIVE RESEARCH CENTRES (CRC'S)	13
		2 ANNEXURES ATTACHED
9	GOVERNANCE, STRATEGY AND FINANCE.....	15
9.1	MOTION FOR THE LGNSW ANNUAL CONFERENCE 2020	15
9.2	COUNCİLLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY	18
		1 ANNEXURES ATTACHED
9.3	COUNCIL SPECIAL PURPOSE COMMITTEES, WORKING GROUPS, EXTERNAL BOARDS AND ORGANISATIONS.....	19
		1 ANNEXURES ATTACHED
9.4	COUNCIL INVESTMENTS AUGUST 2020	21
		1 ANNEXURES ATTACHED
9.5	TAMWORTH REGIONAL AVIATION STRATEGIC DEVELOPMENT WORKING GROUP	23
9.6	ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - AUGUST 2020	25
		1 ANNEXURES ATTACHED
9.7	PLACE MANAGEMENT AND SECTION 355 COMMITTEE UPDATE	27
10	COMMUNITY SERVICES.....	31
10.1	TAMWORTH REGIONAL MUSEUMS COLLECTION POLICY	31
		1 ANNEXURES ATTACHED

11	REPORTS TO BE CONSIDERED IN CLOSED COUNCIL.....	33
11.1	PROPOSED ACQUISITION FOR SHARED PATH CONSTRUCTION – Blich Street.....	33
11.2	CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA PIPELINE	34
11.3	LEASE OF HANGAR 6, TAMWORTH REGIONAL AIRPORT	34
11.4	REQUEST FOR A COUNCIL CONTRIBUTION FOR ADDITIONAL WORKS REQUIRED FOR THE ROUNDABOUT AT MOORE CREEK ROAD AND GRAND MEADOWS DRIVE	35
11.5	REQUEST FOR DEFERRAL OF PAYMENTS FOR WATER AND SEWER HEADWORK CHARGES AND CONTRIBUTIONS.....	35

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

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 8 September 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 REQUEST FOR ACCESS TO MARIUS STREET BORE AS ALTERNATE WATER SUPPLY FOR DURI RESIDENTS

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Ross Briggs, Manager Environment and Health

RECOMMENDATION

That in relation to the report “Request for Access to Marius Street Bore as Alternate Water Supply for Duri Residents”, Council approve the commencement of the supply of groundwater to the Duri residents that require an alternate non-potable supply for domestic purposes.

SUMMARY

The following report requests access to the Marius Street Bore as a short term alternate non-potable water supply for the residents of Duri.

Due to the contamination of groundwater from a leaking underground fuel storage tank at the Duri General Store, the Department of Planning, Industry and Environment - Water is

considering issuing a restriction on the use of bores in the Duri area. This restriction would be issued under Section 324 of the *Water Management Act 2000* and occur within a 500m radius of the Duri General Store.

There are several households that have internal plumbing of bore water for non-potable uses and until such time as these plumbing connections can be reconnected to rainwater supplies an alternate non-potable supply is required.

DPIE Water may assist the Duri village with funds to cover the cost of the short term supply of bore water and also funds to reconnect those properties to rainwater supplies.

COMMENTARY

On 31 December 2019, Council was alerted to the contamination of groundwater in the Duri Village. Subsequent investigation by Compliance Division staff revealed that one of the underground storage tanks at the Duri General Store, 13 Railway Avenue Duri, had been leaking for some years undetected and the fuel had been discovered in a recently constructed domestic bore at 15 Railway Avenue Duri.

The store owners were directed to engage the services of suitably qualified environmental consultants to undertake an investigation of the extent of soil and groundwater contamination that had occurred. The end result of the investigation is that the NSW Environmental Protection Agency (EPA) formally declared the site to be significantly contaminated on 21 July 2020.

A further measure to reduce the risk of spreading the contamination through the fractured rock aquifer under Duri recommended by Department of Planning, Industry and Environment (DPIE) Water, NSW Health, NSW EPA and Council's Compliance Division staff was to restrict the use of bores within the affected area. Subsequently, a 500 metre radius around the Duri General Store was developed to include the known extent plus a buffer. If issued, the restriction on bore use would exist for at least three years but may need to be extended if the remediation of the groundwater requires more time.

Currently, the Section 324 restriction is on hold until the Water Minister and the EPA agree to implement it. At that time Council's compliance staff will undertake community consultation in conjunction with the NSW EPA, NSW Health and DPIE Water staff. This consultation will explain the need for the Section 324 restriction on bore use, the alternate water supply arrangements and the ongoing contamination management efforts for the Village of Duri.

A water use survey was conducted by Council's Compliance Division staff, and of those residents that responded, approximately 12 households have internal plumbing of bore water for a variety of uses. DPIE Water has offered to fund a short term alternate non-potable water supply for these residents. This would entail covering the cost of trucking water from the Marius Street bore out to the individual households and filling up tanks connected to bores. Council would be obligated under the Emergency Relief for Town Water Supply Funding Grant to pay the first \$1.90/KL and DPIE Water would pay the remainder. The volumes of water being considered are less than 6KL/day which equates to less than \$12/day that Council would have to fund.

The delivery of water would occur until such time that the plumbing connections for these internal bore water uses are reconnected to rainwater supplies. DPIE Water has also offered to fund these connections as an ongoing solution to the problem. The funds for this phase would be supplied to Council to administer as a subsidy for works after they households complete them. The Compliance Division would administer both of these programs should DPIE Water make the funds available.

Therefore, it is proposed that access be granted to approved water carters to supply bore water from the Marius Street bore to the residents of Duri for a temporary period of no more than 12 months, or until such time that the internal plumbing connections can be reconnected from bore water supply to rainwater supply.

Access to the Marius Street bore is also requested for the remaining residents of Duri that have bores on their properties, to purchase water for garden, stock and pet watering during the period that the Section 324 restriction is in place. The cost of which would be borne by the residents themselves.

(a) Policy Implications

Nil

(b) Financial Implications

Council would be obligated under the Emergency Funding Grant to pay the first \$1.99/KL and DPIE Water would pay the remainder. The volumes of water being considered are less than 6KL/day which equates to less than \$12/day that Council would have to fund. This equates to \$4500.00 over a 12 month period and would be funded from the Compliance Division budget.

(c) Legal Implications

Nil

(d) Community Consultation

Council's Compliance staff will undertake community consultation in conjunction with the NSW EPA, NSW Health and DPIE Water staff. This consultation will explain the need for the Section 324 restriction on bore use, the alternate water supply arrangements and the ongoing contamination management efforts for the Village of Duri. As soon as the DPIE Water gives notice that the Section 324 restriction is to be implemented, consultation will occur.

