



# TAMWORTH REGIONAL COUNCIL

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

## ORDINARY COUNCIL AGENDA

**24 AUGUST 2021**

**PAUL BENNETT  
GENERAL MANAGER**

---

## Order of Business

| ITEM                        | SUBJECT  | PAGE NO   |
|-----------------------------|--|-----------|
| 1                           | APOLOGIES AND LEAVE OF ABSENCE .....   | 4         |
| 2                           | COMMUNITY CONSULTATION.....  | 4         |
| 3                           | MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL.....                        | 4         |
| 4                           | DISCLOSURE OF INTEREST .....   | 4         |
| 5                           | MAYORAL MINUTE .....   | 4         |
| 6                           | NOTICE OF MOTION .....   | 4         |
| <b>OPEN COUNCIL REPORTS</b> |  | <b>4</b>  |
| 7                           | <b>ENVIRONMENT AND PLANNING</b> .....  | <b>4</b>  |
| 8                           | <b>INFRASTRUCTURE AND SERVICES</b> .....                                       | <b>4</b>  |
| 8.1                         | TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE GENERAL MEETING - 7 JULY 2021 .....  | 4         |
|                             | <b>2 ANNEXURES ATTACHED</b>  |           |
| 8.2                         | DROUGHT ECONOMIC IMPACT STUDY .....  | 10        |
|                             | <b>1 ENCLOSURES ENCLOSED</b>   |           |
|                             | <b>1 CONFIDENTIAL ENCLOSURES ENCLOSED</b>                                      |           |
| 9                           | <b>GOVERNANCE, STRATEGY AND FINANCE</b> .....                                  | <b>14</b> |
| 9.1                         | PLACE MANAGEMENT AND SECTION 355 COMMITTEE ACTIVITIES .....                    | 14        |
|                             | <b>1 ANNEXURES ATTACHED</b>  |           |
| 9.2                         | REVIEW OF THE GENERAL POLICY REGISTER .....                                    | 17        |
|                             | <b>1 ANNEXURES ATTACHED</b>  |           |
| 9.3                         | COUNCIL INVESTMENTS JULY 2021.....   | 23        |
|                             | <b>2 ANNEXURES ATTACHED</b>  |           |
| 9.4                         | ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - JULY 2021          | 25        |
|                             | <b>1 ANNEXURES ATTACHED</b>  |           |
| 10                          | <b>COMMUNITY SERVICES</b> .....  | <b>27</b> |
| 10.1                        | TAMWORTH REGION ARTS ADVISORY COMMITTEE MEETING - 5 AUGUST 2021 - MINUTES..... | 27        |
|                             | <b>1 ANNEXURES ATTACHED</b>  |           |
| 11                          | <b>REPORTS TO BE CONSIDERED IN CLOSED COUNCIL</b> .....                        | <b>29</b> |
| 11.1                        | PROPOSED ASSIGNMENT OF LEASE PART LOT 4 IN DEPOSITED PLAN 211713.....          | 29        |
| 11.2                        | TENDER T005/2022 SUPPLY ONLY AND SUPPLY AND LAY ASPHALT .....                  | 30        |

## 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, 10 August 2021, 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**
- 5 **MAYORAL MINUTE**
- 6 **NOTICE OF MOTION**

### OPEN COUNCIL REPORTS

- 7 **ENVIRONMENT AND PLANNING**

Nil

### 8 **INFRASTRUCTURE AND SERVICES**

#### 8.1 **TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE GENERAL MEETING - 7 JULY 2021**

DIRECTORATE: REGIONAL SERVICES  
AUTHOR: Jay Morrow, Operations Manager - Works

**2 ANNEXURES ATTACHED**

### RECOMMENDATION

*That in relation to the report “Tamworth Regional Local Traffic Committee General Meeting – 7 July 2021”, Council:*

- (i) *approve the closure of The Ringers Road between Jack Smyth Drive and Longyard Drive, Hillvue for the Young Drivers Expo 2021 demonstrations, at a future date when NSW public health orders allow;*
  - (ii) *approve the closure of Manilla Street, Manilla between Market Street and Court Street, for the Renewable Energy Manilla Street Festival, from 8:00am to 8:00pm on 23 October 2021, or at a future date when NSW public health orders allow;*
  - (iii) *approve the installation of two Bus Zone signs at Manilla Preschool located on 24 Carinya Street, Manilla, from 8:30am to 9:30am and 2:30pm to 3:30pm, Monday to Friday (school days);*
-

- (iv) *approve the following changes to parking restrictions on Piper Street, North Tamworth:*
- a. *the installation of a kerb blister and kerb extension for the construction of a footpath connection from the existing footpath at Oxley High School, to the cul-de-sac at the top of Piper Street;*
  - b. *the reduction of the northern Bus Zone to accommodate the kerb blister; and*
  - c. *the extension of the southern Bus Zone to the staff carpark driveway, to accommodate one additional bus, and the required removal of the existing No Parking zone at that location.*
- (v) *approve the installation of No Parking zones on both sides and the full length of Industrial Close, Westdale and Curtiss Close, Taminda.*

## **SUMMARY**

The purpose of this report is to advise Council of five recommendations made by the Tamworth Regional Local Traffic Committee (the Committee) at the meeting held on 7 July 2021.

## **COMMENTARY**

The minutes from the Committee meeting held 7 July 2021, are **ATTACHED**, refer **ANNEXURE 1**.

### **71/2021 – Young Drivers Expo 2021 – road closures**

The purpose of the proposed assembly is to demonstrate and conduct driver education to Year 11 school students in the Tamworth Regional Council area. The demonstration will be carried out by Oxley Local Area Command Police Officers.

