

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

29 JUNE 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, 8 June 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**

6.1 **NOTICE OF MOTION – CR MARK RODDA - COUNCIL REFERENDUM DIRECT ELECTION OF MAYOR**

1 ANNEXURES ATTACHED

MOTION

That Tamworth Regional Council authorise a Constitutional Referendum be held concurrently with the 2021 Local Government Elections, to determine if the people of Tamworth Regional Council Local Government Area wish to select their Mayor by popular vote or retain the current arrangements.

On Tuesday 29 June 2021, I intend to give notice of a Notice of Motion to seek Council support for a referendum to be conducted by the NSW Electoral Commission concurrently with the 2021 local government elections, of the electors of Tamworth Regional Council, to determine if the people of the Tamworth Regional Council Local Government Area would like to elect their Mayor by popular vote for a four year term or if they would like to retain the existing arrangements of selection of Mayor by a majority of councillors for a 2 year term, within a quadrennial Council term. If approved by the electors at the 2021 elections, this would apply to the 2024 local government elections.

SUPPORTING INFORMATION

Currently the position of Mayor for around 29% of NSW Councils is determined by popular vote of the electors. The other 71% of NSW Councils determine their Mayor by vote of the majority of elected Councillors, as Tamworth Regional Council currently do. Some rural and coastal NSW councils that select their Mayor by popular vote include Uralla, Singleton, Orange, Ballina, and Port Macquarie-Hastings, refer **ANNEXURE 1**.

Currently the position of Mayor for Tamworth Regional Council is determined by a vote of the majority of elected Councillors. The electors of our region have not been given the opportunity in recent memory, to determine the manner in which their Mayor is selected and some electors believe that the position of Mayor, should be chosen by the people rather than the Councillors. This Notice of Motion for a referendum, provides the people with a democratic and transparent tool to determine what method they would like to select their Mayor. This takes the power of selecting their Mayor from elected Councillors and gives it to the people and modernises the way in which Tamworth region residents choose their Mayor.

I am seeking support for the following:

A referendum held concurrently with the September 2021, Local Government elections to provide the electors with an opportunity to select their preferred method of Mayoral election

1. Election by majority of electors for a four-year term; or
2. Election by majority of elected Councillors for a two-year term during a four year council term.
3. If the referendum passes at the 2021 Local Government elections, the popular vote for Mayor to apply to the 2024 Local Government elections.

The benefits of a Mayor elected by the people (option 1) is that:

- 1) His or her loyalty is to the residents for the entire four-year term, not a small number of Councillors.
- 2) This system returns democracy to the people, reinforcing Local Government democratic origins, Council being selected by the people to act on behalf of the people.
- 3) Popular Council elections modernises the way the people of the Tamworth region select their Mayor and overall Council.
- 4) Popular Council elections also encourage more younger men and women from diverse backgrounds to become involved, as they do perceive the Council to be controlled by a cartel of vested interests.
- 5) By young blood becoming involved, new 21st Century thinking is encouraged and welcomed to build the future.

Some rural Councils are considered “old boy clubs” possibly, doing the bidding of commercial interests and prominent local business owners, such as developers and real estate agents. This proposed change, would begin to break down those local stereotypes by returning the position of Mayor to the people.

As mentioned, if the referendum determined that the people wanted to elect their Mayor by popular vote, that election would occur at the 2024 Local Government elections. If the referendum determined the people wanted to retain the current system, there would be no change and the mayor would be elected every 2 years by a majority of councillors.

Running a referendum concurrently with the 2021 Local Government elections would ensure costs are minimal.

As a supporter and believer in our Nation’s democratic principles, I would like the people of Tamworth Regional Council Local Government Area, provided with the opportunity to determine their preferred method of selection of their peak community leader in the future.

This Notice of Motion starts the process and I appeal to my fellow Councillors to allow the people of our Local Government Area, to have the opportunity and choice at a referendum to change the way their Mayor is elected.