(e) Delivery Program Objective/Strategy

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

8 INFRASTRUCTURE AND SERVICES

8.1 FEE WAIVER FOR TAMWORTH CITY BMX CLUB TO USE THE REGIONAL CYCLING CENTRE

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

RECOMMENDATION

That in relation to the report "Fee Waiver for Tamworth City BMX Club to use the Regional Cycling Centre", Council approves to waive all fees and charges for Tamworth City BMX Club to access the Regional Cycling Centre, until their existing BMX track is operational again following the recently discovered asbestos contamination.

SUMMARY

In March 2020, the Tamworth BMX track was discovered to contain asbestos and since then has been closed to all members of the community. It is recommended that Council waive hire fees and charges for the Tamworth City BMX Club to access the Regional Cycling Centre, until Council rectifies the asbestos contamination on the BMX track located at 31 Marius Street, Tamworth.

COMMENTARY

As part of an asbestos inspection audit of all Council owned buildings on 4 March 2020, a consultant engaged by Council discovered what was thought to be asbestos on the BMX track located at 31 Marius Street Tamworth. The fragment was laboratory tested and confirmed to be non-friable asbestos. Further testing was subsequently undertaken throughout the site and asbestos was confirmed to be contained within the imported fill brought to the site as part of its construction in the 1990's.

Council immediately closed the facility to the Tamworth City BMX Club (the Club) and the community until such time as the contamination is mitigated to a compliant standard.

As we enter the summer sports season when the Club undertakes regular training, the Club has no alternate site to conduct any training or trials. Council's Sports and Recreation technical staff have been working with the Club who have agreed that the Regional Cycling Centre's velodrome would enable their riders to carry out training and sprinting activities.

In light of the Club not being able to operate any Club nights which generally drives revenue, the Club is asking for Council consideration for a fee waiver for the exclusive use of the velodrome on two nights a week when it is not in use by the Tamworth Cycle Club. Both clubs are happy to work together for this arrangement.

It is therefore recommended that Council support the Club with the waiving of fees associated with the exclusive use of the Regional Cycling Centre's velodrome until their existing track on Marius Street is operational again.

(a) Policy Implications

Nil

(b) Financial Implications

The Sports and Recreation Division is to absorb the loss of hire fees in its operational budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

8.2 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY

DIRECTORATE: WATER AND WASTE

AUTHOR: Louise Cadell, Sustainability Officer - Water

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 14 September 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 4.9%. Restrictions on releases from Split Rock Dam were lifted in March 2020, which was the trigger for Council to return to reviewing Barraba and Manilla independently as per the Drought Management Plan.
Bendemeer	Permanent Water Conservation Measures	MacDonald River	Due to sustained flows in the MacDonald River, Bendemeer was moved to Permanent Water Conservation Measures from Monday 2 March 2020.
Nundle	Permanent Water Conservation Measures	Peel River/Nundle Bore/Crawney Road Bore	The Peel River at Nundle has been flowing consistently since February, and was moved to Permanent Water Conservation Measures in May 2020.
Manilla	Permanent Water Conservation Measures	Namoi River/Manilla River	The Namoi River has sustained flows above the requirement to return to Permanent Water Conservation Measures. Restrictions on releases from Split Rock Dam were lifted in March 2020 which was the trigger for Council to return to reviewing Barraba and Manilla

			independently as per the Drought Management Plan.
Attunga	Permanent Water Conservation Measures	Attunga Bores	The groundwater level has recovered and the bores are meeting maximum pumping rates. Attunga was moved to Permanent Water Conservation Measures in May 2020.
Tamworth/ Moonbi- Kootingal	Level 4	Chaffey Dam/Dungowan Dam – Moonbi-Kootingal via Nemingha Pipeline	<p>Regular rainfall events in the catchment area have led to small inflows into Chaffey Dam. The dam is now at 25.87%.</p> <p>Dungowan Dam is at 96.17%. The rain events in the catchment area mean the natural flow of the Peel River will continue to supply Tamworth, Moonbi and Kootingal residents.</p> <p>The Dungowan Dam pipeline will be turned on once again when water can no longer be accessed via the river.</p> <p>There is around 150 days of water available in Dungowan Dam.</p> <p>This reduced reliance on Chaffey Dam has meant that all inflows into the dam are being retained, and whilst three Megalitres per day is still being released, the dam's current capacity is steadily increasing.</p>

Communications Engagement Plan – Level 4 Water Restrictions

After close to 12 months on Level 5 water restrictions, Tamworth, Moonbi and Kootingal residents eased back to Level 4 on Monday 31 August 2020.

Under Level 4 water restrictions there is still no outdoor use of the town water supply, but the residential consumption target has eased to 200L per person per day.

The move from Level 5 to Level 4 brings with it its own challenges. The updated communications engagement plan intends to build on the solid foundations laid by the Level 5 Water Restrictions – Let's Work Together campaign – to avoid complacency around saving water.

All traditional forms of advertising will continue. New look radio, television and newspaper advertising is complete. A more upbeat tone has been taken, to commend the community for their persistence and dedication so far to water conservation and sustainability and to encourage them to keep going.

This advertising has been paired with some alternative forms of communication. Convenience advertising in major shopping centres around Tamworth has been updated to reflect Level 4 messaging. Convenience advertising is located in bathrooms and restrooms and is a cost effective way for residents to see Council water messaging when their attention is focused. An exciting competition will also be launched which will include prizes to encourage participation from residents. This competition will take place in high traffic areas and will target all age groups.

The cost of the Level 4 communications engagement plan is estimated at \$60,000. There are existing funds in the Water Restrictions Marketing and Communications budget to fund this plan.

Values and Perception Survey

The Water Communications Values and Perception Survey is now finished. This survey was open to all residents connected to the town water supply in Barraba, Manilla, Attunga, Bendemeer and Nundle.

It was great to see 101 residents participate in the survey. The aim was to gain insight into how water restrictions and water management information was communicated with residents.

The responses will also be vital in helping shape the Drought Management Plan when it next comes up for review. The survey has captured the thoughts and feelings of these communities off the back of the worst drought on record.

The survey provided valuable insight into where more communication and education resources can be focused. Many respondents chose inefficient household products and high water use gardens as reasons why saving water at home is often difficult.

