



TAMWORTH REGIONAL COUNCIL

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

ORDINARY COUNCIL AGENDA

28 SEPTEMBER 2021

**PAUL BENNETT
GENERAL MANAGER**

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day 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, 14 September 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**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

5 **MAYORAL MINUTE**

Nil

6 **NOTICE OF MOTION**

Nil

OPEN COUNCIL REPORTS

7 **ENVIRONMENT AND PLANNING**

7.1 **PROPOSED ROAD NAMING FOR 'RUPARI HEIGHTS' SUBDIVISION (NEMINGHA), 'THE MEADOWS' SUBDIVISION (NORTH TAMWORTH) AND 'THE OUTLOOK' SUBDIVISION (CALALA)**

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Sam Lobsey, Manager - Development

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report 'Proposed Road Naming for 'Rupari Heights' Subdivision (Nemingha), 'The Meadows' Subdivision (North Tamworth) and 'The Outlook' Subdivision (Calala), Council:

- (i) *approve in principle the road names:*
 - a) *'Premiers' Street and 'Supreme' Way, (Nemingha);*
 - b) *'Broadway' Drive, 'Evesham' Circuit, 'Hanbury' Place and 'Marlborough'*

Place (North Tamworth); and

- c) ***‘Cormorant’ Avenue, ‘Whistler’ Street, ‘Bronzewing’ Way and ‘Figbird’ Way (Calala);***
- (ii) ***advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads (General) Regulation 2008, Part 2, Division 2 to enable interested parties the opportunity to make comment; and***
- (iii) ***provided no submissions are made which object to the proposed road names, proceed to publish the adopted names in the Government Gazette.***

SUMMARY

The purpose of this report is to nominate new road names for the following approved subdivisions:

Rupari Heights – Stage 1 – Lot 84 DP 1260794, Nundle Road, Nemingha.

The Meadows – Stages 2 and 3 – Lot 23 DP 1258199, Grand Meadows Drive, North Tamworth.

The Outlook – Stages 3, 4 and 5 – Lot 218 DP 1271202, Gordon Street, Calala.

COMMENTARY

Rupari Heights Subdivision

Proposed Names: ‘Premiers’ Street and ‘Supreme’ Way.

Development (DA2019/0286) Consent granted: 29 October 2019

Theme or origin of proposed names: Theme of Winners/Winning

Geographical Names Board Approval (RN2021-0007) Date: 20 September 2021

The map **ATTACHED**, refer **ANNEXURE 1**, shows the subdivision layout and proposed road name locations.

The Meadows Subdivision

Proposed Names: ‘Broadway’ Drive, ‘Evesham’ Circuit, ‘Hanbury’ Place, and ‘Marlborough’ Place.

Development (DA2017/0230) Consent granted: 03 November 2017

Theme or origin of proposed names: Continued theme of English Country

Geographical Names Board Approval (RN2020-0002) Date: 20 August 2021

The map **ATTACHED**, refer **ANNEXURE 2**, shows the subdivision layout and proposed road name locations.

The Outlook Subdivision

Proposed Names: ‘Cormorant’ Avenue, ‘Whistler’ Street, ‘Bronzewing’ Way, and ‘Figbird’ Way

Development Consent granted: Staged Subdivision of Lot 200 DP 1271202 ‘The Outlook’.

Theme or origin of proposed names: Continuation of Theme: Birds and Native Flora

Geographical Names Board Approval (RN2021-0006) Date: 1 September 2021

The map **ATTACHED**, refer **ANNEXURE 3**, shows the subdivision layout and proposed road name locations.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The proposed road names will be exhibited for public comment in accordance with the *Roads Act 1993* Section 162, *Roads (General) Regulation 2008*, Part 2, Division 2.

(e) Delivery Program Objective/Strategy

A Region for the Future - F11 Sound asset management planning

8 INFRASTRUCTURE AND SERVICES

Nil

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 RETURNING OFFICER AND METHOD OF VOTING

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Tracey Carr, Coordinator Governance and Executive Services

RECOMMENDATION

- (i) *That the advice in relation to the role of the Returning Officer for any election required for the position of Mayor and Deputy Mayor be received and noted and the General Manager act as the Returning Officer for the election of the Deputy Mayor.***
- (ii) *That the advice in relation to the methods of voting for any election required for the position of Mayor and Deputy Mayor be received and noted.***

SUMMARY

The purpose of this report is to inform the Council of the provisions of Schedule 7 of the *Local Government (General) Regulation 2005* for any election required to elect the Mayor and Deputy Mayor and to advise Council that the General Manager will be the Returning Officer for the election of the Deputy Mayor.