Event Location: Tamworth Regional Entertainment and Conference Centre (TRECC). Closure of The Ringers Road between Jack Smyth Drive and Longyard Drive

Event Date: 24-27 August 2021

Event Setup Start Time: 8:00am

Event Packdown Finish Time: 3:00pm

Traffic control plans to be supplied and implemented by Council. The plan is **ATTACHED**, refer **ANNEXURE 2**.



Figure 1 – proposed section of road closure for The Ringers Road

**COMMITTEE RECOMMENDATION:** the Committee support the closure of The Ringers Road between Jack Smyth Drive and Longyard Drive, Hillvue on 24-27 August 2021, for the Young Drivers Expo 2021 demonstrations.

Note: Due to COVID-19 lockdowns and restrictions, the event has been postponed. The event will be rescheduled for a new date when NSW public health orders allow.

### **72/2021 – Manilla Community Renewable Energy Inc Street Party Event – Manilla Street Closure**

Date of Assembly/Procession: 23 October 2021

The purpose of the assembly is: Renewable Manilla – street festival, including live music, street dining.

Approximate number of persons involved: 400

Assembly place: Manilla Street between Market Street and Court Street

Assembly time: 8:00am

Assembly/Procession dispersal time: 8:00pm.

Traffic control plans: to be supplied and implemented by Council.



Figure 2 – Street closure location

**COMMITTEE RECOMMENDATION:** the Committee support the closure of Manilla Street, Manilla between Market Street and Court Street, for the Renewable Energy Manilla Street Festival, from 8:00am to 8:00pm on 23 October 2021.

**73/2021 - Manilla Pre-School request for a designated Bus Zone, 24 Carinya Avenue Manilla**

The Manilla Pre-School Director has requested a designated bus bay be installed outside the preschool on Carinya Avenue, as local buses have been dropping off and collecting children outside the pre-school since the COVID-19 pandemic began.



Figure 3 – proposed bus zone locations



**COMMITTEE RECOMMENDATION:** the Committee support the installation of two Bus Zone signs at Manilla Pre-School located on 24 Carinya Street, Manilla from 8:30am to 9:30am and 2:30pm to 3:30pm, Monday to Friday (school days).

**75/2021 – Piper Street East Tamworth, Victoria Park Shared Path – 90% design submission**

Council is currently undertaking the design of a shared path and connecting footpath from Oxley High School to Victoria Park along Piper Street, East Tamworth.

As part of the works, a kerb extension and kerb blister are required to be constructed, to connect the path around an existing Telstra pit and a power pole. This construction will result in the loss of space in the bus zone, reducing its capacity by one bus.

The proposal is to extend the existing bus zone on the southern side of the school, to accommodate this bus.



Figure 4 – location of zones in front of Oxley High School

**COMMITTEE RECOMMENDATION:** the Committee support:

- a) the installation of a kerb blister and kerb extension for the construction of a footpath connection from the existing footpath at Oxley High School, to the cul-de-sac at the top of Piper Street;
- b) the reduction of the northern Bus Zone to accommodate the kerb blister; and
- c) the extension of the southern Bus Zone to the staff carpark driveway, to accommodate one additional bus, and the required removal of the existing No Parking zone at that location.

**76/2021 - Industrial Close, Westdale and Curtiss Close, Taminda – proposed No Parking for whole road**

No Parking signage is proposed for the full road length on both sides of Curtiss Close, Taminda and Industrial Close, Westdale.

The roads pavements are narrower than those required in the minimum standards. This was discussed in detail with the developers and has broadly been discussed with land owners/developers prior to construction, with parking lots to be allocated within the individual boundaries and no on-street parking provided.

It is noted that Council's Development Engineering staff have acknowledged that this concession on the pavement width has not been a desirable outcome, and is unlikely to be supported for similar developments in the future.



Figure 5 – Proposed No Parking on Industrial Close



Figure 6 – Proposed No Parking on Curtiss Close

**COMMITTEE RECOMMENDATION:** the Committee support the installation of No Parking zones on both sides and the full length of Industrial Close, Westdale and Curtiss Close, Taminda.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

75/2021 - Will be funded from the existing project budget for the Victoria Park Shared Path, funded under the Crown Reserve Infrastructure grant. An additional grant application is pending for funding from the Infrastructure Around Schools round two.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

An Accessible Region – A23 Traffic Management and traffic safety planning

---

**8.2 DROUGHT ECONOMIC IMPACT STUDY**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Tracey Carr, Sustainability Coordinator**

**1 ENCLOSURES ENCLOSED**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

**RECOMMENDATION**

*That in relation to the report “Drought Economic Impact Study”, Council:*

- (i) approach the wider market requesting formal quotations based on the Request for Quotation document, attached to this report, to undertake an Economic Impact Study; and*
- (ii) request the Director Water & Waste provide a further report to Council following the closure of the quotation period.*

**SUMMARY**

The 2019/2020 drought of record had a significant impact on the Tamworth Region. While anecdotal evidence and informal feedback has indicated a significant impact on the region’s businesses, the full extent of these impacts remains largely unknown. The purpose of this report is to seek direction from Council as to whether Council feels there is benefit to be gained in engaging a company to quantify these economic impacts.

The information could then be used to:

- support lobbying efforts for reform leading to greater water security; and
  - improving Councils’ response and engagement with businesses during future periods of water restrictions and drought.
-

## COMMENTARY

Throughout the recent drought, Tamworth suffered an extended period of level 5 water restrictions, negatively impacting on the amenity, reputation and economy of the region. While anecdotal evidence suggests the impacts to businesses was extensive, there is little to no evidence to document the actual extent of the impacts.