General Manager’s Comments:

Under current legislation, Council must notify and provide wording to the NSW Electoral Commission (NSWEC) prior to 26 July 2021, (being the date of the close of the electoral roll), whether to conduct a constitutional referendum on the question of having a popularly-elected Mayor.

However, the NSWEC have previously requested that they be notified by mid May of Council’s intentions so that they could cost the logistics of conducting the referendum. The wording was then to be supplied by 30 June 2021.

Council has not met the May deadline and will not meet the June deadline due to the lateness of this Notice of Motion requesting a constitutional referendum to be held alongside the 2021 Local Government Elections. As a result, the cost to Council will increase due to some of the logistics already being determined and these now having to be reassessed. The estimated increase in costs is \$50,000 for increased printing and staffing and a further \$50,000 to undertake the required community education campaign.

There is also a possibility that the NSW Electoral Commissioner may refuse the request to conduct the referendum if it is considered that logistically it cannot be undertaken properly in the time remaining before the election.

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE GENERAL MEETING MINUTES 2 JUNE 2021

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Infrastructure and Works - Regional Services

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting Minutes 2 June 2021” and item 87/2020 from 7 October 2020, Council:

- (i) approve the Australian Stock Horse Society 50th Anniversary procession and associated temporary traffic control and road closures on 24 July 2021;*
- (ii) approve the installation of edge line marking on Kent Street, between Duri Road and Mahoney Avenue, South Tamworth;*
- (iii) approve the installation of centre line marking on Tintinhull Road Tintinhull, from the New England Highway to the intersection of Porcupine Lane, being BB linemarking along the frontage of Tintinhull Public School, and S1 type for all other sections of the road;*

- (iv) approve the installation of yellow line marking on the corner of Gorman Street and Piper Street intersection, North Tamworth, for 10 metres on both sides of Gorman Street to delineate the default No Stopping zone;*
- (v) approve the detours, parking restriction changes and closure of part of the carpark fronting Fitzroy Street, Tamworth, from Thursday 22 July 2021 to Sunday 25 July 2021, for the Tamworth Antiques and Collectables Fair 2021 event; and*
- (vi) approve the following changes to parking restrictions in the Tamworth Central Business District:*
 - a) Town Hall Car Park – change all metered parking and two hour free parking to two hour metered parking;*
 - b) Bourke Street on-street parking between Peel Street and Marius Street – change from two hour free parking to two hour metered parking and install parking ticket machines;*
 - c) Kable Avenue, near 8-16 Kable Avenue (Officeworks) – remove parking ticket machines and change parking to two hour free parking;*
 - d) Fitzroy Street on-street parking between Peel Street and Marius Street – change from four hour metered parking to two hour metered parking; and*
 - e) White Street on-street parking between Peel Street and Marius Street (northern side of street) – change from four hour metered parking to two hour metered parking.*

SUMMARY

The purpose of this report is to advise Tamworth Regional Council of one recommendation made at the meeting on 7 October 2020 and five recommendations made by the Tamworth Regional Local Traffic Committee at the meeting held 2 June 2021.

COMMENTARY

One formal item that reached consensus in October 2020, relating to the Australian Stock Horse Society 50th Anniversary procession, was held over until details for the event were confirmed pending COVID-19 restrictions. The details were confirmed via email on 18 May 2021. The meeting minutes are **ATTACHED**, refer **ANNEXURE 1**.

87/2020 Australian Stock Horse Society 50th Anniversary procession and associated temporary traffic control and road closures

The heritage horse ride event to be held Saturday 24 July 2021, was first presented to the Tamworth Regional Local Traffic Committee (the Committee) at the meeting on 7 October 2020, as item 87/2020. Due to COVID-19, details of the event were not confirmed last year. The route was confirmed by the event organiser in May 2021.

The start and end location has been confirmed to be the White Street carpark, with a ceremony at the carpark near Hungry Jacks.