COMMENTARY

The procedures for the election of the Mayor and the Deputy Mayor are as follows:

Schedule 7 Election of mayor by councillors

Part 1 Preliminary

1 Returning Officer

The General Manager (or a person appointed by the General Manager) is the Returning Officer.

2 Nomination

- (1) A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.
- (2) The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the Returning Officer.
- (4) The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

3 Election

- (1) If only one Councillor is nominated, that Councillor is elected.
- (2) If more than one Councillor is nominated, Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the Council Meeting at which Council resolves on the method of voting.
- (4) In this clause:
 - “**ballot**” has its normal meaning of secret ballot.
 - “**open voting**” means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the Returning Officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only two candidates, the candidate with the higher number of votes is elected.
- (2) If there are only two candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

- (1) If there are three or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If three or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, three or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only two candidates remain.
- (4) A further vote is to be taken of the two remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the two remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), two or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this clause, absolute majority, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are two candidates in, or remaining in, the election and the numbers of votes cast for the two candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are three or more candidates in, or remaining in, the election and the numbers of votes cast for two or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as Mayor or Deputy Mayor) is:

- (a) to be declared to the Councillors at the Council Meeting at which the election is held by the Returning Officer, and
- (b) to be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Schedule 7 of the Local Government (General) Regulation 2005 provides that the General Manager (or a person appointed by the General Manager) is the Returning Officer. Consequently, the General Manager will conduct any election required for the position of Mayor and Deputy Mayor.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.2 DETERMINATION OF METHOD OF VOTING FOR ELECTION OF DEPUTY MAYOR

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tracey Carr, Coordinator Governance and Executive Services

RECOMMENDATION

That Council elect the Deputy Mayor for the ensuing term by Ordinary Ballot.

SUMMARY

The purpose of this report is for Council to determine the voting method to be used in electing the Deputy Mayor for the ensuing term.

COMMENTARY

Schedule 7 of the Local Government (General) Regulation 2005 provides that if only one Councillor is nominated for the position of Deputy Mayor, that Councillor is elected.

If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

Ordinary Ballot has its normal meaning of secret ballot and **open voting** means voting by a show of hands or similar means.

(a) Policy Implications

Council's past practice has been to conduct the Election for the position of Deputy Mayor by ordinary ballot.

(b) Financial Implications

Nil

(c) Legal Implications

Schedule 7 of the Local Government (General) Regulation 2005 applies in this process.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.3 NOMINATION FOR THE POSITION OF DEPUTY MAYOR

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tracey Carr, Coordinator Governance and Executive Services

RECOMMENDATION

That the Returning Officer calls for nominations for the position of Deputy Mayor for the ensuing term and if two or more nominations are received, an election be conducted.

SUMMARY

The purpose of this report is to call for and announce nominations received for the position of Deputy Mayor for the ensuing 12 month period or until the next Local Government Election.

COMMENTARY

Nomination Forms for the position of Deputy Mayor have been distributed and will also be available at the Ordinary Meeting.

The Returning Officer will call for final lodgement of nominations at the Meeting. After the final call for nominations, the Returning Officer will announce the names of the nominee(s). If necessary, an election will then be conducted.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Section 290(b) of the Local Government Act 1993 requires Council to hold the election of the Mayor by the Councillors during the month of September, this will also apply for the Deputy Mayor. Section 231 of the Local Government Act 1993 in relation to the Deputy Mayor: (1) The councillors may elect a person from among their number to be the deputy mayor. (2) The person may be elected for the mayoral term or a shorter term. (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor. (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.4 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL

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

RECOMMENDATION

That in relation to the report “General Manager’s Performance Review Panel”, Council:

- (i) appoint a Councillor to the Panel as nominated by Council; and*
- (ii) allow the General Manager to nominate a Councillor to be appointed to the Panel.*

SUMMARY

The purpose of this report is to appoint the membership of the General Manager’s Performance Review Panel.