With the aim of better understanding these impacts, Council staff prepared a Request for Quotation (RFQ) to conduct a drought economic impact study which was forwarded to three suitably qualified organisations for response. This RFQ is **ENCLOSED**, refer **ENCLOSURE 1**. The objectives in the RFQ were as follows:

*Tamworth Regional Council acknowledges that the drought period impacted on the regional economy and now wishes to investigate what those impacts were including but not limited to:*

- *lost investment opportunities for business and industry due to water restrictions and lack of raw water supply;*
- *decrease in new resident attraction;*
- *impact of the media and negative perceptions on business operations, investment and general population growth;*
- *business closures directly or indirectly due to drought;*
- *reduction in business turnover;*
- *impacts on accommodation providers:*
  - o *loss of business or reduction in occupancy rates;*
  - o *impact on services provided i.e. unable to fill pools – additional cost to purchase water or closure of pools;*
- *additional cost to conduct Business as Usual BAU for existing businesses including, but not limited to, businesses who were no longer able to use reticulated water or had to cart water i.e. Construction services, swimming pool installation and maintenance, garden and lawn maintenance, real estate and property management etc.;*
- *impact on large water users and associated industries:*
  - o *cost of implementing additional water saving technology/practices;*
  - o *reduction in stock numbers and associated impacts on transport and freight; and*
  - o *reduction in operating hours and output.*

The organisations approached to submit an RFQ were identified with the assistance of Councils Economic Development division. Of the three identified, only one submission was returned from the Regional Australia Institute (RAI) which proposed partnering with the CSIRO to conduct the study.

The submission from RAI and CSIRO is comprehensive and it is believed would deliver the outcomes identified in the RFQ. The proposal presented two options to undertake the study as shown below. The costs associated with each proposal are shown in the document **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 2**.

**Proposal 1**

|  |
|--|
| <b>Phase</b>   |
| Phase 1: Baseline Data<br><b>Objective</b><br>To assess key socioeconomic data to set a robust baseline over which the economic impacts of the 2017-2019 drought on Tamworth, and the regional economy, can be evaluated.<br><b>Outputs</b> <ul style="list-style-type: none"> <li>an accurate baseline on the economic impact of the drought on Tamworth and the regional economy for at least the top five sectors by employment and output; and</li> <li>an understanding of the strategies used by businesses to manage water demand and supply during drought.</li> </ul>   |
| Phase 2: Modelling and Analysis<br><b>Objective</b><br>To quantitatively analyse the impact of drought conditions in the Tamworth region and build an economic analysis to better understand the costs and impacts generated by drought to TRC.<br><b>Outputs</b> <ul style="list-style-type: none"> <li>hydroclimate projections under future climate scenarios for the Tamworth region;</li> <li>quantitative and qualitative outputs will provide insights on the likely costs and impacts that drought has produced in the regional economy of TRC; and</li> <li>limited set of scenarios describing potential economic impact of drought on Tamworth region.</li> </ul> |
| Phase 3: Validation and Reporting<br><b>Objective</b><br>To validate the findings of the modelling and analyses with a core group of stakeholders, and develop and finalise reporting to TRC.<br><b>Outputs</b> <ul style="list-style-type: none"> <li>finalised projections and outputs; and</li> <li>draft and final report.</li> </ul>  |

Option 1 would take approximately four months to complete.

**Proposal 2**

|  |
|--|
| <b>Phase</b>   |
| Phase 1: Baseline Data   |
| Phase 2: Modelling and Analysis<br>Including additional modelling and analysis<br><b>Additional Outputs</b><br>In-depth narratives describing potential economic impact of drought on Tamworth |

region, tested and refined in Phase 3 through a further, iterative community consultation process.

**Phase 3: Validation and Reporting**

Including forecasting and model refinement with stakeholders

**Additional Activities**

To forecast the future impacts of prolonged drought and critical water supply levels, and in addition to the aforementioned activities, the combined outputs from the analysis and models would be presented in a series of plausible hydro-economic future scenarios to stakeholders. As noted in Phase 2, these would be validated through an iterative stakeholder engagement process, which would provide key insights into how actors are likely to respond under future drought conditions and impacts.

Option 2 would take approximately six months to complete.

Option 2 would offer more detail and include forecasting future impacts of drought at considerably greater cost than Proposal 1.

Given that the Region is no longer affected by drought and Council is currently reviewing the Drought Management Plan, drawing on recent experiences to guide the review, it is considered pertinent to look more closely at the impacts on businesses and what activities could be undertaken by Council immediately and in the future. Information gained from the study could be used for:

- lobbying other tiers of government for policy review and change to negate future impacts during drought and higher levels of restrictions;
- lobbying other tiers of government in relation to greater water security.
- additional support and information sharing opportunities for Council to consider; and
- additional communications and engagement activities Council could consider during times of water supply stress.

As there was only one response received to the RFQ and the other consultants approached decline to make a submission, Council's direction is sought in relation to whether Council feels the level of expenditure indicated from the one proposal received is warranted.

It is considered Council has the following 3 options:

**Option 1** – Approve funding for either Proposal 1 or 2 as presented by Regional Australia Institute in partnership with the CSIRO.

**Option 2** – Approach the wider market via Tenderlink seeking RFQ's to undertake the Drought Economic Impact Study to ensure best value is obtained from the market.

**Option 3** – Do not proceed with any further activities in relation to assessing the economic impacts of the drought.

It is recommended that Council proceed with Option 2, seeking RFQs via Tenderlink.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Approaching the market via Tenderlink has no financial implications for Council at this stage. Once the RFQ period closes a further report to Council would be required to consider the outcomes and potential costs moving forward.

Should Council wish to engage Regional Australia Institute in partnership with the CSIRO then there are no funds available in the current Annual Operating Plan and funding would have to be made available from the Water Reserve to undertake this work.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Should Council choose to undertake a Drought Economic Impact Study, the consultant engaged would undertake consultation with regional businesses and other community stakeholders.