It was pleasing to see more than half of the respondents saw or heard something about the Let's Work Together communications plan. While this plan is targeted primarily at Tamworth, Moonbi and Kootingal residents, it's important to know how far the messaging spreads.

Nearly all residents agree that saving water was extremely important to them.

A similar survey will be prepared for Tamworth, Moonbi and Kootingal residents allowing them to provide their feedback.

National Water Week

Preparations are underway for National Water Week. As face to face community engagement is currently not possible due to COVID-19 restrictions, online and at-home activities had to be considered.

Tamworth Regional Council has signed up to participate in the inaugural Water Night, an event hosted by Smart Approved WaterMark.

The event will take place on Thursday 22 October 2020, between 5:00pm and 5:00am. It encourages residents to use just one bucket of water - no taps, no showers, no running water (except for health, hygiene and safety measures).

Water Night will encourage residents to think about how many times they reach for the tap in a day. The event will include some interactive activities which, while being done from the comfort of the home, will connect all participants' right across Australia.

The reason Council chose to take part in Water Night is due to the current water situation in Tamworth, Moonbi and Kootingal. It also reflects our dedication to promoting sustainable water use within the community at all times.

Water Saving Rebates

The residential water saving rebate scheme continues to be popular with residents. So far, this financial year 132 rebates have been approved at a one off cost to Council of \$21,285.00. The estimated water savings so far has been calculated to 2,027 kL of water per year.

Rebate type	Approved	Cost	Yearly total savings (kL)
Ceiling fan	26	1,482.50	
Low Flow or Sensor Tap *	3	150	33
Dual Flush Toilet *	12	1,470.90	468
Toilet with Cistern Sink	2	187	
Evaporative Air Conditioner Servicing and Maintenance	32	2,577.50	
Showerhead *	5	80	325
Oxijet *	3	49.50	78
Swimming Pool Cover *	1	100	48
Large Rainwater Tank *	5	5,000	900
Medium Rainwater Tank *	1	800	
Small Rainwater Tank*	2	300	175
Large Rainwater Tank (stand alone)	6	3,000	
Medium Rainwater Tank (stand alone)	11	4,500	
Small Rainwater Tank (stand alone)	9	900	
Plumbers Audit	14	687.25	
TOTAL (Number)			132
TOTAL (\$)			21,285
TOTAL SAVINGS (kL) *			2,027

* 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.

8.3 POSSIBLE FUNDING COOPERATIVE RESEARCH CENTRES (CRC's)

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Possible Funding Cooperative Research Centres (CRC's)”, Council:

- (i) provide \$10,000 per year to the Water Security CRC:
 - a. if the funding application for the CRC is approved;*
 - b. funding to commence in the 2021/2022 financial year; and*
 - c. \$10,000 be provided per year for a maximum of 10 years or until the program is complete, whichever occurs first; and**
- (ii) fund the expenditure 50% from the Water Reserve and 50% from the Wastewater Reserve.*

SUMMARY

Council has been approached to gauge Council's interest in providing funding for one, or both, of two proposed Cooperative Research Centres – one looking at the Murray Darling Basin and the other at optimising water security for cities and towns.

COMMENTARY

The Cooperative Research Centre (CRC) Program is the Commonwealth Government's largest single program for industry providing grants for up to 10 years. CRCs are independent entities, established and governed as incorporated companies limited by guarantee. They comprise of industry-led collaborations between industry, researchers and the community. The focus is on research and development that will have commercial uses. The CRC program aims to improve the competitiveness, productivity and sustainability of Australian industries, especially in government priority areas, use high quality research to solve industry-identified problems, and encourage and help Small and Medium Enterprises (SMEs) to take part in collaborative research. 226 CRCs have been funded since the program's commencement.

Round 22 of the current program opened 30 April 2020, and Stage One closed 29 July 2020. Stage One applications are then assessed and, if successful, move through to Stage Two which opens in November 2020 and closes in January 2021. Outcomes are announced in March 2021, and funding commences for successful applicants in October 2021.

Council has been approached by two groups who have each lodged Stage One applications as detailed below.

CRC – Water Security

Includes the following parties; Griffith University, Monash University, Water Sensitive Cities Institute and The University of Queensland.

The Water Security CRC will deliver innovative water security solutions for cities, towns and communities that optimise water-related benefits for people and economic activities, sustain healthy aquatic ecosystems and protect against growing environmental challenges.

A brochure in relation to this CRC is **ATTACHED**, refer **ANNEXURE 1**.

CRC – One Basin

Includes the following parties; University of Melbourne, University of Southern Queensland and the Australian National University.

The One Basin CRC will accelerate growth in the agricultural sector over the next ten years by tackling critical agriculture-water challenges. It will bring together industry, government, research organisations and the community to deliver science-based solutions that contribute to growth and benefit rural communities and the environment. The focus of the One Basin CRC will be defined by the needs of our partners to build shared understanding, co-design solutions and build capacity across the agriculture and water sectors.

The prospectus is **ATTACHED**, refer **ANNEXURE 2**.

Both projects suggest a life of 10 years if funding is approved. The opportunity exists for Council to provide a financial contribution to each, or both, of the CRC's. Should Council agree to provide funding, then it is understood funding would need to be made available per year for 10 years.

In reviewing the goals of both CRC's, it is considered the Water Security CRC is more closely aligned with Council's present issues of additional water security for towns and villages compared to the One Basin CRC which appears to be focusing on securing water for agricultural purposes. Whilst both goals are of benefit to Council, it is suggested the Water Security CRC is of the more immediate concern.

According to the proponents the benefits of Council contributing financially include:

- a collaboration that gives access to an expected \$100 million to \$150 million of resources;
- a CRC program that provides access to high quality impactful research and translation;
- allows the opportunity to build valuable networks as well as having access to the collection of Australia's world-leading researchers;
- a collaboration that develops whole of water policy and planning mechanisms; and
- ability to influence the direction of these resources and be at the forefront of development in the sector.

Water security for all towns and villages across the Council area, but particularly Tamworth, Moonbi and Kootingal, is a significant concern.

In considering this issue the following points are provided:

- both applications will proceed with or without a financial contribution from Council;
- the ability of Council to influence the CRC is unknown, if it does contribute financially, however given the level of funding Council may contribute, compared to others and the government, it is expected this influence will be minimal;
- the potential outcomes of the CRC's work could have far reaching positive benefits for Council and the Council community; and
- Council cannot solely rely on others to address our issues and those problems will only be solved by examining and instituting a range of measures. Council may like to consider whether it wishes to sit on the sidelines or be part of the effort, however small, to identify and implement efficient and effective measures to address water security into the future.

