

# 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

**17 NOVEMBER 2020**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day 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, 27 October 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**

- 6.1 NOTICE OF MOTION – CR MARK RODDA - REQUEST FOR NSW GOVERNMENT SUPPORT TO CONSIDER AND PUMPSITE FROM PEEL RIVER TO KEEPIT DAM TO ENHANCE TAMWORTH/NORTH-WEST WATER SUPPLIES**

**2 ANNEXURES ATTACHED**

### **MOTION**

*That Council write to the NSW Government seeking their in principle support for, and funding of, a pipeline and pump site between the Peel River near Carrol Gap Bridge to Keepit Dam to bolster the storage of Keepit Dam and enhance the Tamworth and North-West water supplies.*

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 17 November 2020.

### **SUPPORTING INFORMATION**

Tamworth Regional Council has always proactively sought ways of genuinely securing our communities water supplies. This was demonstrated by the construction of the 120ML dam

behind the Calala Water Treatment Works, the Manilla Water Treatment upgrade, and the recent decision to investigate fractured rock water sources as well as other historic initiatives.

The 2019/2020 Peel Valley Water Balance report published by WaterNSW after 30 June 2020, **ATTACHED** refer **ANNEXURE 1**, publicised that 62.418 gigalitres of water was measured at the Carroll Gap Bridge as an End of System Flow (Environmental Water) exiting the Peel River into the Namoi River for that period. This massive body of water was due to the good rains that had fallen in the Peel River catchment between January-June 2020, below Chaffey Dam and was likely sourced from Duncan's Creek, Dungowan Creek, Goonoo Goonoo Creek and the Cockburn River but by-passed Keepit Dam. Given great seasonal river flows so far, the Peel Valley Water Balance report for 2020/2021 will likely demonstrate even higher End of System flows when that report is issued at the end of June 2021.

Keepit Dam has a total capacity of more than 425.510 gigalitres as detailed in the fact sheet **ATTACHED**, refer **ANNEXURE 2**. It is currently sitting at 26.8% (6 November 2020) of its total storage capacity. This Notice of Motion is intended to seek the support of Council to request the NSW Government to provide support, approval and funding support of a pump site on the Peel River in the vicinity of the Carroll Gap Bridge to pump the water the short distance to Keepit Dam via a pipeline during times of good river flows and good rainfall events. This initiative will further drought-proof the North-West without the impact of adding more dams to the Murray Darling System.

The benefit of this proposal is that it would capture some of the water that otherwise leaves the Peel Valley and store it in Keepit Dam, enhancing the storage of that dam, benefitting dam users, recreational stakeholders, flora and fauna but most importantly enhancing the water security of rural communities.

Keepit Dam's primary purpose when construction was completed in 1960, was for flood mitigation. It currently serves the purpose of an irrigation dam and water supply for the people of Walgett Shire. During the recent drought, the situation was so dire for the people of Walgett Shire they were on bottled water and the level in Keepit Dam had fallen to just 0.5%. This led to many fish deaths, particularly our iconic native Murray Cod.

As residents of our region have recently observed earlier this year, Chaffey Dam slipped to under 13% during the most recent drought. It is evident that for our region to grow to 100,000 people we need access to alternative reliable sources of water. If a portion of water was collected during good seasonal river flows from the Peel River in the vicinity of the Carroll Gap Bridge and pumped the short distance to Keepit Dam, this dam could also serve to provide an additional supply to Tamworth City, Kootingal and Moonbi communities, particularly during dry weather and times of drought.

This proposal would supplement the supplies from Chaffey Dam and the current Dungowan Dam.

I commend this Notice of Motion to Council for consideration.

Cr Mark Rodda

11 November 2020

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## **OPEN COUNCIL REPORTS**

### **7 ENVIRONMENT AND PLANNING**

Nil

### **8 INFRASTRUCTURE AND SERVICES**

#### **8.1 CSIRO PROPOSAL FOR A TRIAL WASTEWATER TREATMENT SYSTEM**

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Daniel Coe, Manager - Water Operations

1 CONFIDENTIAL ENCLOSURES ENCLOSED

#### **RECOMMENDATION**

*That in relation to the report “CSIRO Proposal for a Trial Wastewater Treatment System”, Council:*

- (i) agree to participate in the CSIRO Pilot Integrated Forward Osmosis – Reverse Osmosis wastewater treatment system;*
- (ii) allocate \$140,000 from the Wastewater Reserve to fund the project;*
- (iii) request the Director Water and Waste to seek funding assistance from the NSW Government for the project; and*
- (iv) request the Director Water and Waste to prepare a further report for Council consideration once the CSIRO report on the trial is finalised.*

#### **SUMMARY**

Council has recently been approached by the CSIRO to be part of an emerging wastewater treatment technology trial. The CSIRO is currently researching the potential of an integrated Forward Osmosis - Reverse Osmosis wastewater treatment system and has approached Council to consider installing a pilot treatment plant at its Westdale Wastewater Treatment Facility and at a large trade waste discharge site within Tamworth.

#### **COMMENTARY**

Forward osmosis (FO) is an emerging wastewater treatment technology that involves the separation and removal of impurities from water by forcing water across a semipermeable membrane. FO uses a high concentration salt solution to draw water through the membrane. In comparison, reverse osmosis (RO) achieves this process by using significant pressure (energy) to force the water solution through the membrane.

The CSIRO is currently researching the potential of an integrated Forward Osmosis - Reverse Osmosis (FO-RO) treatment system. In this treatment system, the FO acts as a pre-treatment or barrier before the RO treatment process.

A combined FO-RO system has several advantages over standalone RO systems that make it potentially commercially attractive. These include:

- FO does not require external hydraulic pressure for operation and hence has potential for significant energy saving;
- FO has lower membrane fouling propensity as the solids are not compressed against the membrane. This means that the FO acts as pre-treatment barrier for the RO



treatment process. This can significantly reduce associated capital costs of other treatment barriers required for the RO process i.e. chemical addition, ultra-filtration etc. The system also reduces the maintenance costs and associated potential environmental and safety risks of membrane descaling processes associated with RO treatment systems; and

- the integrated FO-RO process can greatly reduce the reject wastewater stream with product water of over 90% expected to be achieved. This subsequently minimises the costs associated with handling the reject wastewater stream.

Other benefits for Council in particular include:

- wastewater generated within Tamworth has salt input from the raw water source utilised, and from wastewater dischargers particularly industrial dischargers. Weather conditions such as drought also lead to higher concentrations of salt within the wastewater stream. All effluent within Tamworth is currently reused at Council's Effluent Reuse Farm (ERF). The management of salt within the effluent applied to the ERF is an ongoing issue for Council to ensure the long-term sustainability of the ERF. A FO-RO treatment plant on a commercial scale may be one way of addressing this issue long term.

At present, treatment technology at Council's Westdale Wastewater Treatment Facility does not have the ability to reduce salt concentration within the wastewater stream. As such, Council is proactively managing salt impacts as follows:

- identification of salt inputs to the wastewater system - Council is currently working with large industrial trade waste dischargers to identify sources of salt from their processes and options to reduce or remove from Council's wastewater system. The Pilot Treatment Plant would be beneficial to this project in identifying the potential benefits of removing salt from a high salt input stream using the FO-RO treatment system;
- ERF management - Council is currently in the process of retendering the ERF Operation with a variety of operational changes which are aimed at better managing salt impacts on soil conditions at the farm. These improvements aim to ensure the ongoing viability of the ERF. The Pilot Treatment Plant would be beneficial in identifying future opportunities for removing salt from the effluent stream using the FO-RO treatment system;
- as part of planning and design for Council's new industrial centre (Tamworth Global Gateway Park), Council is investigating the opportunity of a dual reticulation system to allow treated wastewater to be used within the industrial development. The primary purpose of this option would be to supply industry a non-potable water supply for industrial purposes not requiring potable water. This in turn would reduce the potable water requirements of the industrial area; and
- the use of wastewater treatment technology such as FO-RO allows the opportunity for large industry to manage and recycle their own wastewater streams at the source or site. By recycling water on site, Council's existing water and wastewater infrastructure can cater for the development which has the following benefits:
  - delaying the need for capital upgrades to Council's water and wastewater infrastructure;
  - reduction in potable water requirements; and
  - potential cost benefit to the company.

The CSIRO in partnership with Hunter H2O have selected Tamworth Regional Council as a potential Pilot Treatment Plant trial site to evaluate the CSIRO's FO-RO combination wastewater treatment option.

Under a proposal created by Hunter H2O, the Pilot Treatment Plant would be tested on two different wastewater streams within Tamworth which are planned to be:

- Westdale Wastewater Treatment Plant - Maturation Pond Effluent; and
- Industrial Wastewater Discharger (abattoir).

The project proposes to install the Pilot Treatment Plant at the above sites with CSIRO scientists and Engineers working on site for a period of approximately two weeks (each site) optimising the treatment process.

The CSIRO Pilot Treatment Plant is currently only available for the period from December 2020 to May 2021 (otherwise not until the middle of 2022).

The cost to Council for the proposed project is as follows:

- a single site – Westdale Wastewater Treatment Plant - \$103,000; and
- two test sites (as detailed above) - \$126,800.

In addition to the above costs, Council would be responsible for undertaking all laboratory analysis utilising Council's Environmental Laboratory. This cost is estimated to be \$10,000.

Hence, the total cost for two test sites is estimated to be \$136,800. A full cost breakdown is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

Given the potential interest in the project from NSW Government Agencies, the Member for Tamworth, the Hon Kevin Anderson MP, has been approached requesting financial support for the project from the NSW Government to offset part or all of the project costs.

The CSIRO and Hunter H2O will prepare a report following the trial that details the following:

- wastewater source quality and variability (for each site tested);
- treated water recovery, quality and variability (for each site tested);
- process reject wastewater quality (to enable options to be considered for its handling);
- testing observations and any specific issues identified; and
- high-level Capital and Operational cost estimate for each application.

Should Council agree to proceed with the trial, the following timeframe for the project is planned:

- January 2021 – establishment and completion of the Pilot Treatment Plant at Site 1;
- February/March 2021 – establishment and completion of the Pilot Treatment Plant at Site 2; and
- May 2021 – submission of Trial Results Report.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Should Council proceed with the recommendation to be part of the CSIRO trial, a budget allocation of \$140,000 would be required. No funding for this work is in Council's current Operational Plan and therefore funding will have to be made available from the Wastewater Reserve should Council wish to proceed.