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

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

---

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

### **9.1 PLACE MANAGEMENT AND SECTION 355 COMMITTEE ACTIVITIES**

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

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

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

**(i) receive and note the Minutes of the following Committees:**

|  |                         |
|--|-------------------------|
| <i>Barraba Showground Committee</i>            | <i>2 June 2021</i>      |
| <i>Bendemeer Town Hall Committee</i>           | <i>20 March 2021</i>    |
| <i>Duri Progress Association</i>               | <i>16 February 2021</i> |
| <i>Duri Progress Association</i>               | <i>16 March 2021</i>    |
| <i>Duri Progress Association</i>               | <i>20 April 2021</i>    |
| <i>Duri Progress Association</i>               | <i>18 May 2021</i>      |
| <i>Duri Progress Association</i>               | <i>15 June 2021</i>     |
| <i>Grey Fergie Tractor Muster Committee</i>    | <i>22 June 2021</i>     |
| <i>Moonbi Museum Committee - Extraordinary</i> | <i>11 March 2021</i>    |
| <i>Moonbi Museum Committee</i>                 | <i>7 April 2021</i>     |
| <i>Moonbi Museum Committee</i>                 | <i>5 May 2021</i>       |
| <i>Nundle Go For Gold Festival Committee</i>   | <i>30 June 2021</i>     |

- Tamworth Regional Film and Sound Archive Committee - AGM* 25 May 2021  
*Tamworth Regional Film and Sound Archive Committee* 25 May 2021;
- (ii) *adopt the recommendation of the Moonbi Museum Committee's Extraordinary Meeting held 11 March 2021, to accept the resignation of Mary Attard and Janelle Lewis as committee members;*
- (iii) *adopt the recommendation of the Tamworth Regional Film and Sound Archive Committee's Annual General Meeting held 25 May 2021, to appoint the following:*
- |                              |                            |
|------------------------------|----------------------------|
| <i>Chairperson:</i>          | <i>Allan Alderson</i>      |
| <i>Deputy Chairperson</i>    | <i>Vic Kolesnikoff</i>     |
| <i>Secretary</i>             | <i>Cec Ledwos</i>          |
| <i>Treasurer</i>             | <i>John Vickery</i>        |
| <i>Communication Officer</i> | <i>Miranda Heckenberg;</i> |
- (iv) *adopt the recommendation of the Grey Fergie Tractor Muster Committee's Ordinary Meeting held 22 June 2021, to appoint Leanne Summers and Benoit De Brueker as new members;*
- (v) *adopt the recommendation of the Nundle Common Trust's Annual General Meeting held 05 July 2021, to appoint the following executive:*
- |                           |                                |
|---------------------------|--------------------------------|
| <i>Chairperson:</i>       | <i>Patricia (Patti) Kelson</i> |
| <i>Deputy Chairperson</i> | <i>Danny Summers</i>           |
| <i>Secretary</i>          | <i>John Gunter</i>             |
| <i>Treasurer</i>          | <i>Gae Sipple;</i>             |
- (vi) *adopt the recommendation of the Nundle Common Trust – Application for Enrolment - Priscilla Graham and direct that Ms Graham's name be entered on the Commoners' Roll for Nundle Common; and*
- (vii) *approve the allocation of a Council Roller to the Grey Fergie Tractor Muster S355 Committee on a long term loan basis as described in the report subject to:*
- the Grey Fergie Tractor Muster S355 Committee being responsible for the garaging, security and normal maintenance and running costs, whilst this item of Council plant is on loan to this community group;*
  - at times mutually convenient to both the Grey Fergie Tractor Muster S355 Committee and Council, Council's Fleet Staff undertake an inspection of this item of plant twice a calendar year for safety reasons and/or professional advice to assist the Committee in the maintenance of the roller; and*
- Council's Plant and Fleet Manager being delegated the responsibility of nominating the time when this item of plant is deemed unserviceable, at which time the roller be returned to Council for write-off and disposal.*

## **SUMMARY**

The purpose of this report is to:

- present the Minutes of the Section 355 Committee meetings and consider the items for adoption, as recommended by the Committees;
  - note the key outcomes, achievements and requests from the Minutes received; and
  - inform Council of the notable outcomes of Place Management activities in the community.
-



## COMMENTARY

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

Council has received 13 sets of Minutes requiring items for adoption from Section 355 Committees in the calendar year to date. The Meeting Minutes are **ATTACHED**, refer **ANNEXURE 1**, for Council's information.

It should be noted that not all Section 355 Committees have returned to meetings at this point in time due to health and safety concerns held by volunteers in relation to the current COVID-19 climate and the more recent health orders. Therefore, the list of meeting minutes is not exhaustive of all committees.

Council will also note that there is a wide range in both the dates and numbers of meetings held by individual committees. This is due primarily to the impacts of the COVID-19 pandemic on the at-risk volunteer membership, as well as the differing levels of familiarity with Council's Section 355 Manual, including the requirement for timely submission of meeting minutes by committees. In this respect it was considered reasonable to await receipt of a reasonable number of meeting minutes prior to collating these to justify presentation of this report.

Notable committee outcomes, achievements and items noted in the Minutes are:

- Moonbi Museum Committee meeting Minutes 11 March 2021 - note Mary Attard and Janelle Lewis resigned from the Committee due to leaving the area
- Grey Fergie Tractor Muster Committee has set a new event date being 18-20 March 2022. The previous date of 19-21 March 2021, was cancelled due to Covid-19.
- Duri Progress Association – the Duri Hall floor has been wood brushed with an oil finish.
- Moonbi Museum is currently closed due to the withdrawal of volunteer support as a result of health and safety concerns related to the Covid-19 pandemic.
- The Tamworth Film and Sound Archive is not currently open to the public due to the health and safety of volunteers during the Covid-19 climate, however continues to operate behind the scenes, in line with current public health orders.