COMMENTARY

Council must establish a performance review panel and delegate the task of performance reviews of the General Manager to this Panel. The Panel meets annually to conduct the performance review; report the finding and recommendations of those reviews to Council and develop the performance agreement.

It is recommended that the whole process of performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement. Performance review panels should comprise of the Mayor, Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager. Council may also consider including an independent observer on the panel. The current membership of the Panel is Cr Col Murray, Cr Phil Betts, Cr Helen Tickle, and Cr Juanita Wilson.

The new members of the Panel are recommended to be the Mayor, Deputy Mayor, Councillor as nominated by Council, and Councillor as nominated by the General Manager.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

The General Manager’s Performance Review Panel is delegated the task of performance reviews of the General Manager.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.5 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>Bendemeer Town Hall Committee - AGM</i>	<i>18 July 2021</i>
<i>Bendemeer Town Hall Committee</i>	<i>18 July 2021</i>
<i>Kootingal Recreational Reserve Committee</i>	<i>16 February 2021</i>
<i>Kootingal Recreational Reserve Committee</i>	<i>5 May 2021</i>
<i>Kootingal War Memorial Hall Committee - AGM</i>	<i>4 June 2021</i>
<i>Kootingal War Memorial Hall Committee</i>	<i>4 June 2021</i>
<i>Nundle Go For Gold Festival Committee</i>	<i>30 June 2021</i>
<i>Somerton War Memorial Hall and Recreation Grounds Committee</i>	<i>17 March 2021</i>
<i>Woolbrook Hall and Park Committee</i>	<i>25 February 2020</i>
<i>Woolbrook Hall and Park Committee</i>	<i>21 June 2021</i>
<i>Woolbrook Hall and Park Committee</i>	<i>12 July 2021</i>
<i>Woolbrook Hall and Park Committee - AGM</i>	<i>2 August 2021</i>
<i>Woolbrook Hall and Park Committee</i>	<i>2 August 2021;</i>

(ii) *adopt the recommendation of the Bendemeer Town Hall Committee’s Annual General Meeting held 18 July 2021, to appoint the following executive members and members:*

<i>Chairperson</i>	<i>Kerry Brown</i>
<i>Secretary</i>	<i>Carolann Brown</i>
<i>Treasurer</i>	<i>Anne Doak</i>
<i>Booking Officer</i>	<i>Winston Doak</i>

Members: Margaret Hemmings, Glen Wilkinson, Jeanette Dietrich and Bec Bullock;

(iii) *adopt the recommendation of the Kootingal War Memorial Hall Committee’s Annual General Meeting held 4 June 2021, to appoint the following executive members and members:*

<i>Chairperson</i>	<i>Pam Crayn</i>
<i>Deputy Chairperson</i>	<i>Lyn Eccleston</i>
<i>Secretary</i>	<i>Vacant</i>
<i>Treasurer</i>	<i>Pauline Barber</i>
<i>Booking Officer</i>	<i>Pauline Barber</i>

Members: Meghan Moffat, Vicki McDonald, Sally Harrison, Andy Eccleston, John Barber. Noting that the position of Secretary will remain vacant until such time the committee appoint the nominated person as a committee member. Post such time the Committee may then call for the position of Secretary from the existing

Committee member list;

(iv) **adopt the recommendation of the Nundle “Go For Gold” Festival Committee’s Ordinary Meeting held 30 June 2021, to appoint committee members:**

Megan Trousdale, Teresa Eather, Mark Eather and Pip Joy; and

(v) **adopt the recommendation of the Woolbrook Hall and Park Committee’s Annual General Meeting held 2 August 2021, to appoint the following executive members and members:**

Chairperson:

Tony Haling

Deputy Chairperson

Timothy Laurie

Secretary

Belinda Laurie

Treasurer

Natalie Clifford

Booking Officer

Belinda Laurie

Members: Jessica Goodwin, Michael Pullin, Ellie Pullin, Emma Baker, Rhonda Olrich, Gary Olrich, J Guerrini, Mark Riordan, and Richard Prior.

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; and
- note the key outcomes, achievements and requests from the Minutes received.