(a) Policy Implications

Nil

(b) Financial Implications

There are no rules, guidelines, minimum or maximum amounts governing funding contributions should Council wish to contribute. Given that any funding Council provides will be on a per annum basis and for the suggested 10 years of the program, it is suggested Council consider contributing \$10,000 per annum funded equally by the Water Reserve and Wastewater Reserve.

(c) Legal Implications

A Funding Agreement would be required.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 MOTION FOR THE LGNSW ANNUAL CONFERENCE 2020

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

Reference: Item 9.3 to Ordinary Council 28 July 2020 - Minute No 214/20

RECOMMENDATION

That in relation to the report "Motion for the LGNSW Annual Conference 2020", Council authorise the motions regarding water recycling opportunities, Medicare Provider Numbers and an Independent Water Commission be submitted to LGNSW.

SUMMARY

The purpose of this report to authorise the motions on water recycling opportunities, Medicare Provider Numbers and Independent Water Commission to be submitted to LGNSW on behalf of Tamworth Regional Council to the Conference.

COMMENTARY

The 2020 Local Government NSW Annual Conference has been moved to a virtual Conference instead on being held at The Crowne Plaza, Hunter Valley. The Mayor, Deputy Mayor, Cr Juanita Wilson and Cr Jim Maxwell have been nominated to attend as voting delegates, however Cr Jim Maxwell and the General Manager will now not be attending and Cr Helen Tickle who had been authorised to attend as an observer will now be a voting delegate.

In relation to the Motions to the Conference, each motion is to be made via the online form and include the Council's Name and details, the indicative category of the motion, the Motion title, the Motion wording, a background note explaining the rationale of the motion (max one or two paragraphs) and attach evidence of Council support for the motion (i.e. extract of the Minutes of the meeting at which the member resolved to submit the motion for consideration by the Conference, or in the absence of a Council Meeting, a letter signed by the Mayor and General Manager).

At the Council Meeting held 28 July 2020, Council recommended to submit the following motion to the Conference:

Motion Title: Water Recycling Opportunities

Motion Category: Environmental Policy 'Natural Resource Management'

Motion: That LGNSW request the State Government to review the approval process to allow more rapid delivery of recycled water options; fund research into how water is recycled and treatment processes available for handling by-products from those processes and to commence a community education campaign across the State in relation to direct and in direct potable reuse.

Details of Issue: The recent severe drought across NSW, which some parts of the State are still recovering from, saw many towns facing the prospect of running out of water. This should see the NSW Government accelerate efforts to further secure water supplies for urban centres. One option that should be considered is the use of recycled water to offset the use of treated water or to augment existing water supplies, through indirect or direct potable reuse.

At present the option of recycling water is mired in Government red tape and bureaucracy making it very difficult to develop any realistic recycling option at a reasonable cost.

In inland centres, what to do with the by products from water recycling is a central issue, and in relation to direct and indirect potable reuse, communities must be better educated before there will be wide spread acceptance of this option.

Cr Wilson has also raised two motions as below:

Motion Title: Medicare Provider Numbers

Motion Category: Social and Community Policy

Motion: That LGNSW make appropriate representations to the State and Federal Government Health Ministers to ensure the current review of the National Medical Workforce Strategy, and in particular how a “District of Workforce Shortage” is determined when allocating Medicare Provider Numbers, provides flexibility and opportunities for Medical Practitioners and Specialists to relocate to Regional and Rural communities so that they are not disadvantaged in the delivery of adequate and essential medical services.

Details of Issue: The current method used to determine the allocation of Medicare Provider Numbers (MPN) is flawed and is currently the subject of a review by the Federally appointed Distribution Advisory Group. The current system is largely based on areas covered by a particular postcode and does not adequately take into consideration the way specialist services are delivered in regional and rural areas. Regional centres provide services to a much broader catchment than that covered by their individual postcode. To illustrate the issue, the local ophthalmologists in Tamworth estimate that they cover a population of approximately 220,000 across the New England, North West Slopes, Upper Hunter and Upper Central West regions of NSW. While there are currently four ophthalmologists, two of them are over 60 and approaching retirement and one will return to New Zealand in early 2021. The fourth specialist works under one of the retiring doctors and has a temporary MPN until January 2021. This doctor has a desire to permanently relocate to Tamworth but cannot secure a permanent MPN because Tamworth is not considered a “District of Workforce Shortage”.

The use of postcodes may be appropriate to achieve a spread of specialists across metropolitan areas, but in regional areas it results in a small number of specialists being required to work unreasonably long hours in order to service large geographical areas. The issue is even more obvious when we have fully trained specialists that actually want to move to the regions but are unable to do so because they cannot obtain a Medicare Provider Number due to the need to obtain exemptions from the Minister under s19AB.

The Commonwealth Department of Health is developing the National Medical Workforce Strategy in collaboration with the Medical Workforce Reform Advisory Committee (MWRAC). MWRAC members include the states and territories, specialist medical colleges, and medical professional associations. MWRAC provides a national perspective to align priorities for supporting medical practitioners and addressing workforce shortages. This is the perfect opportunity for LGNSW to make appropriate representations on this matter on behalf of our regional and rural Councils.

Motion Title: Independent Water Commission

Motion Category: Environmental Policy

Motion: That LGNSW petition the NSW State Government to reinstate the role of Water Commissioner and establish an Independent Water Commission in order to provide an open and transparent process for the negotiation of water sharing plans that will deliver sustainable water security solutions for local communities.

Details of Issue: Water security for local communities is being jeopardised by the lack of openness and transparency in the negotiation of water sharing plans. An Independent Commission for Water in NSW with a Water Commissioner would consider all competing demands for water and make decisions based on science rather than political issues and this needs to happen swiftly to ensure regional communities are not left to run out of water.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.2 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Karen Litchfield, Manager Governance

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Councillor Induction and Professional Development Policy”, Council:

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

SUMMARY

The purpose of this report is to present the Councillor Induction and Professional Development Policy for endorsement by Council to be placed on public exhibition.

COMMENTARY

Amendments made to the Local Government Act 1993 by the Local Government Amendment (Governance and Planning) Act 2016 in August 2016, saw the inclusion on the prescribed role of Councillors under Section 232 a responsibility “to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor”.