Notable Place Management activities within the community include:

### Nundle Common Trust

Tamworth Regional Council is the Trustee of the Nundle Common for the purposes of the *Commons Management Act 1989*. The Nundle Common Trust held its Annual General Meeting on 5 July 2021, see meeting Minutes **ATTACHED**, refer **ANNEXURE 1**.

The *Commons Management Act 1989* (the Act) provides that a person can only exercise the rights of a commoner in respect of a common if the person's name is entered on the commoner's roll for that common. The Act also provides that any person who is qualified to be enrolled as a commoner is entitled to have their name entered on the commoner's roll.

Council has received an application from Priscilla Graham to be enrolled as a Commoner with respect to the Nundle Common. The application has been exhibited at the Nundle Common and on the Nundle Public Notice Board for a minimum period of seven days as required by the Act. No objections have been received by Council. The applicant is a Nundle landholder and

does qualify to have their name entered on the Commoner’s Roll of the Nundle Common. The applicant was interviewed by members of the Nundle Common Board and instructed on the roles and responsibilities in accordance with the Nundle Common Management Plan.

#### Community Roller

With the recent surface reseal project at the Piallamore Recreation Reserve the motorised roller currently sited at the Reserve under the management of the Piallamore Recreation Reserve S355 Committee is no longer required onsite. The Grey Fergie Muster Section 355 Committee currently manages the Bendemeer Tennis Courts and has previously requested that Council consider providing the Committee with a motorised court roller for maintenance purposes.

It is therefore recommended that the motorised roller currently allocated to the Piallamore Recreation Reserve Section 355 Committee be reallocated to the Grey Fergie Muster Section 355 Committee to enable maintenance of the Bendemeer Tennis Courts.

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

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

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

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

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

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

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

The application with respect to enrolment on the Nundle Common Roll has been exhibited on the Nundle Public Notice Board for a minimum period of seven days, as required by the Act. No objections have been received by Council.

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

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

---

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

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Jason Collins, Executive Manager - Strategy and Performance  
**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

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

- (i) endorse the proposed revocation or amendment of the General Policies identified in the Annexures and advertise the proposed changes for a period of*
-

**28 days for public comments prior to formal revocation or amendment by Council; and**

- (ii) request a further report to Council following the review period to consider any public comments received.**

## SUMMARY

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

## COMMENTARY

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

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

| Policy   | Comment or Changes  |
|--|---|
| 1.1 Floodplain Management  | No changes in this review.  |
| 1.2 Asset Management Policy  | No changes in this review.  |
| 1.3 Asset Disposal Policy  | Increased the disposal limits to match the new tender threshold of \$250,000 including GST. |
| 1.4 Procurement Policy   | No changes in this review.  |
| 2.1 Tamworth Lawn Cemetery - Management  | No changes in this review.  |
| 3.1 Contracts – Disclosure on Request of Information Contained in Council Contracts                | No changes in this review.  |
| 4.1 Airports - Advertising   | No changes in this review.  |
| 4.2 Airports and Landing Strips – Landing Fees Credit Limit on Payment – Tamworth Regional Airport | No changes in this review.  |
| 4.3 Airports and Landing Strips – Leases – Tamworth Regional Airport                               | No changes in this review.  |
| 4.4 Aquatic Management Plan  | No changes in this review.  |
| 5.1 Financial Assistance Program – Section 356 of the Local Government Act                         | No changes in this review.  |
| 5.2 Financial Assistance to Community Groups and Organisations – Loans and Bank Guarantees         | No changes in this review.  |
| 5.4 Welcome to Country and/or Acknowledgement of Country   | No changes in this review.  |
| 5.5 Customer Service Charter   | No changes in this review.  |
| 6.1 Art Gallery Loans  | No changes in this review.  |

|  |   |
|--|---|
| 6.2 Art Gallery Purpose and Policies   | No changes in this review.  |
| 6.3 Tamworth Regional Museums Collection Policy  | No changes in this review   |
| 6.4 Community Mowers for use by Section 355 Committees   | No changes in this review.  |
| 6.5 Complaints and Procedures  | No changes in this review.  |
| 6.6 Art Gallery Donations and Cultural Gifts   | No changes in this review.  |
| 6.7 Year Round Care Policy Manual  | No changes in this review.  |
| 6.8 Public Art Policy  | No changes in this review.  |
| 7.1 Building Over Water and Stormwater Easements   | No changes in this review.  |
| 7.2 Country Music Festival – Raffle Tickets – Regulation of Sales in the Central Business District | No changes in this review.  |
| 7.3 Encroachments onto Public Roads  | No changes in this review.  |
| 7.4 Footpaths – Use of Public Footpaths for Restaurant Seating and Outdoor Seating                 | No changes in this review.  |
| 8.1 Copyright of Plans   | No changes in this review.  |
| 8.2 Corporate Sponsorship  | No changes in this review.  |
| 8.3 Tamworth Regional Council Public Interest Disclosures Policy                                   | Minor grammar changes and changes to contacts.                        |
| 8.4 Corporate Branding Policy  | No changes in this review.  |
| 8.5 Media Engagement Policy  | No changes in this review.  |
| 8.6 Social Media Policy  | Minor grammar changes and including Volunteers and Committee Members. |
| 9.1 Electronic Lodgement Policy – Planning/Building & Subdivision Applications                     | No changes in this review.  |
| 9.2 Sanctions for Developers/Consultants Involved in Development                                   | No changes in this review.  |
| 9.3 Payment of Bond in Lieu of Constructions   | No changes in this review.  |
| 10.1 Debt Recovery   | Updated in May 2021.  |
| 10.2 Investment  | No changes in this review.  |
| 10.3 Ratepayers Hardship Policy  | No changes in this review.  |
| 11.1 Access to Information held by Council   | No changes in this review.  |
| 11.2 Apologies – By Council  | No changes in this review.  |
| 11.3 Competitive Neutrality – Complaints Management Policy   | No changes in this review.  |
| 11.4 Fraud and Corruption Prevention Policy  | No changes in this review.  |
| 11.5 Gifts and Benefits – Councillors and Staff  | No changes in this review.  |