Tamworth Regional Council's Regional Services division will complete the Traffic Control Plans (TCPs), the Restricted Occupancy Licence (ROL) and undertake the traffic management on the day.

The map and event description is **ATTACHED**, refer **ANNEXURE 2**.

COMMITTEE RECOMMENDATION: the Committee support the Australian Stock Horse Society 50th Anniversary procession and associated temporary traffic control and road closures in the Tamworth central business district (CBD) on 24 July 2021.

Five formal items reach consensus at the meeting held 2 June 2021. The meeting minutes are **ATTACHED**, refer **ANNEXURE 3**.

57/2021 – Kent Street South Tamworth – speeding concerns

Various complaints have been made to Council regarding the speed of vehicles along Kent Street.

The most recent traffic counts for Kent Street (which also record speed) were done in 2018, and indicate good speed compliance for 94-95% of vehicles, except near Petra Avenue, where 57% of vehicles exceeded the speed limit. Please see Figure 1 below.

Traffic Speed km/h			
	All Days	Weekdays	Weekend
Average Speed	51.2	50.4	53.9
85% Speed - Combined	59.4	58.9	60.7
85% Speed - East	59.9	59.4	60.8
85% Speed - West	59.0	58.4	60.7
Min Speed	11.0	11.0	11.8
Max Speed	153.9	153.9	136.2
% Exceeding PSL	57.33 %	53.00 %	70.70 %
15km/h Pace	44.6	44.0	46.2
No. in Pace (% in Pace)	33596 (65.82%)	24296 (63.00%)	9462 (75.85%)

Figure 1: speed results at 100 metres west of Petra Avenue on Kent Street

The volume results of this count are summarised below in Figure 2.

Traffic Summary Report			
Site: 931 (Kent Street (Petra Avenue to 100m West) <50> ANGELAW)			
Date: 0:00 Friday, 17 August 2018 to 0:00 Thursday, 30 August 2018 (13 days)			
Posted speed limit (PSL) = 50 km/h			
Average Daily Traffic (ADT)			
	ADT	AWDT (weekdays)	AWET (weekend)
Passenger Vehicles Classes 1 to 2 - Light	3651 (92.97%)	3960 (92.39%)	2956 (94.77%)
Rigid Vehicles Classes 3 to 5 - Medium	265 (6.750%)	313 (7.305%)	157 (5.003%)
Articulated Vehicles Classes 6 to 12	11 (0.255%)	13 (0.280%)	6 (0.192%)
Total (All classes)	3926	4285	3119
Days	13	9	4

Figure 2: section of Kent Street with high % speed results

Regarding speed mitigation, the following treatments have been investigated based on the above traffic count results:

1. Traffic calming devices:

If funded, the proposed infrastructure around schools, kerb blisters at the existing school crossing on Kent Street near Petra Avenue, will act as traffic calming devices, as supported at the May 2021 Committee meeting.

2. Line marking:

There is existing centre line marking on Kent Street. It is recommended that edge linemarking also be installed between Duri Road and Mahoney Avenue and this will contribute to speed mitigation. See Figure 3 below. The warrant of 4,000 average daily traffic (ADT) was almost met in the 2018 count. A new count could be completed, however, it is expected the current traffic volumes will meet or exceed the warrant.



Figure 3: proposed line marking

COMMITTEE RECOMMENDATION: the Committee support the installation of edge linemarking on Kent Street, between Duri Road and Mahoney Avenue, South Tamworth.

59/2021 - Request for linemarking on Tintinhull Road at Tintinhull Public School, Tintinhull

A request has been received for line marking on Tintinhull Road, to mitigate traffic interaction concerns between through traffic, and vehicles entering and exiting the Tintinhull Public School site.

The most recent traffic counts at this location were undertaken in 2015. The results are summarised in Figure 4 and Figure 5 below.