In support of this regulations have been made for induction and other professional development for Mayors and Councillors. The Office of Local Government (OLG) has prepared guidelines to assist councils to develop and deliver induction and ongoing professional development activities for their mayor and councillors in compliance with the proposed regulations. The Guidelines have been issued under section 23A of the Act, refer

<https://www.olg.nsw.gov.au/sites/default/files/Councillor%20Induction%20and%20Professional%20Development%20Guidelines.pdf>.

A Policy has been developed that details our compliance with the Guidelines **ATTACHED**, refer **ANNEXURE 1**, and will need to be endorsed by Council to be placed in the General Policy Register which will require 28 days public exhibition.

(a) Policy Implications

The Policy will need to be adopted by Council and placed in the General Policy Register which will require 28 days public exhibition.

(b) Financial Implications

Funding for the Councillor Induction and Pre-Candidate Information Sessions will need to be budgeted for in the 2021/2022 budget. Councillor Professional Development funding is considered as part of the “Payment of Expenses and Provision of Facilities to Councillors” Policy.

(c) Legal Implications

Nil

(d) Community Consultation

The Policy will be placed on public exhibition for 28 days.

Council will be required to report information in our Annual Report on the induction and ongoing professional development activities offered to the Mayor and each Councillor. The information to be published includes:

- the name of the Mayor and each Councillor that completed Council’s induction program (where an induction program has been delivered during the relevant year);
- the name of the Mayor and each Councillor who participated in any ongoing professional development program during the year;
- the number of training and other activities provided to the Mayor and Councillors during the year as part of a professional development program; and
- the total cost of induction and professional development activities and any other training provided to the Mayor and Councillors during the relevant year.

(e) Delivery Program Objective/Strategy

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

9.3 COUNCIL SPECIAL PURPOSE COMMITTEES, WORKING GROUPS, EXTERNAL BOARDS AND ORGANISATIONS

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Council Special Purpose Committees, Working Groups, External Boards and Organisations”, Council determine that the status quo remain, and that Councillors be appointed as delegates or representatives for the ensuing 12 month term as detailed and documented in the annexure of this report.

SUMMARY

The purpose of this report is to elect or appoint Councillors as members or representatives on Council's Special Purposes Committees, Working Groups, External Boards, and Organisations.

COMMENTARY

The Register for Council's Special Purposes Committees, Working Groups, External Boards and Organisations is **ATTACHED**, refer **ANNEXURE 1**, and requires the election or appointment of a Councillor as either a member or the Council's representative. As current representation on the committees and working groups is fulfilling Council's community commitment and in the interest of continuity it is recommended that there be no changes to current membership and include the following changes:

- item 2.18 add the Tamworth University Strategic Working Group;
- item 2.8 change Manager Water and Waste Operation to Manager of Waste and Resource Recovery;
- replace all reference to Business and Community to Growth and Prosperity;
- replace all reference to Director Business and Community to Director Growth and Prosperity;
- item 3.21 add the Tamworth Region Inclusive Culture Advisory Committee;
- item 3.22 add the Tamworth Region Arts Advisory Committee;
- remove the Tamworth Regional Arts and Culture Advisory Committee (TRACAC);
- remove the Sister City Working Groups – the groups have not formally met since established and management of the sister city relationships has been undertaken by staff. The current arrangement of enlisting volunteers when required for delegations and inviting all Councillors to civic functions will continue;
- renumbering of working groups to ensure they are in the correct section and in alphabetical order in the section; and
- inclusion of 4.9 Regional Arts NSW.

(a) Policy Implications

Nil

(b) Financial Implications

Council is a financial member of some of the listed Organisations. Provision has been included in the 2020/2021 Annual Operation Plan for Council Delegates to attend and contribute to these Groups as listed.

(c) Legal Implications

A number of the appointments of Councillors, as either members or representatives, are required to satisfy statutory requirements, e.g. Tamworth Regional Rural Fire Service Liaison Committee and Tamworth City Local Traffic Committee.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.4 COUNCIL INVESTMENTS AUGUST 2020

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

1 ANNEXURES ATTACHED

RECOMMENDATION

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

SUMMARY

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

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 31 August 2020, is **ATTACHED**, refer **ANNEXURE 1**.

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

Institution	Cash at bank	Financial Assets Amortised Cost	Financial Assets at Fair Value	Total	% of Total
NAB	12,248,651	49,000,000	0	61,248,651	36.84%
ANZ	0	8,000,000	0	8,000,000	4.81%
BOQ	0	5,000,000	0	5,000,000	3.01%
CBA	0	3,000,000	0	3,000,000	1.80%
St George	0	38,500,000	0	38,500,000	23.16%
TCorp	0	0	11,357,517	11,357,517	6.83%
Westpac	0	39,164,137	0	39,164,137	23.55%
TOTAL	12,248,651	142,664,137	11,357,517	166,270,305	

The amount invested at 31 August 2020, has increased by \$6,486,239.27 compared to funds held at 31 July 2020.

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

Fund	Restriction	Amount	%
General	Unrestricted	6,144,372	3.70%
General	Internally Restricted	40,542,388	24.38%
General	Externally Restricted	12,621,369	7.59%
General Fund Total		59,308,129	35.67%
Water	Unrestricted	2,040,303	1.23%
Water	Internally Restricted	26,783,993	16.11%
Water	Externally Restricted	20,944,902	12.60%
Water Fund Total		49,769,198	29.94%
Sewer	Unrestricted	2,081,979	1.25%
Sewer	Internally Restricted	40,305,944	24.24%
Sewer	Externally Restricted	14,805,055	8.90%
Sewer Fund Total		57,192,978	34.39%
Total Investments		<u>166,270,305</u>	

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.

9.5 TAMWORTH REGIONAL AVIATION STRATEGIC DEVELOPMENT WORKING GROUP

DIRECTORATE: GROWTH AND PROSPERITY

AUTHOR: John Sommerlad, Commercial Director - Airport and Aviation Development

Reference: Item 7.8 to Ordinary Council 11 September 2018 - Minute No 185/18

RECOMMENDATION

That in relation to the report "Tamworth Regional Aviation Strategic Development Working Group", Council:

- (i) remove the Tamworth Regional Aviation Strategic Development Committee from its Register of Special Purpose Committees, Working Groups and External Boards, Committees and Organisations Structure;*
 - (ii) replace it with the Tamworth Regional Aviation Strategic Development Working Group;*
 - (iii) approve the appointment of all Councillors as Working Group members;*
 - (iv) approve the Mayor of the day to be the Working Group chair; and*
 - (v) authorise the Working Group to co-op input from industry specialists and stakeholders as required.*
-

SUMMARY

The purpose of this report is to seek approval to change the name and structure of a previously established committee to provide greater flexibility and industry input, particularly at a time when the Tamworth Regional Airport has been impacted by the COVID-19 pandemic crisis.