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 12 sets of Minutes requiring items for adoption from Section 355 Committees in the calendar year to date and one set of Minutes from the prior calendar year. 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:

- Council has worked with the Bendemeer Town Hall Committee to address poor air circulation in the hall during times of occupation. Council has engaged a contractor to install ceiling fans. The works are scheduled; however, product supply has impacted

the works schedule (Contractor is awaiting fans to arrive). It is envisaged the works will be completed by 31 December 2021;

- Bendemeer Town Hall S355 Committee is delegated the function of the management and operation of the Bendemeer Town Hall, including the collection of income from users, subject to all income collected or raised being applied to the hall. As per the minutes attached to this report the request for creating a sub-committee would create additional governance procedures for the committee which would be more easily managed directly under the existing S355 Committee. A sub-committee would need to provide meeting minutes for endorsement of the S355 Committee. An existing Committee member may be nominated as the event/activity coordinator for a more simplistic approach; and
- Following on from the Nundle “Go For Gold” Festival Committee meeting minutes of 30 June 2021, the Committee has been advised that Council will assist the Committee with seeking event funding, however that the S355 Committee is not permitted to conduct a Community Donations Fund under its delegated function. It is to be noted that the Committee conducted an Annual General Meeting on 28 July 2021 (awaiting formal minutes to be presented to Council). From the existing Committee of 12 persons only the positions of Chairperson and Deputy Chairperson were filled. The positions of Secretary and Treasurer remain vacant. The Committee resolved to engage further with the local community to seek interested persons to fill the vacant positions and to meet again to discuss the future structure of the annual festival. With the impacts of COVID-19 and the work commitments of the Chairperson no further action has commenced, Council officers will call for expressions of Interest from the Community to fill the vacant positions and arrange a S355 Committee meeting in the coming weeks.

(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

Nil

(e) Delivery Program Objective/Strategy

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

9.6 COUNCIL INVESTMENTS AUGUST 2021

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Council Investments August 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 August 2021, and highlight the continued impact of low interest rates on Council’s Budget.

COMMENTARY

Nothing new to report on the investment front this month. In the statement released by Philip Lowe Governor of the Reserve Bank it is predicted that the setback to the expansion of the Australian economy will only be temporary due to the Delta outbreak but the pace of the recovery might be slower than reported earlier in the year. It is anticipated that the economy will grow again from the December quarter but will not return to the pre-Delta path until the second half of next year.

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council have invested as at 31 August 2021, 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	16,066,640.16	14,000,000.00	0	30,066,640.16	15.60%
BOQ	0	17,400,000.00	0	17,400,000.00	9.03%
CBA	0	91,000,000.00	0	91,000,000	47.23%
St George	0	7,000,000.00	0	7,000,000	3.64%
TCorp	0	0	2,878,361.65	2,878,361.65	1.49%
Westpac	0	44,336,143.60	0	44,336,143.60	23.01%
TOTAL	16,066,640.16	173,736,143.60	2,878,361.65	192,681,145.41	100%

The amount invested at 31 August 2021, has increased by \$12,479,405.19 compared to funds held at 31 July 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.

Fund	Restriction	Amount	%
General	Unrestricted	6,085,098	3.16%
General	Internally Restricted	61,998,289	32.18%
General	Externally Restricted	11,416,349	5.92%
	General Fund Total	79,499,736	41.26%
Water	Unrestricted	2,211,934	1.15%
Water	Internally Restricted	23,145,700	12.01%
Water	Externally Restricted	25,261,589	13.11%
	Water Fund Total	50,619,223	26.27%
Sewer	Unrestricted	2,244,467	1.17%
Sewer	Internally Restricted	44,761,907	23.23%
Sewer	Externally Restricted	15,555,812	8.07%
	Sewer Fund Total	62,562,186	32.47%
	Total Investments	192,681,145	

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.