Traffic Summary Report			
Site: 20001 (Tintinhull Road - Tintinhull School to western 40K zone)			
Date: 0:00 Friday, 1 May 2015 to 0:00 Thursday, 14 May 2015 (13 days)			
Posted speed limit (PSL) = 0 km/h			
Average Daily Traffic (ADT)			
	ADT	AWDT (weekdays)	AWET (weekend)
Passenger Vehicles Classes 1 to 2 - Light	241 (90.26%)	264 (90.07%)	190 (90.43%)
Rigid Vehicles Classes 3 to 5 - Medium	24 (8.614%)	26 (8.562%)	18 (8.612%)
Articulated Vehicles Classes 6 to 12	2 (0.749%)	3 (1.027%)	1 (0.478%)
Total (All classes)	267	293	209
Days	13	9	4

Figure 4: Tintinhull Road – school to western 40 kilometre zone

Traffic Summary Report			
Site: 20003 (Tintinhull Road - Tintinhull School to eastern 40K zone)			
Date: 0:00 Friday, 1 May 2015 to 0:00 Thursday, 14 May 2015 (13 days)			
Posted speed limit (PSL) = 0 km/h			
Average Daily Traffic (ADT)			
	ADT	AWDT (weekdays)	AWET (weekend)
Passenger Vehicles Classes 1 to 2 - Light	1498 (94.33%)	1644 (93.83%)	1169 (96.06%)
Rigid Vehicles Classes 3 to 5 - Medium	84 (5.293%)	102 (5.768%)	44 (3.615%)
Articulated Vehicles Classes 6 to 12	5 (0.315%)	6 (0.286%)	4 (0.329%)
Total (All classes)	1587	1752	1217
Days	13	9	4

Figure 5: Tintinhull Road – school to eastern 40 kilometre zone

The road seal is approximately 6.5 metres wide at this segment. The volume warrant for centre line marking is met in the eastern direction and is almost met in the western direction. Noting that the counts are six years old, it is assumed that updated counts would now demonstrate that the warrant is met. Please see the proposed linemarking in Figure 6 and Figure 7 below.



Figure 6: Tintinhull Road – highway to Porcupine Lane



Figure 7: Tintinhull school linemarking

COMMITTEE RECOMMENDATION: the Committee support the installation of centre line marking on Tintinhull Road, from the New England Highway to the intersection of Porcupine Lane, being BB linemarking along the frontage of Tintinhull Public School, and S1 type for all other sections of the road.

60/2021 - Gorman Street, intersection with Piper Street, North Tamworth – request for No Stopping zone

A customer request has been received regarding sight distance concerns when traveling from Gorman Street onto Piper Street, with particular concerns regarding the location of parked cars on Piper Street. There is adequate site distance at this intersection, so the parking sight distance concern may be a parking compliance issue. It is recommended that the default No Stopping zones at the corners, be linemarked to reinforce compliance of the 10 metre No Stopping zone in accordance with the NSW Road Rules. Please see the proposed linemarking in Figure 8 below.



Figure 8: intersection corner linemarking

COMMITTEE RECOMMENDATION: the Committee support the installation of yellow line marking on the corner of Gorman Street and Piper Street intersection, North Tamworth, for 10 metres on both sides of Gorman Street to delineate the default No Stopping zone

61/2021 - Tamworth Antiques and Collectables Fair – closure car park and Smith Place Tamworth

The Oxley High School P&C Association have booked the Tamworth Town Hall for the Tamworth Antiques and Collectables Fair (the Fair), proposed to run from Wednesday 21 July 2021 to Sunday 25 July 2021.

The Fair will have an impact on the Fitzroy Street carpark, and Smith Place to the north east of the Town Hall, as shown in the Traffic Control Plan in Figure 9 below. A summary of these impacts is outlined below:

Red Hatched Area: the loading bay will be closed, with access only for event unloading in this area.