COMMENTARY

The Tamworth Regional Aviation Strategic Development Committee was established in September 2018, as a Council Committee of the Whole. The predecessor to this committee only had four Councillor representatives. All Councillors had expressed a desire to be part of discussions and planning relating to the development of the Tamworth Regional Airport. The airport is considered a significant asset of Council's with huge potential to support additional aviation related industry activity. The Committee of the Whole was considered as an option for all councillors to be involved.

This structure, however, has some limitations due to governance requirements. Meetings have to be advertised in advance of them being held. Many formal meeting procedures restrict how the Committee can work and detailed reports are required to be held on all matters, even for matters which are just for mention.

Council has a number of successful working groups. Three in particular are, the Tamworth Regional Crime Prevention Working Group, the Sports Working Group, and the Tamworth City Centre Working Group. These groups are not bound by stringent meeting practice and also involve input from individuals and groups outside Council. The groups' activities, discussions and recommendations are recorded in Minutes which are presented to Council at its Ordinary Meetings for adoption. The Minutes often generate discussion and comments by Councillors.

The aviation industry is currently dealing with its most difficult time in its history. The savage impact of COVID-19 restrictions on travel and border closures has had a dramatic impact on airlines and consequently airports. Having the ability to convene meetings quickly to deal with important matters and to also involve outside consultants and industry representatives in roundtable discussions is a sound approach.

Tamworth Regional Airport's financial position as a self-funded entity of Council has been impacted. Passenger numbers for the period from March to August this year are only 15 per cent of what they were for the same period last year. Airport revenue for the last three months of the previous financial year was down 50 per cent.

Council has some important airport related agenda items. These include Blueprint 100, the potential of international air freight, and the important business relationships between the Tamworth Global Gateway Park. These all need input from outside sources and experts and a working group arrangement is considered the best way forward. It is intended the working group meets more regularly than its predecessor due to its greater flexibility.

(a) Policy Implications

A resolution of Council is required to change Council's Special Purpose Committees, Working Groups, External Boards and Organisations structural framework.

(b) Financial Implications

The Working Group will have no budget or authority to expend Council funds. Any allocation of funds will require a resolution of Council.

(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.

9.6 ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - AUGUST 2020

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Sherrill Young, Manager Financial Services

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2020/2021 Budget Variation Report – August 2020”, Council note and approve the variations to the existing budget included in the attached Annexure.

SUMMARY

Council adopted the original budget included in the Annual Operational Plan for 2020/2021 at the Ordinary Council Meeting held 23 June 2020. Any changes to the budget must be approved by Council at a later Ordinary Meeting. This report seeks Council approval for any required budget variations identified during August 2020, for which there has been no previous specific report or approval.

The quarterly budget review statements will provide Council with a full review of revised budget forecast and actual year to date results following the completion of the September, December and March reviews.

COMMENTARY

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

This report aims to provide a timely endorsement of any variations identified and processed during August 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**.

Variations identified during August 2020

<i>Division</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	0	(4,909)	4,909	0	0
Events	30,000	0	30,000	0	0
Dir Mgmt. Business & Community	(80,000)	0	(80,000)	0	0
Pilot Training Facility	50,000	0	0	0	50,000
Compliance	10,000	41	(41)	0	10,000
Plant, Fleet & Buildings	(12,330)	0	(12,330)	0	0
Sports & Recreation Services	8,500	(8,500)	0	0	17,000
Infrastructure & Projects	0	(638,010)	638,010	0	0
Waste Management	(1,141,545)	(149,620)	50,000	0	(1,041,925)
Water & Wastewater	97,354	79,625	335,379	0	(317,650)
TOTAL	(1,038,021)	(721,373)	965,927	0	(1,282,575)

(a) Policy Implications

Nil

(b) Financial Implications

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

<i>Fund</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
General	(1,135,375)	(800,998)	630,548	0	(964,925)
Water	54,625	39,625	5,379	0	9,621
Sewer	42,729	40,000	330,000	0	(327,271)
Grand Total	(1,038,021)	(721,373)	965,927	0	(1,282,575)

(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.

9.7 PLACE MANAGEMENT AND SECTION 355 COMMITTEE UPDATE

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Kay Burnes, Senior Place Manager

RECOMMENDATION

That in relation to the report “Place Management and Section 355 Committee Update”, Council:

- (i) disband the Friends of Marsupial Park Section 355 Sub Committee, a Sub Committee of Victoria Park Section 355 Committee under Section 355 of the Local Government Act 1993;*
- (ii) transfer any assets held by the Friends of Marsupial Park Section 355 Sub Committee to Council;*
- (iii) transfer any liabilities accrued by the Friends of Marsupial Park Section 355 Sub Committee to Council;*
- (iv) restrict the balance of funds held by the Friends of Marsupial Park Sub Committee as at the date of disbanding for the purpose of a contribution to the upgrade of the barbeque area in Fern Gully at the Park; and*
- (v) receive and note the outcomes of Section 355 Committee and Place Management activities.*

SUMMARY

The purpose of this report is to disband the Friends of the Marsupial Park Section 355 Sub Committee, a Sub Committee of the Victoria Park Section 355 Committee and to provide an update of the Place Management and Section 355 Committee activities in the community.

COMMENTARY

Tamworth Regional Council’s Section 355 Committees each have delegated functions which may include the management of a facility, the coordination of an event or an advisory function to submit recommendations and advice to Council in regard to a specific community facility.

The Victoria Park Section 355 Committee formally advised Council on 18 August 2020, that the Committees accepts and endorses the Friends of Marsupial Parks notice to disband from 5 August 2020.

The Friends of Marsupial Park was formally endorsed in August 2009, as a Sub Committee of the Victoria Park Section 355 Committee. The group evolved to an independent body in 2017; however, no formal delegation by Council has been made. It was anticipated that the status of the committees would be reviewed upon finalisation of the Victoria Park Master Plan.

Over the past few years Council has taken a stronger role in the day to day management of the Park to ensure that ongoing compliance with the Department of Primary Industry requirements are met.

Council will continue to utilise the services of community volunteers with the operations of the Park, working with the RU Volunteering Program to source new volunteers.