A request for financial support to offset all or part of the project costs has been made to the NSW Government. However, it is likely that any request for assistance will not be agreed to by the time the trial is scheduled to commence. Therefore, if Council agrees to the trial then Council would fund the trial initially and in the event the State Government did provide funding, this funding would reimburse Council.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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**8.2 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE - GENERAL MEETING - 4 NOVEMBER 2020**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Michael Hazelwood, Acting Manager Infrastructure and Works**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

***That in relation to the report "Tamworth Regional Local Traffic Committee – General Meeting – 4 November 2020", Council:***

- (i) *approve the installation of the following changes at Nemingha Public School, Nundle Road:***
- *install a solid edge line south of the driveway entrance;***
  - *install a 10 metre no stopping zone south of the driveway entrance with painted median; and***
  - *install a no stopping zone north of the driveway exit from the exit to the power pole, approximately 3 metres;***
- (ii) *approve the installation of edge lines for parking on Dowe Street and Council to then monitor the parking behaviour;***
- (iii) *approve the restriction on the district nurse parking space to Monday to Friday, with an updated sign; and***
- (iv) *approve the installation of a keep clear zone on Charles Street Moonbi, at Gill Street, Moonbi.***
-

## SUMMARY

The purpose of this report is to advise Council of four recommendations made by the Tamworth Regional Local Traffic Committee at the meeting held 4 November 2020.

## COMMENTARY

The minutes from the meeting held 4 November 2020, are **ATTACHED**, refer **ANNEXURE 1**.

### 91/2020 – Nemingha Public School – Pedestrian access and parking behaviour

The Nemingha Public School have raised concerns regarding the location of parked cars during pick up times and the visibility for pedestrians accessing the school from the parking locations. The below image shows the proposed changes to line marking and parking intended to improve vehicle parking and pedestrian visibility at the school.



Image 1

**Committee recommendation:** the Committee support the installation of the following changes at Nemingha Public School, Nundle Road:

- install a solid edge line south of the driveway entrance;
- install a 10 metre no stopping zone south of the driveway entrance with painted median; and
- install a no stopping zone north of the driveway exit from the exit to the power pole, approximately 3 metres.

### 92/2020 Request for marked parking bays on Dowe Street and Brisbane Street

Council has received a request for marked parking bays on Brisbane Street and Dowe Street.



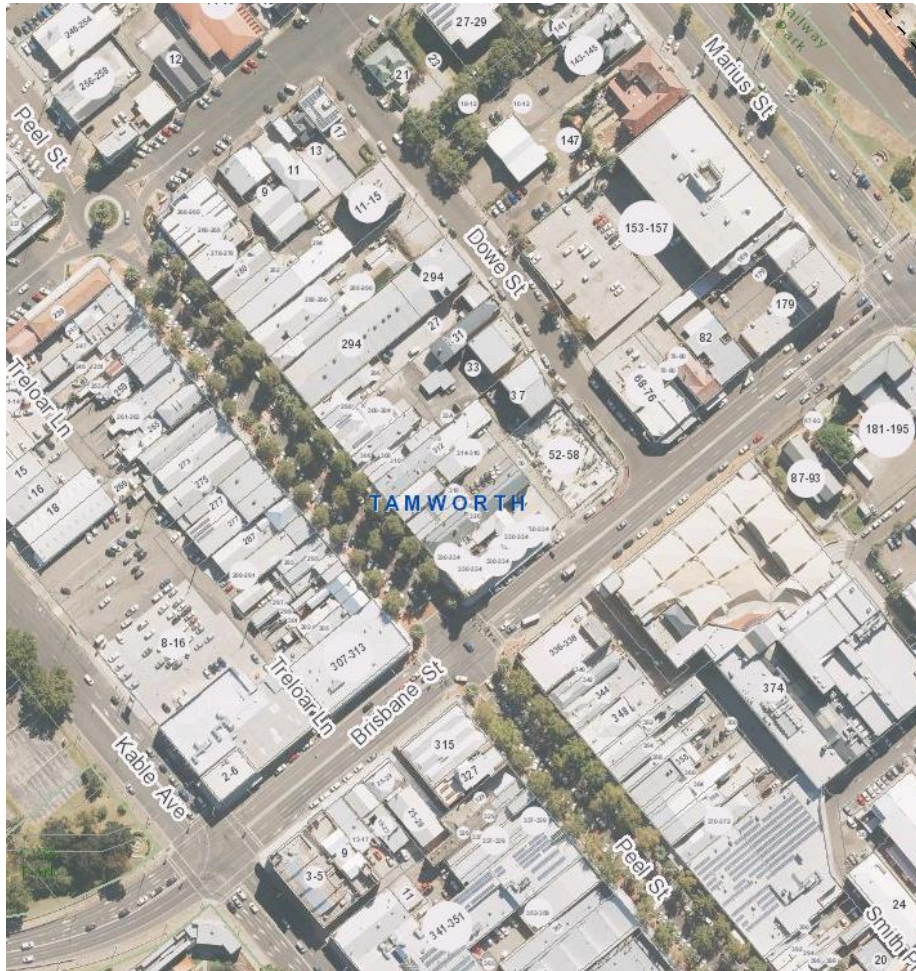


Image 2

**Committee recommendation:** the Committee support the installation of edge lines for parking on Dowe Street and Council to then monitor the parking behaviour.

**93/2020 District Nurse sign – parking restriction Monday to Friday (REQ2021-00928)**

There is currently a parking space designated to the district nurse on Jenkins Street.

The nurse works Monday to Friday. It has been requested that this restriction (Monday to Friday) be added to the parking space to allow other vehicles to use the space on weekends.

The request seems to be prompted by an increase of day visitors to Nundle on weekends, changing the parking dynamic.

**Committee recommendation:** the Committee support the restriction on the district nurse parking space to Monday to Friday, with an updated sign.

**94/2020 Keep Clear zone on Gill Street Moonbi (TRC2021-02920)**

A resident has raised concerns regarding queuing traffic at the intersection of Gill Street and Charles Street Moonbi, at the New England Highway.

There are concerns that vehicles waiting to enter the highway from Charles Street are blocking the entrance to Gill Street. A keep clear zone is requested.

**Committee recommendation:** the Committee support the installation of a keep clear zone on Charles Street Moonbi, at Gill Street Moonbi.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

91/2020 – will be funded from the existing Infrastructure and Works Signs and Line marking budgets.

92/2020 – will be funded from the existing Infrastructure and Works Signs and Line marking budgets.

93/2020 – will be funded from the existing Infrastructure and Works Signs and Line marking budgets.

94/2020 – will be funded from the existing Infrastructure and Works Signs and Line marking budgets.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

91/2020 was discussed with a Nemingha Public School representative.

93/2020 was requested by the local community through the Nundle Place Manager.

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

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

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**8.3 AUSTRALIAN EQUINE AND LIVESTOCK EVENTS CENTRE (AELEC) SOLAR PHOTOVOLTAIC OPTIONS**

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Tim Hurcum, Sustainability Officer

**Reference:** Item 7.7 to Ordinary Council 18 December 2018 - Minute No 330/18

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

***That in relation to the report “Australian Equine and Livestock Events Centre (AELEC) Solar Photovoltaic Options”, Council:***

- (i) not proceed with the installation of a solar system at AELEC;***
  - (ii) upgrade electricity meters to smart meters at suitable sites where there will be no upfront cost to Council; and***
  - (iii) request the Director Water and Waste continue to review options for solar installations at other Council owned sites, and report to Council where suitable sites are identified.***
-

## SUMMARY

At the Ordinary Council Meeting 18 December 2018, Council requested options to install a solar system at the AELEC. Three options have been investigated including floating solar panels on the recycled water dam, ground mount solar system and a rooftop solar system. The purpose of this report is to seek Council direction concerning the installation of solar PV at the AELEC following completion of further investigation.

## COMMENTARY

The AELEC is one of Tamworth Regional Council's 24 large market electricity sites. In the 2018/2019 financial year, the AELEC consumed 675MWh of electrical energy at the cost of \$165,142.

An assessment of the electricity load profile of the AELEC facility was conducted in 2018. The assessment indicated a 50kW solar PV array would result in the most financially attractive return. This size system would not meet the electrical energy needs of the AELEC when occupied by an event but would reduce the overall cost of electricity supply to the venue all year round.

As previously presented to Council, for best value, solar PV installations on Council facilities should be sized to offset the ongoing base load of the site so no surplus energy is produced and returned to the grid. This is because rates for energy exported to the grid are considerably less than offsetting energy used on site.

A 50kW solar PV system is classed by the Clean Energy Council as a small scale solar system and is eligible for small Scale Technology Certificates (STC) under the Renewable Energy Scheme (RES). STC's for small scale solar systems are claimed at the commencement of installation of the system and based on the projected energy generation of the system at the site. Typically, the STC's for small scale solar systems are claimed by the contractor undertaking the construction work and the value of the STC's deducted from the installation cost. As the end of the RES approaches in 2030, the number of STCs systems are eligible to create will reduce, unless the Australian Government chooses to extend the scheme.

Generally, the value of STC's is 30-40% of the system capital cost, a conservative figure of 25% has been subtracted from the estimated installation cost to provide an estimate of the capital cost that Council would pay for each option.

Due to the potential aesthetic impacts of roof mounted solar on the AELEC, Council previously requested staff consider alternative options for the site. Three potential options have now been considered and are presented in this report:

- a floating array on the recycled water storage dam located at the southern side of the arena and stable blocks;
- a ground mounted solar array; and
- a roof mounted solar array on Stable Block B – for comparison.

Details of each option is shown below:

### **Option 1 – Installing floating solar panels on the recycled water storage dam**

If Council were to select this option, floating solar panels would be mounted on frames attached to a structure that floats on a body of water. The AELEC has an 8.4ML dam which collects stormwater from the AELEC precinct and backwash water from the Calala Water Treatment Plant.



There are some advantages to floating solar arrays, including:

- the cooling effect from the water under the solar panels can increase the efficiency of the system. Some manufacturers claim an energy gain of up to 8% for floating structures compared to a similar size ground mount system;
- a floating solar system does not occupy space on land that could be used for other purposes; and
- floating solar systems can also reduce evaporation from the body of water they are installed on. The floating system reduces the direct sunlight to the water; reducing the temperature and the water loss due to evaporation. However, a 50kW system would only cover around 5% of the AELEC dam so is unlikely to have a significant impact on evaporation.