Area will be impacted from Thursday 22 July 2021 all day and night, Friday 23 July 2021 until 2pm, Saturday 24 July 2021 all day and night, and Sunday 25 July 2021 all day and night.

Blue Yellow Hatched Area: small trucks/event vehicles will be allowed to unload here so they do not impede pedestrian flow on the Fitzroy Street footpath.

Area will be impacted from Thursday 22 July 2021 all day and night, Friday 23 July 2021 until 2pm, Saturday 24 July 2021 all day and night, and Sunday 25 July 2021 all day and night.

Green Hatched area: 15 car parking spaces will be reserved for event vehicles only, no public parking will be available in these spaces.

Area will be impacted from Thursday 22 July 2021 all day and night, Friday 23 July 2021 all day and night, Saturday 24 July 2021 all day and night, and Sunday 25 July 2021 until 12pm.

Note: this carpark fills up early, so it is advised to install the carpark closure signage either before 6am on Thursday 22 July 2021 or after close of business Wednesday 21 July 2021.



Figure 9: closure zones

COMMITTEE RECOMMENDATION: the Committee support the detours, parking restriction changes and closure of part of the carpark fronting Fitzroy Street Tamworth, from Thursday 22 July 2021 to Sunday 25 July 2021, for the Tamworth Antiques and Collectables Fair 2021 event.

68/2020 - CBD Parking Strategy – implementation of changes to the parking restrictions in the CBD

Council adopted the Tamworth CBD Parking Strategy on 25 February 2020. The strategy provides a long-term strategic plan for the management of parking in the region's commercial heart. The cornerstone of the strategy is a series of actions to be implemented over 10 years to improve the efficiency and availability of parking across the CBD. Please see Figure 10 and Figure 11 below. The concept of these parking zones was workshopped and agreed upon by Council, with these zones featuring in our CBD Parking Strategy (as shown in Figure 11).

OUR ACTION PLAN

This Strategy builds upon the community's vision of "a region of opportunity and prosperity", and includes the following strategic objectives:

1. To make the best use of our existing parking resources;
2. To provide a variety of parking choices to the users of the CBD;
3. To continue providing appropriate parking infrastructure in response to the needs of a growing community; and
4. To utilise parking options to support economic activity and commercial investment within the CBD.

The cornerstone of the Strategy is a toolbox of actions and initiatives, to be implemented over the next 10 years. All recommendations in this Strategy are organised into short term, medium term and long term actions, and have been developed by:

- Consulting with our community to better understand the needs and concerns of all stakeholders;

- considering financial sustainability requirements;
- understanding and recognising the real cost of parking to the community;
- anticipating possible private development opportunities;
- consulting with Council operational staff;
- undertaking technical studies of how parking is utilised in Tamworth; and
- incorporating Community Strategic Plan objectives.

Underpinning this Action Plan are the three Parking Management Zones (Refer diagram below). Tamworth CBD has three distinct parking zones: the premium Peel Street parking precinct, the inner short stay zone, and the outer long stay zone. Each area has a unique set of challenges for parking management, and the three zones are managed to maximise the quality of service to meet the needs of the community. Every decision with regards to CBD parking will lean on this guiding structure, particularly for pricing, time restrictions and future investment.