|   |                            |
|---|----------------------------|
| 11.6 Payment of Expenses and Provision of Facilities to Councillors                             | No changes in this review. |
| 11.7 Provision of Information to Councillors and Interactions Between Councillors and Staff     | No changes in this review. |
| 11.8 Councillor Induction and Professional Development Policy                                   | No changes in this review. |
| 11.9 Travel – Overseas Visits   | No changes in this review. |
| 11.10 Oversight and Liaison with General Manager Policy   | No changes in this review. |
| 11.11 Provision of Meeting Facilities to Visiting Parliamentarians                              | No changes in this review. |
| 11.12 Policy for Awarding Freeman of the City or Key to the City of Tamworth                    | No changes in this review. |
| 11.13 Related Party Disclosures   | No changes in this review. |
| 11.14 Payment to Independent Members of the Audit and Risk Committee                            | No changes in this review. |
| 12.1 Developer and Contractor Public Liability Insurance Requirements                           | No changes in this review. |
| 12.2 Public Liability and Professional Indemnity Minimum Cover                                  | No changes in this review. |
| 13.1 Tamworth Regional Council Liquor Licensing Policy  | No changes in this review. |
| 14.1 Helicopter Operations  | No changes in this review. |
| 14.2 Ovals – Advertising Signs at Tamworth No.1 Oval  | No changes in this review. |
| 14.3 Restrictions on the Consumption of Alcohol in Council’s Parks, Reserves and Swimming Pools | No changes in this review. |
| 14.4 Scattering of Ashes in Public Parks and Reserves Policy                                    | No changes in this review. |
| 14.5 Sport Event Subsidisation Policy   | No changes in this review. |
| 14.6 Outdoor Fitness Trainer Policy   | No changes in this review. |
| 15.1 Council – Closure of Council Facilities over the Christmas/New Year Period                 | No changes in this review. |
| 15.2 Dungowan Dam Trespassing   | No changes in this review. |
| 15.3 Naming of Council Facilities   | No changes in this review. |
| 16.1 Access Ramps in the Central Business District of Barraba                                   | No changes in this review. |
| 16.2 Appeals – Door Knocks  | No changes in this review. |
| 16.3 Bus Shelters - Advertising   | No changes in this review. |
| 16.4 Enforcement of Parking Restrictions Policy   | No changes in this review. |
| 16.5 Footpath Reservations – Works Undertaken by  | No changes in this review. |

|  |  |
|--|--|
| Adjacent Landowners  |  |
| 16.6 Parking – Unrestricted Use of Metered Parking Spaces - Tamworth   | No changes in this review.   |
| 16.7 Public Gates and Grids on Local Roads   | No changes in this review.   |
| 16.8 Rural Addressing  | No changes in this review.   |
| 16.9 Smoke-Free Environment Policy   | No changes in this review.   |
| 16.10 Street Lighting  | No changes in this review.   |
| 16.11 Street Naming  | No changes in this review.   |
| 16.12 Street Numbering   | No changes in this review.   |
| 16.13 Urban Tree Removal and Replacement Policy  | No changes in this review.   |
| 16.14 Vandalism  | No changes in this review.   |
| 16.15 Resident Funded Sealing Works  | No changes in this review.   |
| 16.16 Pop-Up Public Art Decoration of Peel Street Trees  | No changes in this review.   |
| 17.1 Weight of Loads on Roads  | No changes in this review.   |
| 18.1 Waste Management Charge for Council Community Groups  | Change Title to Domestic Waste Management Charge for Council Community Groups.   |
| 18.2 Waste Collection Services – Multiple Unit Residential Developments  | Added clauses to enable the removal of commingled and green waste bins if excessive contamination exists and replaced with general waste bins. |
| 18.3 Acceptance of Waste Generated Outside the Tamworth Regional Council Local Government Area                         | No changes in this review.   |
| 18.4 Kerbside Greenwaste Bin Contamination   | No changes in this review.   |
| 18.5 Kerbside Recycling Bin Contamination  | No changes in this review.   |
| 19.1 Discharge of Liquid Trade Waste   | No changes in this review.   |
| 19.2 Water – Meter Installation in Business Areas and Other Difficult to Access Areas                                  | No changes in this review.   |
| 19.3 Water – Stopped or Inaccurate Water Meters  | No changes in this review.   |
| 19.4 Water – Requirements for Provision of Reticulation Supplying Treated Water Under Trickle Flow Conditions          | No changes in this review.   |
| 19.5 Water and Sewer – Reimbursement of Developers for Sewer and Water Supply Infrastructure Within Reticulation Areas | No changes in this review.   |
| 19.6 Sewer and Water Reimbursement for Developers for Sewer and Water Supply Infrastructure Outside Reticulation       | No changes in this review. Maps were updated and   |

|  |                            |
|--|----------------------------|
| Areas  | adopted in May.            |
| 19.7 Sewer Discharge Factor Policy for Non-Residential and Non-Rateable Properties   | No changes in this review. |
| 19.8 Sewer – Excavating/Filling or Building Adjacent to or over Existing Sewer Mains | No changes in this review. |
| 19.9 Temporary Trade of Water Licence Allocations                                    | No changes in this review. |
| 19.10 Water Consumption Charges Food Processor Category                              | No changes in this review. |
| 19.11 Water and Sewer – Headworks Charges – Industrial/Commercial Development        | No changes in this review. |
| 19.12 Water Supply to Residential Dwellings with no Reticulated Supply               | No changes in this review. |
| 19.13 Low Flow (Trickle Feed) Water Supply   | No changes in this review. |
| 19.14 Westdale Recycled Water Policy   | No changes in this review. |
| 19.15 Reduction in Water Consumption Charges   | No changes in this review. |
| 19.16 Drinking Water Quality   | No changes in this review. |
| 19.17 Backflow Prevention Policy   | No changes in this review. |

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

**(a) Policy Implications**

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

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

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

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

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

### 9.3 COUNCIL INVESTMENTS JULY 2021

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Acting Chief Financial Officer

**2 ANNEXURES ATTACHED**

#### RECOMMENDATION

*That in relation to the report “Council Investments July 2021”, Council receive and note the report.*

#### SUMMARY

The purpose of this report is to provide an overview of Council Investments for the month of July 2021, and advise of changes to interest rates to our two working accounts with the National Australia Bank effective 3 September 2021.