There are considerable challenges associated with the installation of a floating solar array at the AELEC site including:

- the distance from the dam to the AELEC electricity infrastructure will increase the cost of the system. Approximately 300m of trenching and cable would be required to get the electricity from the dam to the AELEC arena;
- installing solar panels on water restricts access and introduces a harsher environment for the panels and mounting equipment. The maintenance on a floating system is at a higher cost due to special requirements and limited access. The higher maintenance cost reduces the annual savings of the system;
- under the NSW energy service and installation rules, electrical equipment must be located on the same property – e.g. Lot and DP. The AELEC dam is a separate Lot to the AELEC arena. If Council were to select this option, the Lots would need to be consolidated. The consolidation would reduce the flexibility of land for future use and advice is, the cost of consolidation could be up to \$10,000; and
- the cost to install a floating solar system increases considerably over a ground mount or rooftop system. The panels are secured to flotation devices, and an anchor system is used to ensure the array can move with changes in water level but is secured in place and pointing in the correct direction.

The capital cost of a floating solar system on the AELEC recycled water dam to supply electricity to the AELEC is estimated to be up to \$85,000. This system would save approximately \$7,200 per annum (includes higher maintenance costs). The savings would result in a payback period of 11.8 years, excluding the additional land consolidation costs of up to \$10,000.

### **Option 2 – Install the panels on ground mounted frames**

Ground mount solar systems are popular among rural solar systems and solar farms. The solar array is installed on a frame that is secured to the ground.

A 50kW ground mount system would require approximately 800sqm, including fencing and spacing for panel rows.

The benefits of a ground mount system include:

- ground mount systems are easy to access and simple to maintain. Maintenance could be performed by a local solar contractor and will not require specialist equipment or skills.

Challenges associated with this option at the AELEC site include:

- during large events land on and around the AELEC precinct is mostly occupied. If a location with available space for a ground mount array that will not impact site operations could be selected it would be a considerable distance from electrical infrastructure;
- the distance from available areas to the AELEC electricity infrastructure increases the cost of the system. It is assumed that at least 300m of trenching and cable would be required to get the electricity from a ground mount array to the AELEC arena. The wires and trenching would increase the cost of the system;
- there is an ongoing cost to maintain grass cover under the on ground solar array; and
- under the NSW energy service and installation rules, electrical equipment must be located on the same Lot. Available space on the same Lot as the AELEC arena is limited and a ground mount array may need to be installed on an adjacent Lot. If Council was to select this option the Lots may need to be consolidated. The consolidation would reduce the flexibility of land for future use and could cost up to \$10,000.

The cost to install a ground mount system is more than rooftop but less than floating structures. Installation on the ground is simple to perform. However, footings are required to support the frame.

The capital cost of a ground mount solar system on the AELEC is estimated to be up to \$75,000. The estimated annual savings are estimated at \$7,600. The savings would result in a payback period of 9.9 years, excluding the potential additional land consolidation costs of up to \$10,000.

### **Option 3 – Install the panels on the roof of a stable block**

Roof mount solar systems are mostly seen in residential solar systems and on commercial buildings. The solar array is installed on the roof of the building.

At the Ordinary Council Meeting 18 December 2018, a report was presented to Council on the potential visual impact of rooftop solar at the AELEC. An assessment of the visual impact completed by GHD indicated that the solar panels on Stable Block B could not be seen from the Goonoo Goonoo Road, and would be partially visible from Jack Smyth Drive. Photo montages along with images of the existing stable block area are **ATTACHED**, refer **ANNEXURE 1**. Council requested other solar installation options at this site due to the visual impact of the building from the air.

A 50kW roof mount system would require approximately 400sqms. Each stable block is about 2,000 sqms, and the main arena is over 10,000 sqms.

Rooftop solar systems are installed directly on the building where the electrical infrastructure is reducing the requirements for cables to the system.

The cost to install a rooftop solar system is less than a ground mount or floating system. Access to rooftop systems is somewhat limited due to the height of the roof. The AELEC roofs have harness attachment points, and solar contractors are typically trained to work at heights. Maintenance could be performed by local qualified solar contractors and will not require specialist equipment or skills.

GHD was engaged in assessing the structural ability of the AELEC stable blocks to support the additional weight of solar panels. The report from GHD recommended extra bracing on the stable block to support the additional weight of the solar arrays.

The capital cost of a rooftop solar system on the AELEC Stable Block B, including the cost of structural upgrades, is \$65,000. The system would save approximately \$7,600 annually. The savings would result in a payback period of 8.6 years.

Option 1 and Option 2 have a payback period of 11.8 and 9.9 respectively. These options also required the land parcels to be consolidated, potentially restricting future opportunities for the land. Council has previously indicated Option 3 would not be acceptable considering the architectural significance of the facility and the potential aesthetic impact of the roof top panels.

A summary of the 3 options is presented below:

<b>Installation Type</b>	<b>Floating</b>	<b>Ground</b>	<b>Rooftop</b>
Capital cost less STC rebate	\$85,000	\$75,000	\$65,000
Annual Savings	\$7,200	\$7,600	\$7,600
Simple Payback years	11.8	9.9	8.6
Maintenance	Specialist and restricted location	Easy Access	Restricted location
Consolidate Land	Required – up to an additional \$10,000	Likely – up to an additional \$10,000	Not required

Previously Councillors have indicated that for a solar PV installation to be considered, the payback period of the project should not exceed 7 years. Following investigating the three available options to install a solar PV system at the AELEC facility, none of the options above meets this requirement and so it is not recommended that Council proceed with the installation of a solar PV array at the AELEC at this time.

Council has 300 sites with electricity connections. With the recent upgrade to Councils energy management software, interval data can be made available at more Council sites and further investigations for solar suitability can be undertaken to identify future opportunities. There are likely other Council owned sites with shorter payback periods that Council can consider for solar installations.

To this end, it is valuable to have detailed information on the sites energy consumption to estimate the suitability of solar at existing sites. Smart meters provide electricity consumption data in 30 minute intervals. The smart meters communicate the data to energy retailers and do not require site visits to read meter data. The Australia Energy Regulator requires all new or upgraded sites have a smart meter. At the customer's request, electricity meters can be upgraded to smart meters. Under Councils existing Direct Metering Agreement, there is no upfront cost to upgrade to smart meters. In most cases, the overall ongoing charges at sites with smart meters are less than manually read accumulative meters.

Should Council agree to upgrade metering at sites where the ongoing cost of smart meters will not increase ongoing charges, the meters will be upgraded when the meter provider can arrange technicians to complete the work. Once the meter upgrades are complete and adequate data has been collected on each site's energy consumption, a report will be presented to the Council with options for future solar opportunities.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Should Council agree with the recommendation then there will be no financial impact.

**(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.

**8.4 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY**

**DIRECTORATE: WATER AND WASTE**

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

**Reference: Item 8.4 to Ordinary Council 13 October 2020 - Minute No 308/20**

**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 9 November 2020, is provided below:

Area	Restrictions	Water Supply	Situation
Barraba	Permanent Water Conservation Measures	Split Rock Dam	Split Rock Dam level is currently sitting at 4.8%.  Restrictions on releases from Split Rock Dam were lifted in March 2020, which was the trigger for Council to return to reviewing Barraba and Manilla independently as per the Drought Management Plan.

Bendemeer	Permanent Water Conservation Measures	MacDonald River	Due to sustained flows in the MacDonald River, Bendemeer was moved to Permanent Water Conservation Measures from 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 enjoyed sustained flows above the trigger for Permanent Water Conservation Measures.
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 3	Chaffey Dam/ Dungowan Dam – Moonbi – Kootingal via Nemingha Pipeline	Regular rain fall events in the catchment area have led to significant inflows into Chaffey Dam. The dam is now at 33.4%  Dungowan Dam is at 99.66%. There is around 150 days of water available in Dungowan Dam.  Following multiple rain events in the catchment area, the natural flow of the Peel River will continue to supply Tamworth, Moonbi and Kootingal residents. This reduced reliance on Chaffey Dam has meant that all inflows into the dam are currently being retained, with the exception of environmental releases, and the dam's current capacity is steadily increasing.

### Communications Engagement Plan – Level 3 Water Restrictions

After close to 12 months on Level 5 water restrictions, Tamworth, Moonbi and Kootingal residents were eased back to Level 4 at the end of August.

However, this was relatively short lived with a significant rainfall event in late October, pushing the Chaffey Dam level over 30%, the trigger to ease restrictions to Level 3.

On 2 November, Level 3 water restrictions commenced. It's an exciting time for residents who haven't been on this level since March 2019. Level 3 water restrictions means there will be some restricted use of the town water supply outdoors.

The communications engagement plan for Level 4 water restrictions was in place for just two months. This included new television, radio and newspaper advertising with the *Let's Work Together* messaging.

Council communications staff have worked quickly to change the messaging and organise new advertising with updated messaging. Level 3, sees the reintroduction of the *Let's Thrive* campaign, which encourages sustainable water use at all times, even when there's an improvement in the water supply situation. However, as Level 3 is still considered 'High' residents are still encouraged to 'keep up the good work'- similar to Level 4's messaging.

Like Level 4, Council staff will voice new radio ads. The upbeat tone will continue, commending the community for their dedication to water conservation and sustainable water practices.

Water account notices will have updated information, pointing towards the need to stick to water restrictions to avoid breach reports with out of hours patrols now in force.

Under Level 3 water restrictions, the new daily average target usage is 21MLs per day. During the first week of Level 3 it was pleasing to see residents and businesses continuing to be conservative with their water use, with the daily average consistently below target, and more in line with Level 4 water restrictions.

Level 4 Water Restrictions ML/day usage		Level 3 Water restrictions ML/day usage	
26/10/2020	16.23	02/11/2020	17.37
27/10/2020	16.46	03/11/2020	18.15
28/10/2020	17.21	04/11/2020	18.15
29/10/2020	16.87	05/11/2020	16.78
30/10/2020	16.24	06/11/2020	17.32
31/10/2020	15.41	07/11/2020	14.4
01/11/2020	13.72	08/11/2020	14.67
<b>Weekly Average: 16.02 ML / day</b>		<b>Weekly Average: 16.69 ML / day</b>	

The cost of the Level 3 communications engagement plan is \$32,000. There is existing funding in the Water Restrictions Marketing and Communications budget to fund this plan.

#### **Drought Management Plan (DMP) Phone Survey**

Following the decision to progress with a phone survey to gain feedback on the current DMP ahead of the review, preliminary work is underway to collect the responses.