9.7 2020/2021 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS FOR AUDIT

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

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “2020/2021 General Purpose and Special Purpose Financial Reports for Audit” for the period ending 30 June 2021, Council:

- (i) resolve to present the Audited General Purpose and Special Purpose Financial Reports, together with the Auditors Reports at a Public Meeting to be held as part of Council’s Meeting on 23 November 2021, in accordance with Section 419 (1) of the Local Government Act 1993;*
- (ii) record as an opinion of Council pursuant to Section 413 (2c) of the Local Government Act 1993 (NSW) (as amended), that the General Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2021:*
 - (a) have been prepared in accordance with:*
 - *the Local Government Act 1993 (as amended) and Regulations made thereafter;*
 - *the Australian Accounting Standards and professional pronouncements; and*
 - *the Local Government Code of Accounting Practice and Financial Reporting;*

- (b) the General Purpose Financial Report presents fairly Council’s operating result and financial position for the year;*
 - (c) the General Purpose Financial Report accords with Council’s accounting and other records; and*
 - (d) the signatories are not aware of anything that would make the General Purpose Financial Report false or misleading in any way;*
- (iii) record as an opinion of Council pursuant to the Local Government Code of Accounting Practice and Financial Reporting, that the Special Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2021:*
- (a) have been prepared in accordance with:*
 - the NSW Government Policy Statement “Application of National Competition Policy to Local Government”;*
 - the Division of Local Government Guidelines “Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality”;* and
 - the Local Government Code of Accounting Practice and Financial Reporting; and*
 - the NSW Office of Water “Best-Practice Management of Water Supply and Sewerage Guidelines”.*
 - (b) the Special Purpose Financial Reports present fairly the operating result and financial position for each of Council’s declared Business Activities for the year;*
 - (c) the Special Purpose Financial Reports accord with Council’s accounting and other records; and*
 - (d) present overhead reallocation charges to the water and sewerage businesses as fair and reasonable; and*
 - (e) the signatories are not aware of anything that would make the Special Purpose Financial Reports false or misleading in any way.*

SUMMARY

The purpose of this report is to comply with statutory requirements in relation to the General Purpose and Special Purpose Financial Reports for the year ended 30 June 2021 for Tamworth Regional Council.

COMMENTARY

The General Purpose and Special Purpose Financial Reports for Tamworth Regional Council for the year ended 30 June 2021, have been prepared and the audit process commenced on 13 September 2021.

A draft set of the financial reports will be provided to the Audit, Risk and Improvement Committee for review at its October meeting. When the audit is completed the NSW Audit Office will issue a client service report which will be presented along with the audited financial reports to the Audit, Risk and Improvement Committee for review.

The audited financial statements and independent auditors report will then be presented to Council and the public at the Ordinary Council Meeting to be held on 23 November 2021, in accordance with Section 419 (1) of the Local Government Act 1993.

A copy of the draft statements for the General Purpose and Special Purpose Financial Reports for Tamworth Regional Council are **ATTACHED**, refer **ANNEXURE 1** and **2**.

Section 413(2)(c) requires a Statement, signed by the General Manager, Responsible Accounting Officer, Mayor and one Councillor, in the form approved by the Council as to its opinion on the General Purpose Financial Reports, Special Purpose Financial Reports and any such Special Schedules. It should be noted that the Statement reflects an opinion only and is not legally binding.

Staff Certification

The General Manager, Mr Paul Bennett, and the Responsible Accounting Officer, Ms Sherrill Young, certify that to the best of their knowledge, the General Purpose and Special Purpose Financial Reports have been prepared in accordance with all statutory requirements and believe the reports present fairly the financial position of Tamworth Regional Council at 30 June 2021.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

A Statement by Councillors and Management authorised by this report is required to be included with Council's General Purpose Financial Statements and Special Purpose Financial Statements under Section 413(2)(c) of the *Local Government Act 1993* (as amended).

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.8 ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - AUGUST 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 – August 2021”, Council note and approve the variations to the existing budget

processed in August and included in the attached Annexure.

SUMMARY

This report is to advise the main items of note for budget variations for the month of August 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 August 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 August 2021, for which there has been no previous specific report or approval.

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 August.

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

Variations identified August 2021

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Business Systems & Solutions	85,000	0	0	0	85,000
Airport & Aviation	2,500	0	2,500	0	0
People & Culture	5,000	0	5,000	0	0
Cultural Services	487	(2,300)	2,787	0	0
Integrated Planning	0	(5,000)	5,000	0	0
Infrastructure & Projects	259,091	0	0	(2,820,790)	3,079,881
W&W General Fund Activities	(4,150)	0	(11,650)	0	7,500
TOTAL	347,928	(7,300)	3,637	(2,820,790)	3,172,381

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	(7,300)	15,287	(2,820,790)	3,164,881
Water	0	(11,650)	0	7,500
Total	(7,300)	3,637	(2,820,790)	3,172,381