#### COMMENTARY

Council was recently advised of changes to the interest rate on its Cheque Account and its Professional Fund account **ATTACHED**, refer **ANNEXURE 1**. With the current status of the Reserve Bank Cash rate the change does mean that Council will earn a small amount of interest on its Cheque Account if the balance is over \$500,000.

Changes to the Professional Account will result in less interest being paid to Council, currently we are earning 0.4%, however, the change will mean that our return will range from 0.15% to 0.2% at the current cash rate, effectively halving our current return.

Relevant finance staff also sat through a virtual presentation organised by the Commonwealth Bank early this month, their economist is predicting that the Reserve Bank will have its first rate rise in May 2023, and that by early in the 2024 calendar year, the Reserve Bank Cash Rate will have increased to 1.25%.

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council have invested as at 31 July 2021, is **ATTACHED**, refer **ANNEXURE 2**.

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          | 14,599,582.64        | 22,000,000.00                   | 0                              | 36,599,582.64         | 20.30%      |
| BOQ          | 0                    | 17,400,000.00                   | 0                              | 17,400,000.00         | 9.66%       |
| CBA          | 0                    | 72,000,000.00                   | 0                              | 72,000,000.00         | 39.96%      |
| St George    | 0                    | 7,000,000                       | 0                              | 7,000,000             | 3.88%       |
| TCorp        | 0                    | 0                               | 2,878,387.30                   | 2,878,387.30          | 1.60%       |
| Westpac      | 0                    | 44,323,770.28                   | 0                              | 44,323,770.28         | 24.60%      |
| <b>TOTAL</b> | <b>14,599,582.64</b> | <b>162,723,770.28</b>           | <b>2,878,387.30</b>            | <b>180,201,740.22</b> | <b>100%</b> |



The amount invested at 31 July 2021, has decreased by \$1,630,177.75 compared to funds held at 30 June 2021.

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 an indicative summary of investments held by each fund. The figures provided are based on Opening Balances from the last completed and audited financial year. The figures provide a guide on the proportion of total cash that is restricted in use.

| <b>Fund</b> | <b>Restriction</b>        | <b>Amount</b>      | <b>%</b>      |
|-------------|---------------------------|--------------------|---------------|
| General     | Unrestricted              | 6,085,098          | 3.37%         |
| General     | Internally Restricted     | 49,518,884         | 27.48%        |
| General     | Externally Restricted     | 11,416,349         | 6.34%         |
|             | <b>General Fund Total</b> | <b>67,020,331</b>  | <b>37.19%</b> |
| Water       | Unrestricted              | 2,211,934          | 1.23%         |
| Water       | Internally Restricted     | 23,145,700         | 12.84%        |
| Water       | Externally Restricted     | 25,261,589         | 14.02%        |
|             | <b>Water Fund Total</b>   | <b>50,619,223</b>  | <b>28.09%</b> |
| Sewer       | Unrestricted              | 2,244,467          | 1.25%         |
| Sewer       | Internally Restricted     | 44,761,907         | 24.84%        |
| Sewer       | Externally Restricted     | 15,555,812         | 8.63%         |
|             | <b>Sewer Fund Total</b>   | <b>62,562,186</b>  | <b>34.72%</b> |
|             | <b>Total Investments</b>  | <b>180,201,740</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**

Interest rates on borrowings remain low but conversely returns on investment are negligible.

**(c) Legal Implications**

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

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

**(d) Community Consultation**

Nil

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

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

---

**9.4 ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - JULY 2021**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Sherrill Young, Acting Chief Financial Officer**

**Reference: Item 9.5 to Ordinary Council 29 June 2021 - Minute No 180/21**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Annual Operational Plan 2021/2022 Budget Variation Report – July 2021”, Council note and approve the variations to the existing budget processed in July and included in the attached Annexure.*

**SUMMARY**

This report is to advise the main items of note for budget variations for the month of July 2021. Any changes to the original budget must be approved by Council at a later Ordinary Meeting. This report seeks Council approval for required budget variations identified during the month of July 2021, for which there has been no previous specific report or approval.

The Quarterly Budget Review Statements will provide Council with a full review of revised budget forecasts and actual year to date results following the completion of the September, December and March quarterly budget reviews.

## COMMENTARY

Council adopted the original budget included in the Annual Operational Plan for 2021/2022 at the Ordinary Meeting of Council held 29 June 2021. Any changes to the budget must be approved by Council at a later Ordinary Meeting. The budget forms the basis for future forecasts and the legal authority for staff to commit expenditures. Constant monitoring and updating of the budget is important for sound financial management.

This report seeks Council approval for any required budget variations identified during the month of July 2021, for which there has been no previous specific report or approval. The monthly Budget Variation Report includes capital budget adjustments for significant amounts to align the 2021/2022 Roads Infrastructure Budget to revised grant programs that were not available when this year's budget was formulated.

Readers of the report are reminded that the contents of this report should not be viewed in isolation. The budget adjustments listed are budget adjustments processed in July.