The aim of the survey is to collect a statistically significant response from members of the Tamworth region, who are connected to a town water supply, about the effectiveness of the current DMP and the Communications Engagement Plan (CEP), and where Council can look to make changes or improve in the next DMP.

Once collected, these responses will help Council water staff shape a revised draft DMP. This will then be put on public exhibition for community feedback.

The review of the DMP will take place when Tamworth, Moonbi and Kootingal residents are moved to Level 2 Water Restrictions or below.

### National Water Week

National Water Week took a different approach this year with face-to-face interaction within the community still limited due to COVID-19.

Council took up the opportunity to be a sponsor of the inaugural event Water Night, which was an initiation of Smart Approved WaterMark.

The event was deemed a success with plenty of support from local media organisations and interest from the community in the challenge, which asked residents to increase their water mindfulness by using just one bucket of water for 12 hours.

Given this success, it is understood Smart Approved WaterMark are planning for this event to progress into the future.

### Virtually Amazing Enviro Race

Council's Sustainability Unit once again sponsored the Amazing Enviro Race. Like most of 2020, the eighth race looked a bit different this year, with all participants and race stations appearing online via zoom.

More than 100 students from Tamworth and Gunnedah schools participated in the event, with more interest this year than ever before.

Water Sustainability took the opportunity to further engage the five participating schools with existing online water education resources, which included the updated Tamworth region water cycle video and the sustainability at home virtual tour.

It was pleasing to see all participants who completed the water challenge engage with the information. Some students even went as far as to provide written feedback to the event organisers on their positive experiences.

### Water Saving Rebates

The residential Water Saving Rebate Scheme continues to be popular with residents. So far this financial year, 335 rebates have been approved at a one off cost to Council of \$47,668. The estimated water savings so far has been calculated to 4,002 kLs of water per year (based on a number of items only).

Rebate type	Approved	Cost	Yearly total savings (kL)
Ceiling fan	64	\$3,372	
Low Flow or Sensor Tap *	3	\$150	33 kL
Dual Flush Toilet *	15	\$1,935	585 kL
Toilet with Cistern Sink	4	\$450	
Evaporative Air Conditioner Servicing and Maintenance	150	\$12,629	
Greywater Diversion System *	1	\$150	20kL
Showerhead *	10	\$180	650 kL



Oxijet *	3	\$50	78 kL
Swimming Pool Cover *	7	\$700	336 kL
Large Rainwater Tank *	8	\$8,000	1,950 kL
Medium Rainwater Tank *	5	\$2,897	
Small Rainwater Tank*	4	\$700	350 kL
Large Rainwater Tank (stand alone)	15	\$7,002	
Medium Rainwater Tank (stand alone)	18	\$7,400	
Small Rainwater Tank (stand alone)	12	\$1,200	
Plumbers Audit	16	\$854	
<b>TOTAL (Number)</b>			<b>335</b>
<b>TOTAL (\$)</b>			<b>47,668</b>
<b>TOTAL SAVINGS (kL) *</b>			<b>4,002 kL</b>

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

**(a) Policy Implications**

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

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

**8.5 GRANTING OF EASEMENT TO ESSENTIAL ENERGY FOR UNDERGROUND POWER AT CALALA WATER TREATMENT PLANT**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Daniel Coe, Manager - Water Operations**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

## RECOMMENDATION

***That in relation to the report “Granting of Easement to Essential Energy for Underground Power at Calala Water Treatment Plant”, Council:***

- (i) grant an easement in favour of Essential Energy for underground powerlines over part of the land described as Lot 2 in Deposited Plan 12113699, in favour of Essential Energy for the protection of electrical infrastructure on terms detailed in the body of this report; and***
- (ii) authorise the affixing of the Seal of Council to the documentation creating the easement and any associated documentation.***

## SUMMARY

The purpose of this report is to request Council endorse the creation of an easement over part of Council owned land at the Calala Water Treatment Plant, being Lot 2 in Deposited Plan 12113699, in favour of Essential Energy for the protection of electrical infrastructure that services the Water Treatment Plant.

## COMMENTARY

Calala Water Treatment Plant (WTP) is located adjacent to The Outlook residential subdivision development, which extends to the north and west of the WTP. The WTP is currently fed by overhead high voltage electrical supply via Gordon Street, which is being extended as part of The Outlook development Stage 2 civil works. A plan of the property is shown below with the area containing electrical infrastructure circled (red):



Council’s Development Control Plan (DCP) requires new subdivisions to be serviced by underground electrical infrastructure and as a consequence, a portion of the overhead infrastructure within the WTP land is being upgraded and relocated to underground. The work

is critical for maintaining the electrical supply to the WTP and a requirement for the development and developer to meet Council's DCP and Development Consent MOD2020-0091 (of DA0355-2012 and MOD2017-0012).

Essential Energy have advised that for the infrastructure installation for the subdivision to be acceptable, they require Council to endorse the creation of an easement over the newly constructed infrastructure within the WTP property boundary within Lot 2 DP12113699.

The total burden of the easement will be approximately 95m<sup>2</sup> in accordance with the Subdivision works Certificate CCS2015/0018 and approved design drawing which is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

All costs associated with the preparation of the Survey Plan creating the easement, and all associated documents, together with all plan lodgement and registration costs, will be borne by the Developer of the Outlook Estate.

**(c) Legal Implications**

The documentation creating the easement will require the Seal of Council.

The Local Government (General) Regulation 2005, Section 400(4), requires that the Seal of Council must not be affixed to a document unless the document relates to the business of Council and Council has resolved (by resolution specifically referring to the document) that the Seal be so affixed.

**(d) Community Consultation**

Nil

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

A Region for the Future – F11 Sound asset management planning

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

### **9.1 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Nicole Hunter, Coordinator Executive Services

**Reference:** Item 9.2 to Ordinary Council 22 September 2020 - Minute No 287/20

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

***That in relation to the report "Councillor Induction and Professional Development Policy", Council approve the Councillor Induction and Professional Development Policy.***

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## SUMMARY

The purpose of this report is to seek Council approval for the Councillors Induction and Professional Development Policy “the Policy” following Community Consultation.

## 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”. A policy has been developed that details our compliance with the Amendments.

Council at its Ordinary Meeting held 22 September 2020, endorsed the draft Policy, and the Policy was placed on Public Exhibition for a period of 28 days in accordance with the Local Government Act 1993. Submissions in relation to the Policy were to be received by 30 October 2020. No submissions from the public were received. The Policy can now be adopted by Council, **ATTACHED**, refer **ANNEXURE 1**.

### (a) Policy Implications

The Policy will be updated in the General Policy Register.

### (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 draft Policy was placed on Public Exhibition for Community Consultation for a period of 28 days, from 2 October 2020 to 30 October 2020. The draft Policy was available online. No public submissions were received.

### (e) Delivery Program Objective/Strategy

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

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## 9.2 TAMWORTH REGIONAL COUNCIL 2019/2020 ANNUAL REPORT

DIRECTORATE: CORPORATE AND GOVERNANCE  
AUTHOR: Jodie McMahon, Finance Officer

**1 ANNEXURES ATTACHED**

## RECOMMENDATION

***That in relation to the report “Tamworth Regional Council 2019/2020”, Council receive and note the Annual Report and make it available to the public.***

## **SUMMARY**

Section 428 of the Local Government Act 1993, requires Council to prepare an Annual Report in accordance with the Integrated Planning and Reporting Guideline within five months of the end of the financial year. The report must outline achievements in implementing Council’s Delivery Program and the effectiveness of activities undertaken.

## **COMMENTARY**

The 2019/2020 Annual Report for Tamworth Regional Council has now been prepared under Section 428 (3) of the Local Government Act 1993, and in accordance with the guideline provided under Section 406. The report highlights achievements and progress in relation to the objectives of the current Delivery Program and includes:

- statutory information as prescribed within the provisions of the Local Government Act 1993 and Regulations; and
- audited Financial Statement for 2019/2020.

A copy of the Annual Report is **ATTACHED**, refer **ANNEXURE 1**, and will also be posted on Council’s website and provided to the Minister for Local Government as required.

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

Nil

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

Nil

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

Council’s 2019/2020 Annual Report meets the requirements of annual reporting provisions of the Local Government Act 1993 and the Local Government Regulation 2005.

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

An electronic copy of the report will be placed on Council’s website. Copies will be distributed to interested parties and schools. A URL link will be forwarded to the Division of Local Government and Minister to facilitate access to the report via Council’s website.

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

A Region of Progressive Leadership – L22 To be a leader in best practice for local government.

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## **9.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES – 20 OCTOBER 2020**

**DIRECTORATE: CORPORATE AND GOVERNANCE**

**AUTHOR: Karen Litchfield, Internal Auditor**

**1 ENCLOSURES ENCLOSED**

## **RECOMMENDATION**

*That in relation to the report “Audit, Risk and Improvement Committee Meeting Minutes – 20 October 2020”, Council receive and note the Minutes.*

## **SUMMARY**

The purpose of this report is to present to Council the Minutes of the Audit, Risk and Improvement Committee meeting held 20 October 2020.

## **COMMENTARY**

The quarterly meeting of the Audit, Risk and Improvement Committee was held on 20 October 2020. The Minutes of the meeting are **ENCLOSED**, refer **ENCLOSURE 1**.

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

Nil

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

Costs associated with the Internal Audit function are budgeted in the 2020/2021 Annual Operational Plan.

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

Nil

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

Nil

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

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

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## **9.4 TAMWORTH REGIONAL COUNCIL CONSOLIDATED FINANCIAL REPORTS FOR PERIOD ENDED 30 JUNE 2020**

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

## **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council Consolidated Financial Reports for Period Ended 30 June 2020”, Council:*

- (i) receive and note the reports as presented; and*
- (ii) adopt the proposed allocation of unrestricted cash results to Reserves.*

## **SUMMARY**



The purpose of this report is to present to both Council and the public, the Audited Financial Reports and Auditor’s Report for Tamworth Regional Council for the period ended 30 June 2020. The figures contained in this report represent the operations and financial position of Council on a consolidated basis being the General, Water and Sewerage Funds together with Central Northern Libraries.

## COMMENTARY

The Financial Reports for Tamworth Regional Council for the period ended 30 June 2020, have now been audited and lodged with the Office of Local Government. The Auditor General has supplied unqualified financial audit reports in relation to Council’s Consolidated Fund and Council’s Water, Sewerage, Waste, Airport and Pilot Training Facility business operations.