(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 REGIONAL YOUTH COUNCIL UPDATE

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Katey Allwell, Team Leader Inclusive Community

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Youth Council - Update”, Council:

- (i) receive and note the report;*
- (ii) approve the Draft Revised Tamworth Regional Youth Council Terms of Reference;*
- (iii) acknowledge and recognise the achievements of the outgoing Tamworth Regional Youth Council; and*
- (iv) appoint the members of the incoming Tamworth Regional Youth Council:*
 - 1) Abigail Clark*
 - 2) Andrew Macinas*
 - 3) Brady Endemi*
 - 4) Bronte Keenan*
 - 5) Caitlin Blanch*

- 6) *Caitlin Ferris*
- 7) *Calli Nagle*
- 8) *Cameron Rake*
- 9) *Charlee Marshall*
- 10) *Charlotte Leonard*
- 11) *Chloe-Lee Opie*
- 12) *Eli Lambert*
- 13) *Elle Woods*
- 14) *Erica Hall*
- 15) *Evelyn Murdoch*
- 16) *Isla Farr*
- 17) *Jack Lyon*
- 18) *Lachlan Power*
- 19) *Miller Lloyd*
- 20) *Tarly Olsen*

SUMMARY

The purpose of this report is to:

- recommend the adoption of a revised Tamworth Regional Youth Council Terms of Reference (TOR) which increases the maximum Youth Council membership and term, as well as more accurately defining the role and significance of the Youth Council;
- present the achievements of the 2020/2021 Tamworth Regional Youth Council (TRYC); and
- appoint the members of the incoming Youth Council.

COMMENTARY

2020/2021 Youth Council Achievements

The Tamworth Regional Youth Council (TRYC) provides an opportunity for young people in the Tamworth region between the ages of 15 to 18 years to represent their peers in a local government setting. The group meets regularly to discuss issues facing young people in the community, put forward ideas to address particular issues and to advocate for young people on local government related topics.

In 2020/2021 Youth Council members undertook skills development and training including:

- Safe Food Handling and Making Espresso Coffee;
- Cooking tutorial with Celebrity Chef, Paul West from River Cottage Australia;
- Customer Service skills;
- Operating fire safety equipment and armed hold up training; and
- Youth Advocacy training and a branding and design workshop.

The Youth Council delivered two major initiatives in the 2020/2021 financial year, the Youth Opportunities Grant (the *Grub Hub*) and the 2021 Youth Week.

The Grub Hub operated four times in 2020, value adding to other events in order to boost patronage to the Youthie and enhance the social capital of the area.

Youth Council members were allocated shifts to enable each member to experience working in different roles and provide young people the opportunity to gain real world experience to enhance their employment prospects in the hospitality industry.

The 2021 Youth Week offered an opportunity for communities throughout NSW to celebrate the contribution of young people and to shine a light on issues affecting young people. This year's theme was *'Together More Than Ever'*. The TRYC designed and helped coordinate four major activities for young people throughout the Tamworth Local Government area to enjoy. These events included:

- Youth Week Launch Party;
- Sports Day held at the Tamworth Regional Sports Dome;
- Arts Showcase; and
- Youth Week BBQ.

The Youth Council recognised the importance of community contribution, volunteering their time at the following:

- Amazing Enviro Race;
- Access Awards Ceremony;
- 2021 RU Volunteering Volunteer Expo;
- Reconciliation Week activities; and
- event catering.

A copy of the full 2020/2021 Youth Council Report is **ATTACHED**, refer **ANNEXURE 1**.

Proposed Amendments to the Terms of Reference

1) Increase in maximum core membership

It is recommended that the Youth Council Terms of Reference (TOR) be amended to reflect an increase in member numbers for the following reasons:

- Council received a significant (and pleasing) response to the Expressions of Interest recruitment process for the 2021-2022 Youth Council with a total of 24 young people applying. It is considered important that all those who have expressed an interest be further encouraged by way of formal appointment to the Youth Council;
- many Youth Council members are actively engaged in multiple activities, including sports, community work and other extra curricula activities. Increasing the core membership will ensure Youth Council meetings have a greater chance of forming a quorum at each and every meeting;
- increasing the maximum number of Youth Council members both recognises and encourages representation across the diversity of the community, with a range of young people from a number of equity groups applying;
- an increased core membership will enable the establishment of sub-committees from the core group for specific youth council projects; and
- maximising core membership will also secure the sustainability of the Youth Council. The ability to share responsibilities across a broader group will minimise

membership attrition, as members may leave if they find they have over committed themselves.