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

### Variations identified July 2021

| <i>Description</i>                | <i>Budget Variation</i> | <i>Operating Income</i> | <i>Operating Expenses</i> | <i>Capital Income</i> | <i>Capital Expenses</i> |
|-----------------------------------|-------------------------|-------------------------|---------------------------|-----------------------|-------------------------|
| Communications & Engagement       | 4,000                   | 0                       | 4,000                     | 0                     | 0                       |
| Strategy & Performance            | 15,627                  | 0                       | 15,627                    | 0                     | 0                       |
| Central Northern Regional Library | 0                       | (3,000)                 | 0                         | 0                     | 3,000                   |
| Cultural Services                 | 0                       | (4,736)                 | 4,736                     | 0                     | 0                       |
| Development                       | 0                       | 4,500                   | (4,500)                   | 0                     | 0                       |
| Plant, Fleet & Buildings          | 44,073                  | 0                       | 44,073                    | 0                     | 0                       |
| Sport & Rec                       | 21,300                  | 0                       | 7,300                     | 0                     | 14,000                  |
| Infrastructure & Projects         | 2,636,032               | 0                       | 0                         | (179,014)             | 2,815,046               |
| <b>TOTAL</b>                      | <b>2,721,032</b>        | <b>(3,236)</b>          | <b>71,236</b>             | <b>(179,014)</b>      | <b>2,832,046</b>        |

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

Nothing material to report in this period.

#### (a) Policy Implications

Nil

**(b) Financial Implications**

The variations included in the report have the following impact on forecast results for 2021-2022 by fund of:

| Fund         | Operating Income | Operating Expenses | Capital Income   | Capital Expenses |
|--------------|------------------|--------------------|------------------|------------------|
| General      | (3,236)          | 71,236             | (179,014)        | 2,832,046        |
| <b>Total</b> | <b>(3,236)</b>   | <b>71,236</b>      | <b>(179,014)</b> | <b>2,832,046</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.

**10 COMMUNITY SERVICES**

**10.1 TAMWORTH REGION ARTS ADVISORY COMMITTEE MEETING - 5 AUGUST 2021 - MINUTES**

**DIRECTORATE:** PLANNING AND COMPLIANCE  
**AUTHOR:** Bridget Guthrie, Director Tamworth Regional Gallery and Museums

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Tamworth Region Arts Advisory Committee Meeting – 5 August 2021 - Minutes”, Council:*

- (i) receives and notes the Minutes; and*
- (ii) confirms the Director Art Gallery and Museums as the Tamworth Regional Council representative for the new ‘Wildspark Rural Arts Vision Community Group’.*

**SUMMARY**

The purpose of this report is to present the Minutes of the Tamworth Region Arts Advisory Committee (TRAAC) Meeting held on 5 August 2021, and to provide Council with an overview of the meeting outcomes.

## COMMENTARY

The appointed TRAAC members attended and had two guest speakers present as part of the meeting. The Minutes of the meeting are **ATTACHED**, refer **ANNEXURE 1**.

### Summary of Agenda Items

- Penne Fraser from Tamworth Landcare attended to discuss the idea of running a competition for ‘best native garden decorated in country music theme’ over the festival period. The committee decided an alternative time period and theme would yield better results and have greater community impact;
- Councillor Phil Betts provided a brief overview of the Tamworth Regional Astronomy and Science Centre. After the meeting on site at the centre, committee members were provided with the opportunity to experience firsthand the technology set up and use the equipment.
- A public art update was provided, highlighting:
  - the mural currently being generated in Barraba by artist Jenny McCracken focusing on Horton Falls;
  - the refined design for the ‘Taking Flight’ public artwork with the Committee reinforcing the lighting of the artwork as a key element of the overall design;
  - confirmation of the location of the Nundle public artwork;
  - an update on the Lucy Irvine artwork for Bicentennial Park and the proposal for the Vampire Plane to be relocated in the memorial section of Bicentennial Park; and
  - new signage for the Global Gateway Park incorporating designs from First Nations artists.
- the Performing Arts Centre design and funding opportunities continue to progress. Discussion clarified that the project incorporates a whole cultural precinct and not just a performing arts centre.
- the committee discussed the need for an annual arts festival and member Paul Singh reported on progress. *Wildspark Rural Arts Vision Community Group* is a not for profit association that plans to run the annual arts festival in partnership with Council. The group has six members, and has requested that a Council representative attend and support the community group in the planning and delivery of an annual arts festival. The TRAAC Committee nominated Council’s Director Art Gallery and Museums, Bridget Guthrie as the Council representative; and
- report statistics were discussed and it was observed that in the last quarter statistics were back to pre-COVID levels for attendance and participation, and as such the following reports were received and noted:
  - Tamworth Regional Gallery and Museums Report; and
  - Entertainment Venues Report.

### (a) Policy Implications

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The TRAAC includes six community members who represent a broad range of art disciplines. The Committee provides strategic advice to the Council in relation to 'Arts' matters 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.

---

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

### **RECOMMENDATION**

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

#### **11.1 PROPOSED ASSIGNMENT OF LEASE PART LOT 4 IN DEPOSITED PLAN 211713**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**Reference:** Item 14.2 to Ordinary Council 13 November 2018 - Minute No 293/18

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 Deed of Assignment of the current Lease of the property known as part Lot 4 in Deposited Plan 211713, the details of which are more particularly described within the body of this report.

## **11.2 TENDER T005/2022 SUPPLY ONLY AND SUPPLY AND LAY ASPHALT**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Jay Morrow, Operations Manager - Works**

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

### **SUMMARY**

The purpose of this report is to recommend the acceptance of a tender for Supply Only and Supply and Lay of Asphalt within the Tamworth Regional Council area, as and when required, for two years with an optional one year extension at Council's discretion.

## **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.