A copy of the Financial Reports and Auditor’s Reports was lodged with the Office of Local Government on 6 November 2020. A copy of the Financial Reports including the Auditor’s Reports has been placed in the Councillors Room.

Notification of the completion and availability of the financial reports has been placed on Council’s website in accordance with Division 15, Section 413k of the Local Government (General) Regulation 2005. In accordance with Section 420 of the Act, submissions in relation to the Financial Reports have been invited from the public. Any submissions received will be referred to the Auditor General and reported to Council in due course.

### Consolidated Financial Results

<b>Income Statement</b>	<b>Report Year 2019-2020 (\$'000)</b>	<b>Prior Year 2018-2019 (\$'000)</b>
Total Income from Continuing Operations	174,269	175,976
Total Expenses from Continuing Operations	136,632	136,854
Net Operating Result from Continuing Operations	37,637	39,122
Net Operating Result before capital grants and contributions	1,849	3,164

Overall operating expenditure in total remained consistent with the previous year; the main reason for the \$1.3 million decline in the net operating result from 2019/2020 was predominantly a reduction in user charges and fees with the most significant reduction being income from water sales due to the drought. Interest income from Council’s investments continues to contract with very little likelihood of improvements for this income stream in the current financial year. Also of interest by way of a barometer for the local economy is the non cash developer contributions which decreased by almost \$400,000 from the previous year.

<b>Balance Sheet</b>	<b>Report Year 2019-2020 (\$'000)</b>	<b>Prior Year 2018-2019 (\$'000)</b>
Total current assets	196,796	136,635
Total current liabilities	37,982	29,071
Net current assets	158,814	107,564
Total non-current assets	1,817,286	1,629,526
Total non-current liabilities	89,763	75,338



Total equity	1,886,337	1,661,752
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Balance sheet items worthy of mention and/or explanation are an increase in land inventory with Council resolving to move forward on the development and sale of the Tamworth Global Gateway Park. The introduction of a new accounting standard saw Council for the first time recognise a “right of use asset” which assigns a dollar value to any significant leased assets which for Council are the lease of the Capitol Theatre and the Golden Guitar Tourist Information Centre. There was also a notable increase in cash which was due to the drawdown of \$10 million of loan funds in late June and the decision to increase the amount of cash held due to the unknown impact of COVID-19 on cash flows with regard to the collection of receivables like rates.

Performance Measurements	Report Year 2019-2020 (\$'000)	Prior Year 2018-2019 (\$'000)
Operating Performance Ratio	3.13%	6.71%
Unrestricted Current Ratio	2.76:1	2.43:1
Debt Service Cover Ratio	3.93:1	4.53:1
Own Source Operating Revenue Ratio	66.66%	69.02%
Rates, Annual Charges, Interest and Extra Charges Outstanding (%)	7.25%	4.64%
Building and Infrastructure Renewals Ratio (%)	26.05%	17.93%
Asset Maintenance Ratio	91.74%	89.41%

### Performance Measures

The following comments are made in relation to Industry Standard Performance Measurements that are relevant to Tamworth Regional Council.

*Operating Performance Ratio:* 3.13%

This ratio shows the operating result as a percentage of operating revenue to give the degree of the surplus or deficit achieved. The result should be a surplus (positive) to show there is capacity to maintain existing levels of services and asset renewals and to fund new capital works. The decline from the previous year is due to the previously mentioned decrease in income from user fees and charges.

*Unrestricted Current Ratio:* 2.76:1

This shows the degree to which current assets that have no external restrictions exceed unrestricted current liabilities as an indication of the ability to meet short term obligations. The ratio is well above the minimum benchmark of 1.5:1.

*Debt Service Cover Ratio:* 3.93:1

This shows the degree to which the operating cash result exceeded the commitment to loan principal and interest repayments. An increase in loans for water improvements at Manilla and the Pilot Training Facility has resulted in a corresponding increase in loan servicing costs from the previous year. A ratio above the minimum benchmark of 2.0 is considered satisfactory.

*Own Source Operating Revenue Ratio:* 66.66%

This is a comparison of revenues other than grants and contributions to total revenues, to show the level of reliance on autonomous income. The deemed minimum benchmark is 60% and Council is well positioned above this.

*Rates, Annual Charges, Interest and Extra Charges Outstanding:* 7.25%

The outstanding % is a comparison of the closing unpaid debtor balances for the year to the total collectible (opening arrears plus revenue raised) for the year. The result has an unfavourable increase from the prior year but this is due to a change in the accounting standards which now require any accounts with a credit balance classified as a receivable to be separately recorded as a liability. Despite this change in the accounting standards the result is well below the benchmark for rural and regional councils of 10%.

*Building and Infrastructure Renewals ratio:* 26.05%

This ratio is meant to show expenditure on the renewal of building and infrastructure assets as a percentage of the annual depreciation for those assets, to indicate the degree to which asset condition is being maintained. Currently this ratio is not a very reliable indicator as the Code of Accounting Practice and Financial Reporting (Update 28) does not allow the inclusion of renewals that are included in Works in Progress (WIP). This means that these renewals are **never** included in this ratio. If renewal works currently showing in WIP were allowed to be included the ratio would be showing at 67.38%, a significant difference. Council raised this issue with the Office of Local Government in early 2020, but the ratio remains unchanged.

*Asset maintenance ratio:* 91.74%

This shows the actual expenditure on the maintenance of assets as a percentage of the estimated amount required to ensure assets reach their estimated useful lives per asset management plans.

### Cash Balances and Allocations

The full details of cash reserves are provided in Note Seven of the financial reports.

The following tables provide a summary of the cash reserves per fund that make up the total closing balance for cash and investments of \$169,352,000.00.

General Fund '000	Opening Balance	Net Movements	Closing Balance
Unexpended Loans	865	(340)	525
Developer Contributions	6,458	414	6,872
Unexpended Grants (2020 only)	0	0	4,019
Waste Management	18,051	1,009	19,060
Deposits, Retentions & Bonds	1,834	(170)	1,664
Internal Restrictions	19,122	8,163	27,285
Unrestricted	668	(516)	152
<b>Total General Fund Cash Reserves</b>			<b>59,577</b>

Water Fund '000	Opening Balance	Net Movements	Closing Balance
Unexpended Loans	492	6,096	6,588

Developer Contributions	20,459	(1,785)	18,674
Unexpended Grants (2020 only)	0	0	0
Water Reserves	27,592	(4,111)	23,481
<b>Total Water Fund Cash Reserves</b>			<b>48,743</b>

<b>Sewer Fund '000</b>	<b>Opening Balance</b>	<b>Net Movements</b>	<b>Closing Balance</b>
Unexpended Loans	1,664	0	1,664
Developer Contributions	12,672	592	13,264
Unexpended Grants (2020 only)	0	0	629
Sewer Reserves	41,000	4,475	45,475
<b>Total Sewer Fund Cash Reserves</b>			<b>61,032</b>

The balance showing against the unexpended grant funds (2020 only) line items without a starting balance or net movement resulted from a change in the accounting standard requirements that resulted in the relevant closing balances for 2019/2020.

The operations of each fund provided the following net cash result for unrestricted funds during the year after allowing for payables and receivables.

*General Fund an increase of \$1,173,773*

*Water Fund a decrease of (\$1,075,931)*

*Sewer Fund an increase of \$2,462,488*

For General Fund the following major transfers to Reserves occurred in the September Quarter 2020/2021, in accordance with previous Council Reports and normal procedure: \$700,000 transfer to the Insurance Reserve – being Council's contribution to Contaminated Land Grant; \$250,000 transfer to Financial Assistance Grant (Roadworks Component) – thus returning funds previously moved to offset COVID-19 impacts; \$252,623 transfer to Roads – Asset Renewal being the annual transfer from quarries surplus.

For Water Fund, the reduced result was due to the impacts of tightening water restrictions on consumption income. A \$1,125,000 transfer from the Water Fund Augmentation Reserve was made, after the above result to maintain required Unrestricted Cash levels.

For Sewer Fund a transfer to the Sewer Fund Augmentation Reserve of \$2,300,000 was made from the above operating result to maintain required Unrestricted Cash levels.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Decrease in Water and an increase in Sewer Funds Augmentation Reserves.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Council’s website was updated on 9 November 2020, to advise the community that the financial reports were being presented at this Meeting and were available on Council’s website, and that submissions could be made within seven days of the Meeting.

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

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

**9.5 COUNCIL INVESTMENTS OCTOBER 2020**

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

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

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

**SUMMARY**

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

**COMMENTARY**

At its November meeting the Reserve Bank once again reduced interest rates, which whilst conducive to borrowing continues to thwart earnings from funds invested. In its Economic Outlook <https://www.rba.gov.au/publications/smp/2020/nov/economic-outlook.html> released November 6 2020, the Reserve Bank is not anticipating GDP to return to its pre-pandemic level until the end of 2021, and the economy has a lot of ground to make up having experienced the deepest peacetime contraction in the first half of the year since the Great Depression. As indicated in the financial implications for Council, this means it is likely that income generated from investments will continue to remain in the doldrums for quite some time.

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council has invested as at 31 October 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	8,814,128	46,000,000	0	54,814,128	32.27%
ANZ	0	8,000,000	0	8,000,000	4.71%

BOQ	0	8,000,000	0	8,000,000	4.71%
CBA	0	10,000,000	0	10,000,000	5.89%
St George	0	41,500,000	0	41,500,000	24.43%
TCorp	0	0	11,369,106	11,369,106	6.69%
Westpac	0	36,198,376	0	36,198,376	21.30%
<b>TOTAL</b>	<b>8,814,128</b>	<b>149,698,376</b>	<b>11,369,106</b>	<b>169,881,610</b>	

The amount invested at 31 October 2020, has increased by \$1,058,599.29 compared to funds held at 30 September 2020.

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

<b>Fund</b>	<b>Restriction</b>	<b>Amount</b>	<b>%</b>
General	Unrestricted	7,318,145	4.31%
General	Internally Restricted	37,965,707	22.35%
General	Externally Restricted	11,416,349	6.72%
<b>General Fund Total</b>		<b>56,700,201</b>	<b>33.38%</b>
Water	Unrestricted	2,211,934	1.30%
Water	Internally Restricted	23,145,700	13.62%
Water	Externally Restricted	25,261,589	14.87%
<b>Water Fund Total</b>		<b>50,619,223</b>	<b>29.79%</b>
Sewer	Unrestricted	2,244,467	1.32%
Sewer	Internally Restricted	44,761,907	26.35%
Sewer	Externally Restricted	15,555,812	9.16%
<b>Sewer Fund Total</b>		<b>62,562,186</b>	<b>36.83%</b>
<b>Total Investments</b>		<b>169,881,610</b>	

Moneys received for each fund can only be used within that fund. An explanation for each category of restriction is described below:

#### **Unrestricted**

These are funds required to meet short term cash flow requirements and contingencies to maintain solvency.