Through the dedication and commitment of the committee volunteers, the Park has seen the addition of the Adventure Playground along with numerous aviaries and enclosures to evolve into the outstanding asset it is today.

Council staff are discussing with the former Sub Committee members a suitable acknowledgement of the efforts of the Friends of Marsupial Park.

As at the date of disbanding, the Sub Committee held the sum of \$11,660.80 in their bank account. The Committee has requested Council consider that the funds be restricted for the purpose of a contribution towards an upgrade of the barbeque area in Fern Gully at the Park. All donations box outlets have been closed.

The following process is recommended with the additional process for the transfer of assets and liabilities from the Friends of Marsupial Park Section 355 Sub Committee:

- that Council accept the recommendation of the Victoria Park Section 355 Committee to disband the Friends of Marsupial Park Section 355 Sub Committee;
- that Council transfer any assets held by the Friends of Marsupial Park Section 355 Sub Committee to Council;
- that Council transfer any liabilities accrued by the Friends of Marsupial Park Section 355 Sub Committee to Council;
- Council disband the Friends of Marsupial Park Section 355 Sub Committee; and
- that Council restrict the balance of funds held by the Friends of Marsupial Park Section 355 Sub Committee as at the date of disbanding, being \$11,660.80 for the purpose of a contribution towards the upgrade of the barbeque area in Fern Gully at the Park.

The 2019/2020 financial year was an unprecedented time; however, the Section 355 Committees achieved a number of notable milestones.

Whilst COVID-19 has impacted the progress of our Section 355 Committees (since mid March 2020) there has still been a number of Capital Works projects completed and commenced throughout the year.

The following notable items were completed under Council's Facility Improvement Funding Program wherein the Council funded amount was matched by cash or in-kind contributions from the Section 355 Committees.

Attunga Recreation Reserve SECTION 355 Committee	Contribution to safety fence around canteen and amenities building	\$ 1,849.00
Attunga Recreation Reserve SECTION 355 Committee	AED machine	\$ 2,959.00
Somerton War Memorial Hall and Recreation Ground SECTION 355 Committee	Concrete slab for barbeque area	\$ 2,929.00
Somerton War Memorial Hall and Recreation Ground SECTION 355 Committee	Electrical lighting upgrade	\$ 1,734.00
Duri Hall Trust SECTION 355 Committee	Building maintenance	\$ 362.00
Nemingha Hall and Reserve SECTION 355 Committee	Upgrade to field power access points	\$ 3,333.00
Moonbi War Memorial Hall & Recreation Reserve SECTION 355 Committee	Ceiling and gable ends maintenance	\$16,508.00

Barraba Showground Committee	SECTION 355	Contribution to pavilion flooring project	\$ 3,750.00
Loomberah Hall	SECTION 355 Committee	oven upgrade contribution	\$ 782.00
Grey Fergie Tractor Muster Committee	SECTION 355	Historic hay press shelter	\$ 3,152.00
Manilla Showground Committee	SECTION 355	Ticket Box replacement	\$ 3,582.00
Victoria Park Precinct Committee	SECTION 355	AED machine	\$ 3,139.00
Tamworth Regional Film and Sound Archive	SECTION 355 Committee	Data Projector	\$ 273.00
			\$44,352.00

Successful Australia Day Celebrations were delivered in the regional communities of Barraba, Bendemeer, Manilla and Nundle. Council's contribution to the events totalled \$5,035.00. The Barraba community complimented their community celebrations with a further \$13,943.00 of community and grant funding to deliver a free community music concert.

Limabri Public Hall and Recreation Reserve Section 355 Committee was successful in receiving \$5,900.00 under the Empowering Our Communities Program. Prior to the onset of the COVID-19 restrictions the Section 355 Committee delivered a free community appreciation event to the total cost of \$1,783.00. When the restrictions ease the Committee will continue to deliver their community project plan at the hall.

Nundle Go For Gold Festival Section 355 Committee received \$10,000.00 under the Empowering Our Communities Program for assistance to deliver the 2020 Nundle Go For Gold Chinese Easter Festival, with such funding to carry over to the 2021 event.

The Woolomin Recreation Reserve Section 355 Committee completed their Playground Project with play equipment installed to the sum of \$76,765.00. Final trim items will be completed in the 2020/2021 budget. The Committee has resolved to put the official opening of the project on hold until such time the current health regulations permit a community inclusive event to be held.

Under the Community Committee Operating Expenses Budget, a significant Council contribution was made to Section 355 Committees and community operations. Notable items include:

- a blanket cover for a Music Licence fee over Section 355 Committee managed venues under the Place Management Team - \$1,597.52;
- Section 355 Committee site specific project assistance \$13,737.82;
(address pressing WHS items, purchase replacement flag poles for Hanging Rock Community Hall following a building extension, erect safety fence at Attunga and Duri Recreation Reserves, commence the installation of remote supervision signage at a number of sites, padlock system upgrade at nominated sites, Bendemeer community mower fuel, and assist with weed infestation control at nominated sites);
- Section 355 Committee ad hoc unplanned expenditure – advertising, AED associated expenses, event delivery \$4,348.28; and
- Section 355 Committee assistance contribution towards the payment of electricity expenses during the COVID-19 restrictions which are hampering the committee's ability to fundraise \$12,467.36.

Five Section 355 Committees were successful in receiving funding under the Stronger Country Communities Funding Program to the total sum of \$519,055.00. All project works have commenced Stage 1 works:

- Duri Tennis Clubhouse Upgrade \$23,733.00;
- Somerton Tennis Courts Upgrade \$44,160.00;
- Piallamore Tennis Courts Upgrade \$77,400.00;
- Kootingal Recreation Reserve Field Lights Upgrade \$186,881.00; and
- Dungowan Recreation Reserve Field Lights Upgrade \$186,881.00.

From the onset of the COVID-19 health restrictions Council has continually reviewed the operations of the Section 355 Committees under the Workplace COVIDSafe Plan. Council's priority one has always been and continues to be ensuring the health and safety of all our volunteers (and their family/friends).

At this point in time Section 355 Committees are not permitted to return to face to face meetings and activities.

All Section 355 Committees can still operate via phone, email contact or online meetings and pressing actions can be ratified at their next Committee meeting.

Both the Manilla and Nundle Visitor Information Outlets remain closed with consideration to the health and safety of the volunteers. Visitor information is available from business houses within the communities.

Council has taken advantage of the closure of the Nundle Visitor Information Outlet and completed the replacement of the decking boards under the building maintenance program.