2) Increase the Youth Council term from 12 months to a maximum of two years

It is recommended that the term of appointment of Youth Council members be extended from 12 months to a maximum of two years on the following basis:

- feedback from existing and previous Youth Council members has indicated their desire to be involved for a longer term to enable projects, initiatives and innovations to be fully implemented. Many members noted that projects either extend beyond 12 months or commence partway through their term, meaning that they are not able to see these projects through to conclusion; and
- an extended term will also enable members to introduce project concepts, ideate, design, implement and then evaluate their projects once they are completed. The ability for current Youth Council members to review and evaluate completed projects enables significant learning opportunities, as well as providing those members with a greater sense of ownership and accomplishment, having seen the project through from start to finish.

3) Include criteria for appointment and endorsement of Youth Council members

There is a need to ensure Youth Council applications are assessed on merit and recommendations for appointment referred to the elected Council for adoption. It is therefore proposed by the inclusion of *5.2 Appointment*, applications for future Tamworth Regional Youth Councils will be assessed on merit by a panel made up of the following:

- One Councillor;
- Director Planning and Compliance;
- Executive Manager Strategy and Performance; and
- Team Leader – Inclusive Community.

A list of those recommended for appointment would then be referred to an Ordinary Meeting of Council for consideration and adoption.

In relation to the proposed members of the incoming Youth Council, it is recommended that all 20 who lodged a relevant Expression of Interest be appointed. In total there were 24 submissions received, with three respondents being excluded on the basis of not being residents of the Tamworth Region and one who withdrew their application.

In relation to the proposed members of the incoming Youth Council, it is recommended that all 20 who lodged a relevant Expression of Interest be appointed. A summary of the 20 profiles is **ATTACHED**, refer to **ANNEXURE 2**. In total there were 24 submissions received, with three respondents being excluded on the basis of not being residents of the Tamworth Region and one who withdrew their application.

4) Enhance the role and profile of the Youth Council by rewording the *Purpose* and *Objectives* in the TOR

The existing TOR has been revised to better reflect a higher profile for the Youth Council. The Youth Council should appropriately assume a more significant role in leading Council and its community towards the future that our youth will inherit. Therefore, the revised TOR not only outlines the intention of the establishment of a

youth council to assist, educate motivate and mentor regional youth leaders, but also to draw on the knowledge, opinions and aspirations of youth to influence Council policy and direction.

A copy of the Draft revised Youth Council Terms of Reference is **ATTACHED**, refer **ANNEXURE 3**.

(a) Policy Implications

Nil

(b) Financial Implications

Funding for the activities of the Youth Council will be provided from existing operational budgets as well as potential grant funds.

(c) Legal Implications

Nil

(d) Community Consultation

The Tamworth Regional Youth Council has representatives from high schools across the region, and actively engages with members of community groups and service organisations.

(e) Delivery Program Objective/Strategy

A Spirit of Community – C14 Meet social justice principles through the provision of accessible and inclusive high-quality, integrated community services that meet current and emerging needs.

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

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.

12.1 TENDER T042/2022 TAMWORTH AND SURROUNDS FOOTPATH CONSTRUCTION WORKS

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Mark Gardiner, Manager Project Planning and Delivery

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c),(d)i&(d)ii of the local Government Act 1993 on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a 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, confer a commercial advantage on a competitor of Council.

SUMMARY

This report is to seek Tamworth Regional Council's approval to award a lump sum contract for tender T042/2022 for the construction for various footpaths within the Tamworth Region, funded by the Australian Government's Local Roads and Community Infrastructure program.

12.2 POSSIBLE PURCHASE OF CHALLENGE MRF SITE AND TAKEOVER OF BUSINESSES

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

Reference: Item 12.6 to Ordinary Council 27 October 2020 - Minute No 338/20

7 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

Discussions between Council and Challenge have been ongoing for the last 12 months. These discussions have now reached a point where direction from Council is required on various proposals.