#### **Internally Restricted**

Funds set aside for future commitments mostly relate to asset renewals, remediation works, or leave provisions. For General Fund, this includes self funding activities such as the Airport, Waste Management and Fleet operations.

#### **Externally Restricted**

Funds provided for specific purposes such as developer contributions, grants and loans.

The use of restricted funds is largely controlled by 10 – 20 year Asset Management Plans which are included in the Resourcing Strategy of Council's 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 interest earnings which in turn has a negative impact on funding availability for future projects.

**(c) Legal Implications**

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

- Local Government Act 1993 – Section 625;
- Local Government Act 1993 – Order (of Minister) dated 16 November 2000;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A (2), 14C (1) and 2;
- Local Government (General) Regulation 2005 – Clauses 212 and 215; and
- Local Government Code of Accounting Practice & Financial Reporting – Update No. 15 dated June 2007.

**(d) Community Consultation**

Nil

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

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

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**9.6 2020/2021 QUARTERLY BUDGET REVIEW STATEMENTS TO 30 SEPTEMBER 2020**

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

**2 ANNEXURES ATTACHED**

***RECOMMENDATION***

***That in relation to the report "2020/2021 Quarterly Budget Review Statements to 30 September 2020", Council receive and note the report and related statements.***

**SUMMARY**

The purpose of this report is to present to Council the Quarterly Budget Review Statements for Tamworth Regional Council for the period ended 30 September 2020, in accordance with Clause 203 of the Local Government (General) Regulation 2005.

A financial summary has also been provided for the Tamworth Global Gateway Park in accordance with the financial reporting requirements documented in Section 4.2.2 of the Business Case Study.

**COMMENTARY**

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The Quarterly Budget Review Statements **ATTACHED**, refer **ANNEXURE 1**, provide a summary of budget movements since the adopted original budget, along with revised budget forecasts for the 2020/2021 financial year, and comparisons to actual transactions year to date. Each statement includes a review of the main budget variances for the quarter.

Budget variances that require Council approval have been submitted to Council either by a specific Council report or through the monthly Budget Variance.

The following tables provide a summary and commentary of the budget variations for the quarter and the projected year end results for the General, Water and Sewer funds.

Details of *operating expenses* and *income* are shown in the attached statements.

*Capital Income* includes grants and contributions received specifically for new capital works and are excluded from the operating results provided in the following tables.

*Cash Adjustments* include the reversal of non-cash accruals contained in operating expenses such as depreciation and leave entitlements and the addition of non-operating cash receipts and payments such as those associated with loans, deferred debtors and property sales.

*Capital Expenses* include the acquisition, upgrade or renewal of assets.

## General Fund

Summary of budget variations year to date:

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Expenses	101,403,203	12,291,106	(6,823,722)	106,870,587
Operating Income	(101,024,147)	(8,407,410)	10,001,871	(99,429,686)
<b>Operating Result</b>	<b>379,056</b>	<b>3,883,696</b>	<b>3,178,149</b>	<b>7,440,901</b>
Capital Income	(32,830,824)	1,912,955	(20,294,164)	(51,212,033)
Cash Adjustments	(20,884,815)	0	(11,318,261)	(32,203,076)
Capital Expenses	59,656,945	4,005,427	23,449,889	87,112,261
<b>Cash Results</b>	<b>6,320,362</b>	<b>9,802,078</b>	<b>(4,984,387)</b>	<b>11,138,053</b>
Unrestricted Cash	(138,623)	0	2,009,947	1,871,324
Reserves	7,123,562	6,834,219	(7,288,548)	6,669,233
Developer Cont.	(636,577)	211,904	129,149	(295,524)
Loans	0	173,820	(706)	173,114
Prior Year Grants	(28,000)	2,582,135	165,771	2,719,906
<b>Total Cash Funding</b>	<b>6,320,362</b>	<b>9,802,078</b>	<b>(4,984,387)</b>	<b>11,138,053</b>

## Key Financial Results

	Opening Balance	Projected Result	Projected Balance	Minimum Balance
Unrestricted Cash	7,318,145	(1,871,324)	5,446,821	6,000,000



As has been reported in many previous quarterly budget review reports unrestricted cash is a measure of Council’s solvency showing the level of funds available to meet any contingency. This definition has not changed, now however due to the COVID-19 pandemic, Council has had to avail itself of these funds in order to meet its financial obligations.

<b>Recurrent Result</b>	<b>Operating Cash Result (surplus)/deficit</b>	<b>Depreciation and Leave Accruals</b>	<b>Net Recurrent Result (surplus)/deficit</b>	<b>Loan principal repayments</b>
General Activities	(16,331,027)	19,141,336	2,810,309	3,254,462
Fleet Operations	(4,328,227)	2,905,307	(1,422,920)	0
Airport Operations	884,218	1,083,004	1,967,222	166,168
Waste Services	(1,921,804)	1,612,814	(308,990)	0
Pilot Training Facility	1,471,620	0	1,471,620	0

The Recurrent Result is a measure of Council’s financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals (as measured by annual depreciation).

The table breaks the General Fund down into the main activities that are expected to be self funding, providing a clear picture of the general activities that must be funded by general purpose revenues.

There is no depreciation or leave accruals for the Pilot Training Facility as the facility for now does not have any full time employees assigned to it whilst depreciation is zero as the facility is classified as an investment property. Instead of being depreciated, investment properties are valued each financial year and the value adjusted accordingly to meet accounting standard requirements.

**Financial Services Manager’s comment in relation to the financial position of the Council’s General Fund**

Council needs to be cautious but not alarmed at the projected decrease in unrestricted cash below the recommended minimum balance. Events such as the current pandemic serve to remind us as to why vigilance must be maintained in ensuring Council does not over commit in times of more stable economic conditions and maintains unrestricted cash equal to or above the minimum balance. Prudent financial management requires the situation to be monitored and any opportunities for temporary savings be implemented to ensure that the recovery of these funds to the minimum balance post pandemic is not too protracted or arduous.

Council should be mindful when authorising any unfunded discretionary expenditure or income reductions.

The recurrent result table is an *indicator* of how Council is tracking with regard to ensuring it has sufficient funds for future asset renewal. For many of its asset classes, Council is still improving the reliability of its data which has resulted in a significant increase in depreciation over the last two financial years following revaluations in transport and drainage. As the quality of asset databases improve so too will the reliability of this table.

Council is often the recipient of capital grant funds which assist with funding the renewal of current asset infrastructure, the difficulty is predicting the amount and timing of these funds. Despite all of this uncertainty the role of Council is to ensure that essential infrastructure is able to be maintained and replaced as per the standards set by the community within the boundaries of funding constraints.

A deficit in the net recurrent result column of this table *indicates* that asset renewal work cannot currently be funded as a result of operating commitments exceeding income. It also shows the importance of limiting the number of non self funding long term activities.

Further evidence of the need for Council to, where possible, curtail any unfunded discretionary spending is in the decline of the operating ratio as at 30 June 2020, this ratio slid from positive to negative territory and the projected results for this year indicate that it will remain there. The purpose of this ratio is to show whether or not Council's operating income is in excess of operating expenditure.

The recurrent results for fleet and waste are satisfactory with suitable levels of operating surplus. It is not surprising however, that the results for Council's aviation operations have declined dramatically. Not only has COVID-19 negatively impacted the operating results for Council's aviation operations, it is also causing delays in the receipt of expected grant funds towards the purchase price and capital improvements of the Pilot Training Facility.

Currently internally restricted General Fund Reserves are funding an internal \$10 million loan to finance the cost of the Pilot Training Facility. This loan was to be repaid with grant funds from the NSW Government who is withholding these funds until Council can show that it has a long term tenant for the facility. Council officers continue to work with local parliamentary representatives and governments for a pathway to allow international student pilots to return to Australia and resume their training at Tamworth. With Australia's COVID-19 situation improving, this is now looking more encouraging in 2021.

## Water Fund

Summary of budget variations year to date:

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Expenses	20,768,750	278,158	232,262	21,279,170
Operating Income	(20,206,783)	0	(64,042)	(20,270,825)
<b>Operating Result</b>	<b>561,967</b>	<b>278,158</b>	<b>168,220</b>	<b>1,008,345</b>
Capital Income	(5,596,047)	0	0	(5,596,047)
Cash Adjustments	(4,284,170)	0	0	(4,284,170)
Capital Expenses	25,463,165	11,887,026	1,952,632	39,302,823
<b>Cash Results</b>	<b>16,144,915</b>	<b>12,165,184</b>	<b>2,120,852</b>	<b>30,430,951</b>
Unrestricted Cash	(146,606)	0	(2,951)	(149,557)
Reserves	6,416,021	5,517,107	2,123,803	14,056,931
Developer Cont.	9,875,500	160,113	0	10,035,613
Loans	0	6,487,964	0	6,487,964
Prior Year Grants	0	0	0	0
<b>Total Cash Funding</b>	<b>16,144,915</b>	<b>12,165,184</b>	<b>2,120,852</b>	<b>30,430,951</b>

The Operating Result for Water Fund has deteriorated by \$446,000 primarily due to an increase in expenditure for materials and contracts from the original budget with such jobs as demolishing of flood prone structures, fractured rock investigations and expenditure on the Scott Road drift wells, contributing.

### Key Financial Results

	Opening balance	Projected result	Projected balance	Minimum balance
Unrestricted Cash	2,211,934	149,557	2,361,491	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works.

	Operating cash result (surplus)/deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(5,256,451)	5,476,930	220,479	1,192,760

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals. It relies on depreciation being a reasonable measure of asset renewal requirements. A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity.

### Financial Services Manager's comment in relation to the financial position of the Council's Water Fund

Whilst the recurrent result is less than principal loan repayments, the Water Fund is well placed to meet its future obligations and ensures sufficient reserves to accommodate short-term fluctuations in income from water sales.