Figure 10: CBD Parking Strategy (2020-2030) extract

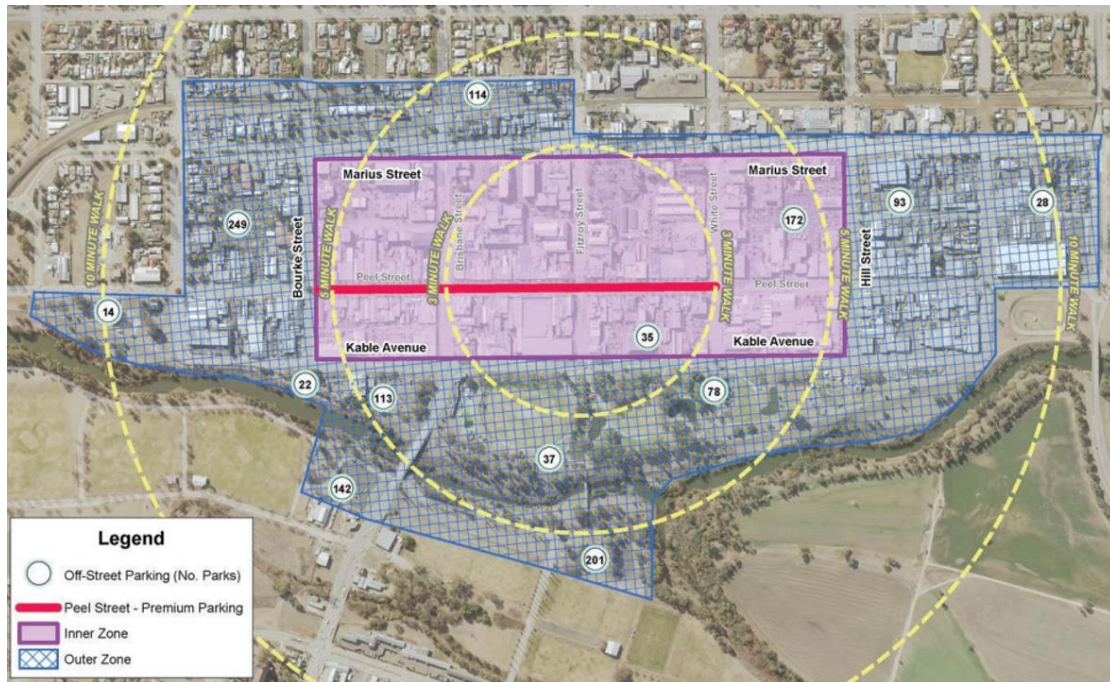


Figure 11: Parking Zones

Premium Parking Zone (Peel Street)

- turnover is to be highly prioritised in this area;
- the most sought after parking within the CBD;
- most heavily enforced parking area within the CBD; and
- very short stay (typically no longer than one hour).

Inner Zone

- turnover is important in this area;
- balance of using parking time restrictions and pricing to ensure that turnover occurs without acting as a parking deterrent; and
- typically short stay (no longer than two hours) for on-street parking and select off-street car parks.

Outer Zone

- turnover is not a high priority in this area;
- this is where all-day parking is encouraged so that parking within our Inner and Premium Zones can have higher turnover; and
- also where our free parking is to be prioritised so as to encourage long-stay parking use.

The first of a number of changes to parking restrictions in the CBD which were identified in the strategy as “operational parking management zones” improvements are due to be put into effect, as follows:

- 1) Town Hall Car Park – change all metered parking and two hour free parking to two hour metered parking.



Figure 12: Town Hall machines

- 2) Bourke Street – on-street parking between Peel and Marius Streets – change from two hour free parking to two hour metered parking. Install parking ticket machines as indicated below by yellow dots in Figure 13 below.



Figure 13: Bourke Street machines

- 3) Kable Avenue – on-street parking between Bourke and Brisbane Streets – remove three machines from the eastern side of the road, as shown below by the green dots in Figure 14 below (to be relocated to Bourke Street (see point 2)), change parking restriction to two hour free parking, and install a No Stopping zone adjacent to 8-16 Kable Avenue (Officeworks carpark) from the northern driveway to the existing No Stopping zone at the Brisbane Street intersection.



Figure 14: Kable Avenue ticket machines

- 4) Fitzroy Street – on-street parking between Peel Street and Marius Street – change from four hour metered parking to two hour metered parking – see Figure 15 below.



Figure 15: Fitzroy Street ticket machines

- 5) White Street – on-street parking between Peel and Marius Streets (northern side of street) – change from four hour metered parking to two hour metered parking – see Figure 16 below.