The maintenance upgrade of the Nundle Old Church Boutique roof has commenced and will be completed in the near future.

Throughout the year the Place Management Team worked with other Council staff and community organisations to achieve positive projects. Notable projects that the team assisted with include:

- Barraba Pastoral Agricultural and Horticulture Association's Community Building Partnership Grant of \$30,000.00 for the installation of shade sails at the Barraba Show Ground;
- Manilla Show Society Incorporated's Regional Agricultural Show Development Grants Program for \$122,755.00 to replace the previously removed grandstands at Manilla Showground;
- Barraba's success with The Ten Towns initiative - Rural Aid supporting small rural communities and highlighting the impact of the drought on them with the Winning towns receiving \$100,000 to be spent over five years on renewing their town; and
- securing Showground Stimulus Funding for both the Manilla and Barraba Showgrounds:
Barraba Showground Plumbing Upgrade \$8,456.00; and
Manilla Showground Stable Upgrade \$34,940.00.

(a) Policy Implications

It is a policy decision of Council to maintain Section 355 Committees and practices having regard to Council's community governance structure and Section 355 of the Local Government Act 1993.

(b) Financial Implications

Section 355 Committee and Place Management activities and budgets are maintained under the Planning and Compliance Directorate budget.

That an amount equivalent to the total cash asset returned to Council from Friends of Marsupial Park Section 355 Sub Committee be restricted for the purpose of a contribution to the upgrade of the barbeque area in Fern Gully at the Park.

(c) Legal Implications

Section 355 of the *Local Government Act 1993*, enables the Council to appoint a Committee to exercise a function on its behalf by way of a Committee of Council. This is used in conjunction with Section 377 of the *Local Government Act 1993*, to formally delegate a function to the appointed Committee.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

10 COMMUNITY SERVICES

10.1 TAMWORTH REGIONAL MUSEUMS COLLECTION POLICY

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

Reference: Item 10.1 to Ordinary Council 28 July 2020 - Minute No 215/20
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Tamworth Regional Museums Collection Policy", Council adopt the Tamworth Regional Museums Collection Policy.

SUMMARY

The draft Tamworth Regional Museums Collection Policy (Collection Policy) has been on public exhibition for 28 days and received no public submissions. The Collection Policy is to be utilised by Council to govern a highly professional and well-managed process for the operation and management of the collection and provides a set of principles that guides collecting into the future.

COMMENTARY

The 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.

This Collection 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. This Collection Policy will ensure all Council owned collections are identified, documented and cared for sustainably in the future. The Collection Policy is **ATTACHED**, refer **ANNEXURE 1**.

As part of this Collection Policy's development, staff have consulted with the relevant Section 355 committees, key stakeholders for Council owned collections, the Powerstation Museum volunteers, and the Tamworth Region Arts Advisory Committee (TRAAC).

The 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;
- Tamworth region's mining and mineral history;
- Tamworth's cultural identity in Film, Photography and Sound, and
- the Social History Story of Tamworth and the 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.

This Collection Policy has now been on public exhibition for 28 days and received no public submissions. This is a direct outcome of the extensive consultation that occurred with the museum volunteers prior to the draft Collection Policy being presented to Council.

(a) Policy Implications

Upon adoption, this Collection Policy will be included in the General Policy Register and placed on Council's website for public access and information. This Collection Policy will replace any existing Council museum collection policies. The Tamworth Regional Gallery has a separate collection policy that will remain in use.

This Collection 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); and
- Tamworth Region Cultural Plan (2018-2023).

(b) Financial Implications

The implementation of the Collection Policy uses the existing budget allocation and staffing resources. This Collection Policy is also an identified action in the Tamworth Regional Museums Engagement Strategy (2019-2024).

(c) Legal Implications

Nil

(d) Community Consultation

This Collection 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 TRAAC committee.

This Collection Policy has now been on public exhibition for 28 days and received no public submissions. This is a direct outcome of the extensive consultation that occurred with the museum volunteers prior to the draft Collection Policy being presented to Council.

(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.

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 PROPOSED ACQUISITION FOR SHARED PATH CONSTRUCTION – Blich Street

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Mark Gardiner, Senior Project Management Engineer

2 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to seek Council's authorisation for the proposed acquisition of land for the purpose of road widening at the corner of North Street and Bligh Street, North Tamworth, and to authorise Council's acceptance of the land to be dedicated as a road.

11.2 CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA PIPELINE

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 13.1 to Ordinary Council 12 March 2013 - Minute No 75/13
Item 14.1 to Ordinary Council 27 February 2018 - Minute No 69/18

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

SUMMARY

The purpose of this report is to seek Council's authorisation to enter into a Deed of Novation, which is required to complete a complex transaction regarding the land matters surrounding the Barraba Split Rock Pipeline development.

11.3 LEASE OF HANGAR 6, TAMWORTH REGIONAL AIRPORT

DIRECTORATE: GROWTH AND PROSPERITY

AUTHOR: John Sommerlad, Commercial Director - Airport and Aviation Development

Reference: Item 13.7 to Ordinary Council 24 March 2020 - Minute No 88/20
Item 12.7 to Ordinary Council 25 August 2020 - Minute No 261/20

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

SUMMARY

Council has been negotiating the terms of a lease for Hangar 6 which it owns at Tamworth Regional Airport. While this matter has been dealt with previously by Council, the proposed lessee has approached Council for another concession due to the severe impact the COVID-

19 pandemic has had on the aviation industry and subsequently the business which wants to occupy the hangar. The business selected from an Expression of Interest process, is seeking a rental concession for six months.

11.4 REQUEST FOR A COUNCIL CONTRIBUTION FOR ADDITIONAL WORKS REQUIRED FOR THE ROUNDABOUT AT MOORE CREEK ROAD AND GRAND MEADOWS DRIVE

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Steve Brake, Manager Development Engineering
3 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to request Council's authorisation to reimburse The Meadows Tamworth Pty Limited for the cost of roadworks completed as Works In Kind at the intersection of Moore Creek Road and Grand Meadows Drive to the value of \$28,257.24.

11.5 REQUEST FOR DEFERRAL OF PAYMENTS FOR WATER AND SEWER HEADWORK CHARGES AND CONTRIBUTIONS

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Steve Brake, Manager Development Engineering
2 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to advise Council of a request by Hunter Land Pty Ltd to defer sewer and water headworks payment and contribution payments to be made in relation to subdivision development at New Winton Road, Westdale.

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.