### Sewer Fund

Summary of budget variations year to date:

Budget Results	Original Budget	Carry Overs	September Qtr. Review	Projected Result
Operating Expenses	18,634,056	165,000	214,029	19,013,085
Operating Income	(24,911,026)	0	(102,881)	(25,013,907)
<b>Operating Result</b>	<b>(6,276,970)</b>	<b>165,000</b>	<b>111,148</b>	<b>(6,000,822)</b>
Capital Income	(943,000)	0	(6,000)	(949,000)
Cash Adjustments	(3,200,732)	0	0	(3,200,732)
Capital Expenses	5,593,753	2,199,428	(240,898)	7,552,283
<b>Cash Results</b>	<b>(4,826,949)</b>	<b>2,364,428</b>	<b>(135,750)</b>	<b>(2,598,271)</b>
Unrestricted Cash	(328,075)	0	(143,979)	(472,054)
Reserves	(5,961,627)	1,828,101	8,229	(4,125,297)
Developer Cont.	1,462,753	536,327	0	1,999,080

Loans	0	0	0	0
Prior Year Grants	0	0	0	0
<b>Total Cash Funding</b>	<b>(4,826,949)</b>	<b>2,364,428</b>	<b>(135,750)</b>	<b>(2,598,271)</b>

The operating surplus has decreased slightly with the main contributor being an increase in spending on materials and contracts in the area of CCTV work being carried out on sewer mains.

### Key Financial Results

	Opening Balance	Projected Result	Projected Balance	Minimum Balance
Unrestricted Cash	2,244,467	472,054	2,716,521	2,000,000

Unrestricted cash is a measure of Council's solvency showing the level of funds available to meet any contingency. The optimum balance is based on estimated cash flow requirements for operating and capital works.

	Operating Cash Result (Surplus)/Deficit	Depreciation and Leave Accruals	Net Recurrent Result (surplus)/deficit	Loan principal repayments
Recurrent Result	(12,605,368)	5,959,818	(6,645,550)	2,759,086

The Recurrent Result is a measure of Council's financial sustainability. It shows the capacity of recurrent operating revenues to meet commitments for recurrent operations, loan repayments and existing asset renewals. It relies on depreciation being a reasonable measure of asset renewal requirements. A deficit represents the amount of essential asset renewal work that cannot be funded as a result of operating commitments exceeding revenue capacity.

### Financial Services Manager's comment in relation to the financial position of the Council's Sewer Fund

The projected unrestricted cash balance exceeds the estimated minimum balance indicating a capacity to transfer additional funds to Reserves for future works in the June budget review.

The recurrent result (\$6.6M surplus) indicates an ongoing capacity to meet existing operational and asset renewal needs, as well as future capital upgrades.

#### (a) Policy Implications

Nil

#### (b) Financial Implications

The body and **ATTACHED**, refer **ANNEXURE 1**, of this report provide details of the projected financial results for the 2019/2020 Budget. The variances recorded for the different funds will have implications for the Long Term Financial Plan, and this will be reviewed as part of the ongoing Integrated Planning and Reporting process.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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**9.7 ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - OCTOBER 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 – October 2020”, Council note and approve the variations to the existing budget included in the attached Annexures.*

**SUMMARY**

Council adopted the original budget included in the Annual Operational Plan for 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 the month of October for which there has been no previous specific report or approval.

The Quarterly Budget Review Statements will provide Council with a full review of revised budget forecasts and actual year to date results with the September review being presented concurrently at this Meeting.

**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 and for the reporting of any material differences between budgets and actuals identified by the Responsible Accounting Officer.

For the month of October, the majority of budget adjustments processed were to reflect those contained in the September quarterly budget review. Normally, the September review is too early into the new financial year to be significant however this year COVID-19 has changed that. Whilst COVID-19 emerged in March 2020, the budget process for this financial year was too far advanced to try and incorporate any predictions with regard to the financial impact of

COVID-19 this has resulted in significant budget adjustments being processed by finance in October. Whilst some of these budget adjustments are material they are not unexpected.

A summary of general budget variations is provided below with detailed lists included in **ANNEXURE 1**.

**General variations identified during October 2020**

Description	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Cultural Services	36,724	2,964	0	0
Economic & Destination Development	0	(10,498)	0	10,500
Entertainment Venues	386,000	(239,862)	0	512
Events	1,737,800	(1,739,058)	0	0
Directorate Mgmt Growth & Prosperity	0	103	0	0
Airport & Aviation Development	3,699,041	(997,191)	(853,650)	1,424,809
Pilot Training Facility	2,231,908	(1,616,956)	0	0
AELEC Precinct	996,015	(627,358)	0	0
Administration and Governance	(565)	(9,004)	0	0
Directorate Management - C&G	0	1,742	0	0
Financial Services	66,822	3,546	0	0
People, Culture & Safety	0	150,000	0	0
Business Systems & Solutions	0	(160,405)	0	1,019,493
Legal	0	176	0	0
General Purpose Income	13,950	(15,900)	0	(160,405)
Compliance	(5,000)	42,153	0	0
Dir Mgmt Planning & Compliance	0	103	0	0
Dir Mgmt - Regional Services	0	103	0	0
Plant, Fleet & Buildings	0	(66,522)	0	281,601
Sports & Recreation Services	0	58,673	0	38,000
Design & Construction	0	4	0	0
Infrastructure & Projects	(203,795)	378,385	0	0
Project Costing	0	0	0	250,000
Waste Management	(427,155)	59,345	0	165,550
Water & Waste Overheads	0	(1,534)	0	0
Water & Wastewater	(111,104)	8,249	(6,000)	6,022
W&W - General Fund Activities	0	418	0	14,000
<b>Grand Total</b>	<b>8,420,641</b>	<b>(4,778,324)</b>	<b>(859,650)</b>	<b>3,050,082</b>

**Material differences between budget and actual income or expenditure**

As previously mentioned the significant budget adjustments outlined in the summary above whilst material are not unexpected. Adjustments processed in October will contribute a \$8.5 million decrease in operating income with a reduction in operating expenditure of only \$4.8 million. These reductions are predominantly due to budget adjustments in Council's aviation and entertainment activities as a result of the COVID-19 pandemic.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

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

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	8,531,745	(4,786,931)	(853,650)	3,044,060
Water	31,777	4,989	0	22
Sewer	(142,881)	3,618	(6,000)	6,000
<b>Total</b>	<b>8,420,641</b>	<b>(4,778,324)</b>	<b>(859,650)</b>	<b>3,050,082</b>

**(c) Legal Implications**

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

- 211 Authorisation of expenditure; and
- 202 Responsible Accounting Officer to maintain system for budgetary control.

**(d) Community Consultation**

Nil

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

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

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**9.8 TAMWORTH REGIONAL AVIATION STRATEGIC DEVELOPMENT WORKING GROUP MINUTES - 27 OCTOBER 2020**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** John Sommerlad, Commercial Director - Airport and Aviation Development

1 CONFIDENTIAL ENCLOSURES ENCLOSED

**RECOMMENDATION**

*That in relation to the report "Tamworth Regional Aviation Strategic Development Working Group Minutes", Council receive and note the Minutes.*



## **SUMMARY**

The purpose of this report is to present the minutes of the Tamworth Regional Aviation Strategic Development Working Group meeting held on 27 October 2020, and to provide Council with an overview of the meeting outcomes. The minutes are **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

## **COMMENTARY**

The newly appointed Tamworth Regional Aviation Strategic Development Working Group held its first meeting on 27 October 2020. The meeting considered four agenda items:

- 1) General Aviation Hangar Project Update;
- 2) Qantas Deferred Payment Requests;
- 3) Security Fence – Wildlife Mitigation and Security Measure; and
- 4) Barraba Aerodrome – Future Considerations.

There were two guests, being Steve Mansur and Chad Summers, who attended and made a presentation in relation to the General Aviation hangars at Tamworth Regional Airport.

The meeting heard a request for more General Aviation hangars; an update from Qantas about the impact of COVID-19 on the airline's operations relating to Tamworth Regional Airport; consideration of extending the security fencing in part of the airport precinct; and a future operational lease at Barraba Authorised Landing Area.

There was no General Business.

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

Nil

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

Nil

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

Nil

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

Two General Aviation aircraft owners presented to the Working Group

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

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

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## **10 COMMUNITY SERVICES**

### **10.1 TAMWORTH REGION INCLUSIVE CULTURE ADVISORY COMMITTEE (TRICAC) MINUTES - 18 JUNE 2020 AND 8 OCTOBER 2020**

**DIRECTORATE: GROWTH AND PROSPERITY**

**AUTHOR: Kay Delahunt, Manager - Cultural and Community Services**

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**2 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Tamworth Region Inclusive Culture Advisory Committee (TRICAC) Minutes - 18 June 2020 and 8 October 2020”, Council receive and note the minutes.*

**SUMMARY**

The purpose of this report is to present the minutes of the Tamworth Region Inclusive Culture Advisory Committee (TRICAC) meetings of 18 June 2020 and 8 October 2020, and to provide Council with an overview of the meeting outcomes.

**COMMENTARY**

The newly formed Tamworth Region Inclusive Culture Advisory Committee (TRICAC) met for the first time on 18 June 2020 and again on 8 October 2020.

The main topics discussed at the meetings are detailed in the minutes **ATTACHED**, refer **ANNEXURE 1** and **ANNEXURE 2**.

The meetings can be summarised as follows:

Updates were received on:

- the progress of the Tamworth Region Cultural Plan 2018-2023 (the Cultural Plan);
- the status of Fiesta La Peel for 2020; and
- plans for the 2020 Tamworth Access Awards.

The strengths and weaknesses of current cultural inclusion in Tamworth were discussed and this revealed:

- the need for a single platform where all information for new residents is made accessible. The Manager Communications and Marketing attended the October meeting to gather more input from the Committee on this;
- the need for volunteering to be promoted;
- the need to connect new residents with business; and
- the need for more cultural events, particularly music and pop-up events.

The October meeting included discussions about the Human Library and the importance of telling and celebrating stories.

Specific actions from the Cultural Plan were identified for the Committee’s attention.

In addition to the two scheduled meetings, the Committee had the opportunity on 6 August to join a zoom session with Jade Lillie, Head of Sector Development, Australia Council for the Arts. Jade talked about “The Relationship is the Project”, a recent book that she has contributed to and edited.

The next TRICAC meeting is scheduled for 19 November 2020, and will be a workshop to explore “Cosmopolitan Multiculturalism”.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The TRICAC includes six community members who represent a broad range of cultural groups. The committee provides strategic advice to Council in relation to “inclusive culture” within the region and makes recommendations regarding priority areas for development.