Figure 16: White Street ticket machines

COMMITTEE RECOMMENDATION: the Committee support the following changes to parking restrictions in the Tamworth CBD:

- a) Town Hall Car Park – change all metered parking and two hour free parking to two hour metered parking;
- b) Bourke Street on-street parking between Peel Street and Marius Street – change from two hour free parking to two hour metered parking and install parking ticket machines;
- c) Kable Avenue, near 8-16 Kable Avenue (Officeworks) – parking ticket machines to be removed and become two hour free parking;
- d) Fitzroy Street on-street parking between Peel Street and Marius Street – to change from four hour metered parking to two hour metered parking; and
- e) White Street on-street parking between Peel Street and Marius Street (northern side of street) – to change from four hour metered parking to two hour metered parking.

(a) Policy Implications

Item 68/2021 is the implementation of the approved CBD parking strategy.

(b) Financial Implications

Item 87/2020 will be funded by the event organiser. Council's Regional Services division will complete the TCPs and ROL, and undertake the traffic management on the day.

Item 57/2021 will be funded from the existing Infrastructure and Works line marking budget.

Item 59/2021 will be funded from the existing Infrastructure and Works line marking budget.

Item 60/2021 will be funded from the existing Infrastructure and Works line marking budget.

Item 61/2021 will be funded by the event organiser.

Item 68/2021 will be funded from the existing Infrastructure and Works carpark infrastructure budgets.

(c) Legal Implications

Nil

(d) Community Consultation

The CBD Parking Strategy underwent public exhibition in 2019-2020 prior to its adoption by Council in 2020.

(e) Delivery Program Objective/Strategy

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

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 WRITING OFF OF RATES AND CHARGES FOR 2020/2021

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Seon Millstead, Revenue Accountant

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Writing Off of Rates and Charges for 2020/2021”, Council approve the writing off of Rates and Charges totalling \$114,182.11 in accordance with Section 131 of the Local Government (General) Regulation 2005.

SUMMARY

The purpose of this report is to advise Council of Rates and Charges written off during the 2020/2021 financial year, in accordance with Section 131 of the Local Government (General) Regulation 2005.

COMMENTARY

In accordance with Section 131 of the Local Government (General) Regulation 2005, the Writing Off of Rates and Charges during 2020/2021 totalling \$114,182.11 is submitted for approval.

The amounts written off are summarised as follows:

2016/2017 Postponed Rates/Interest	\$	106,076.05
2020/2021 Conservation Agreements	\$	<u>8,106.06</u>
	\$	<u>114,182.11</u>

Postponed Rates are covered under Section 585-598 of the Local Government Act 1993, and relate to land that is used for a single dwelling-house or rural land and which is zoned to permit commercial, multi-residential or subdivision development. A factor of the rates is postponed each year and written off after five years if the use has not changed.

Conservation Agreements are covered under Section 555 of the Local Government Act 1993, and relate to land that has some part included in a Conservation Agreement within the National Parks and Wildlife Act 1974. Rates are reduced each year based on the portion of the land area under the agreement.

The Rates and Charges Abandonment Register **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**, provides full details of each individual Rate and/or Charge written off during the 2020/2021 financial year.

(a) Policy Implications

Nil

(b) Financial Implications

Abandonments for Postponed Rates and Interest are against provisions created when they are levied. Abandonments for Conservation Agreements are allowed for in annual budgets.

(c) Legal Implications

In accordance with Section 555(1)(b1) of the Local Government Act 1993, land that is the subject of a conservation agreement is exempt from all rates. Section 555(3) provides for rates being made and levied proportionately on the part of a parcel not subject to the Conservation Agreement.