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

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

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**10.2 STAY REGIONAL SHOP REGIONAL - TAMWORTH REGION GIFT CARD**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Kate Baker, Co-Ordinator Economic and Destination Development

***RECOMMENDATION***

*That in relation to the report “Stay Regional Shop Regional – Tamworth Region Gift Card”, Council agrees to:*

- (i) provide \$20,000 (plus GST) total sponsorship for the three year project; and*
- (ii) provide assistance in graphic design to develop the marketing collateral.*

**SUMMARY**

Council has been approached to financially support a campaign that will introduce a ‘Tamworth Region Gift Card’. The campaign aims to encourage shoppers to support local businesses by purchasing an exclusive Tamworth gift card that can be used across multiple participating businesses.

The project is able to be linked to an initiative outlined in the Revive the Region report, specifically; Greater use of local suppliers to deliver operational and projects services.

**COMMENTARY**

The current COVID-19 pandemic has had a significant impact on business income and confidence nationally, regionally and locally and particularly hard on the retail sector.

Council has been approached to financially support an initiative that introduces a ‘Tamworth Region Gift Card’. This is a retail platform that engages business and encourages local spending. This campaign has been introduced across other regional cities including, but not limited to, Narrabri, Bathurst and Dubbo.

The project has shown positive results in a number of locations, as outlined below:

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Location	Population	2019/2020	2020/2021 to date	Average load
Narrabri	13,084	\$ 305,000	\$ 202,000	\$125
Bathurst	41,301	\$ 280,000	\$ 225,000	\$78
Cooma	7,494	\$ 395,000	\$ 120,000	\$52
Dubbo	53,719	\$ 28,000	\$ 12,000	\$92
Upper Hunter	14,180	\$ 202,000	\$ 96,000	\$77
Parkes	14,837	\$ 186,000	\$ 20,000	\$115

What the above report indicates is that those communities that have actively marketed and embraced the concept have seen very strong tangible results.

Tamworth businessman, Chris Watson, approached Council seeking financial and in-kind support for the establishment of this project in Tamworth. Mr Watson is highly motivated and has a proven record of succeeding in engaging business. He has set a target of signing up a minimum of 75 local businesses to participate in the campaign. Mr Watson will manage the ongoing operation and marketing of the program. TRC will support the marketing through a social media campaign. A sample of the business sector has shown strong interest in the concept and are keen to participate. Many local businesses do not have a strong online presence or any type of gift card concept. This cooperative marketing will help them venture into these areas and showcase their business to a wider audience.

Tamworth Business Chamber will be supporting the project with a \$7,500 cash contribution.

### How the project works

Stay Regional Shop Regional -Tamworth Region Gift Card is aimed at supporting local businesses and encouraging consumers to shop local.

The gift cards, like a credit card, will carry Tamworth Regional Council branding and the campaign will be valid for three years. The subscription fee for the retail platform is for three years and provides:

- 2,000 standard printed plastic Gift Cards (more can be printed if required);
- branded cardboard hangers and display boxes;
- set up of 10 businesses/locations to sell the cards – the Visitor Information Centre and Capitol Theatre could be two of the locations;
- set up of businesses and their eftpos terminal to redeem cards; and
- marketing through print, radio and TV for November through to March (annually).

The campaign has been named, 'Tamworth Region Gift Card', to ensure it covers the entire Tamworth region, not just the city of Tamworth.

To acknowledge the support provided by Tamworth Regional Council, the following benefits will be realised:

- logo rights "Supported by" Tamworth Regional Council on all marketing collateral, including the credit cards;
- logo inclusion on all TV and print advertising and mentions on radio advertising;

- logo inclusion on all street pavement stickers which will be located at the entrance to all shops involved in the campaign;
- logo inclusion and supply of pull up banners or instore signage for all for businesses selling / loading the card;
- Tamworth Visitor Information Centre & Capitol Theatre to be a load location/seller; and
- joint media announcement to launch the program.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

\$20,000 investment to the Stay Regional, Shop Regional Tamworth Region Gift Card campaign be funded from the General Fund – Unrestricted Cash.

**(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.

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### **10.3 2020/2021 ANNUAL DONATIONS PROGRAM RECOMMENDATIONS**

**DIRECTORATE: GROWTH AND PROSPERITY**

**AUTHOR: Janelle Scott, Records Business Support Officer**

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “2020/2021 Annual Donations Program Recommendations” Council approve donations to the value \$49,523.14.*

#### **SUMMARY**

The purpose of this report is to seek Council’s determination of donations to community groups for the 2020/2021 Annual Donations Program, under Section 356 of the Local Government Act 1993.

#### **COMMENTARY**

The Annual Donations Program Assessment Panel consisted of Councillors Helen Tickle, Juanita Wilson and Jim Maxwell.

In accordance with Council’s policy for the Annual Donations Program, submissions were sought between Tuesday, 18 August 2020 and Tuesday, 15 September 2020. Advertising was carried out on Council’s website and social media pages. In addition, a media release was distributed to all local media outlets.

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The Annual Donations Assessment Panel met on Thursday, 24 September 2020, to assess the applications received. The Panel discussed the content of all applications and made recommendations based on the information supplied with each submission.

The recommendations in this report reflect the outcomes of that meeting. The available budget for distribution was \$61,000.00. This amount includes advertising costs, as well as community and school donations.

This year 21 applications were received totalling \$123,338.24. Requested amounts ranged from \$549.00 up to \$42,995.00. The applications represent a diversity of interest from community groups across the Tamworth Regional Council local government area.

The panel recommends donations to the value \$49,523.14 to the following organisations in the amounts listed below:

About Barraba Inc.	\$5,000.00
Barraba PA & H Association	\$7,000.00
Barraba Potters and craft Guild Inc.	\$549.00
Barraba Public Art (As sub-committee of the Barraba Community Inc.)	\$7,000.00
Links for Life Disability Expo Inc.	\$1,000.00
Lions Club of Barraba Inc.	\$5,000.00
Manilla Historical Society	\$4,378.00
Manilla Men's Shed	\$802.14
Manilla Show Society Inc.	\$7,000.00
Nandewar Historical Society	\$4,997.00
Scouts Australia, NSW Branch, North West Region	\$1,420.00
Tamworth Birdwatchers Inc.	\$682.00
Tamworth Dramatic Society Inc.	\$1,000.00
Tamworth Lioness Club	\$750.00
Tamworth Oxley Scout Group	\$1,145.00
Tamworth Regional Landcare Association	\$1,000.00
Tamworth Veterans Week of Golf Committee	\$800.00

A summary of all submissions received, including the Assessment Panel recommendations is **ATTACHED**, refer **ANNEXURE 1**.

**(a) Policy Implications**

The current Annual Donations Policy provides for recurrent funding to the below groups. The Policy also limits them from applying to the Annual Donations Program:

Barraba Shire Band	\$3,000.00
City of Tamworth Eisteddfod Society	\$12,000.00

Manilla Pipe Band	\$2,000.00
St Peter's Anglican Church Committee	\$2,000.00
Tamworth & District Highland Society Pipe Band	\$7,000.00
Tamworth Homeless Connect	\$4,840.00
Tamworth Regional Conservatorium of Music	\$29,000.00
Tamworth RSL	\$1,810.00
Tamworth RSL Brass Band	\$5,000.00

The Annual Donations Policy also allows for an annual contribution of \$60.00 to schools in the Tamworth Regional Council local government area to purchase academic prizes or library resources.

**(b) Financial Implications**

The Tamworth Regional Council Annual Operational Plan for 2020/2021 provides an amount of \$61,000.00 for the Annual Donations Program.

The Annual Donations Assessment Panel recommends an allocation of \$49,523.14 to community groups in the Tamworth Regional Council area.

In addition to the community group allocation are advertising expenses of \$350, and donations to 71 schools and pre-schools totalling \$4,260.00.

If approved a balance of \$6,866.86 will remain in the Annual Donations Program budget.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The Annual Donations program was advertised extensively by way of newspaper and social media advertising. Applications were received from a wide range of community groups across the Tamworth Regional Council local government area.

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

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

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

**RECOMMENDATION**

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

**11.1 PROPOSAL TO CLOSE LOCKS LANE, SOUTH TAMWORTH**

**DIRECTORATE: CORPORATE AND GOVERNANCE**



**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
Melissa Lasker, Executive Assistant Legal Services  
Leanne James, Business Support Officer

**Reference:** Item 8.2 to Ordinary Council 11 June 2013 - Minute No 186/13  
Item 8.1 to Ordinary Meeting 14 August 2018 - Minute No 132/18

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

### **SUMMARY**

This report seeks Council's consideration of the closure of Locks Lane, South Tamworth in the interests of public health and safety and the protection of public infrastructure and assets.

It is noted that Council is the majority landholder of the land adjoining the road proposed to be closed.

### **11.2 RENEWAL OF LICENCE AGREEMENT SOMERTON RACECOURSE - LOT 209 IN DEPOSITED PLAN 257191**

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

**Reference:** Item 6.3 to Ordinary Council 24 May 2005 - Minute No 94/05

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

### **SUMMARY**

This report seeks Council's authorisation to enter into a Licence Agreement of the land known as Somerton Racecourse being the land comprised as Lot 209 in Deposited Plan 257191.

### **11.3 CONSTRUCTION OF THE AT HOUSE NOISE TREATMENTS FOR THE NAMOI RIVER CROSSING PROJECT**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Callum Fletcher, Project Engineer

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c) of the Local Government Act 1993 on the grounds that the matter and

information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

#### **SUMMARY**

The purpose of this report is to seek Council's approval to award a contract for At House Noise Treatments for the Namoi River Crossing Project, advertised as open tender number T022/2021.

#### **11.4 POSSIBLE PURCHASE OF PROPERTY**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Daniel Coe, Manager - Water Operations**

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

#### **SUMMARY**

The purpose of this report is to seek direction from Council in relation to the possible purchase of a parcel of property located within the Outlook Estate, Calala.

#### **11.5 PROPOSED ACQUISITION FOR CORNER REALIGNMENT SAFETY UPGRADE - DAVIDSONS LANE**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Callum Fletcher, Project Engineer**

**3 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

#### **SUMMARY**

The purpose of this report is to seek Council's authorisation for the proposed acquisition of land for the purposes of road widening on Davidsons Lane and to authorise Council's acceptance of the land to be dedicated as a road.

## **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.