In accordance with Section 595 of the Local Government Act 1993, if five years have elapsed since the commencement of a rating year for which part of the rates levied on land have been postponed under this Division, the part postponed and any interest accrued on that part must be written off by Council.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.2 MEDIA SPOKESPERSON - DELEGATIONS FOR COUNCILLORS

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Karlee Cole, Manager Communications and Engagement

RECOMMENDATION

That in relation to the report “Media Spokesperson – Delegations”, Council agree to and adopt the delegations identified for each Council Committee.

SUMMARY

The purpose of this report is to request that Council adopt the suggested delegations for media spokesperson duties associated with Council Committees.

COMMENTARY

As per Council’s Media Engagement Policy, the Mayor is the principle spokesperson for Council. The Mayor can delegate the role of spokesperson to another Councillor. Without this delegation, no other Councillor is to engage with media to speak on behalf of Council.

To streamline processes, it is recommended that Council adopt the delegations for spokesperson duties associated with each Council Committee highlighted in the below table.

The Mayor will continue to be the primary spokesperson for anything outside of this.

As per the Media Engagement Policy, media will still be required to submit any request for comment through the Communications team.

Committee	Proposed Spokesperson
Annual Donations Programme	Mayor of The Day
General Managers Performance Review Panel	Mayor of The Day
Murrami Poultry Broiler Farm Development Community Liaison Committee	Mayor of The Day
Tamworth Regional Floodplain Management Committee	Mayor of The Day
Tamworth Regional Local Traffic Committee	Cr Phil Betts
Tamworth Regional Rural Fire Service Liaison Committee	Mayor of The Day
Tamworth Sports Dome Committee	Cr Mark Rodda
Audit, Risk and Improvement Committee	General Manager
Australian Country Music Hall of Fame Working Group	Mayor of The Day - Chair
Disability Access Working Group	Cr Helen Tickle
King George V Avenue Working Group	Cr Juanita Wilson
Plant Committee	Mayor Col Murray
Sports Working Group	Cr Mark Rodda - Chair
Tamworth City Centre Working Group	Mayor of The Day
Tamworth Region Arts Advisory Committee	Cr Glenn Inglis – Chair
Tamworth Region Inclusive Culture Advisory Committee	Cr Juanita Wilson – Chair
Tamworth Regional Council Emergency Precinct Working Group	Cr Phil Betts – Chair
Tamworth Regional Council Heritage Working Group	Cr Juanita Wilson – Chair
Tamworth Regional Council Waste Management Working Group	Mayor of The Day
Tamworth Regional Crime Prevention Working Group	Cr Russell Webb
Tamworth Regional Licensed Premises Reference Group	Cr Russell Webb
Tamworth University Strategic Working Group	Mayor of The Day (Chair)
Urban Street Tree Management Plan Advisory Group	Cr Helen Tickle
Arts North West	Cr Juanita Wilson
AviSkills	Cr Glenn Inglis
Bush Fire Management Committee	Cr Phil Betts – Representative
Central Northern Regional Library	Cr Juanita Wilson
Country Mayors Association	Mayor of The Day
Namoi Councils	Mayor of The Day – Representative
New South Wales Public Libraries Association	Cr Juanita Wilson
Northern Inland Regional Waste Group	Mayor of The Day

North West Regional Weed Committee	Cr Jim Maxwell
Regional Cities NSW	Mayor of The Day
Tamworth Aboriginal Community Consultative Committee	Mayor of The Day
Tamworth And District Liquor Accord	Cr Juanita Wilson
Tamworth Cardiovascular Health Working Group	Cr Helen Tickle
Tamworth Health Committee	Cr Helen Tickle – Delegate
Tamworth Regional Conservatorium of Music	Mayor of The Day – Representative
Tamworth Regional Local Emergency Management Committee (LEMC)	Cr Phil Betts
Tamworth Regional State Emergency Service Administrative Committee	Cr Phil Betts – Delegate
Country Music Festival Emergency Planning Committee	Nil
Mid North Weight of Loads Group	Nil
Namoi Peel Customer Service Committee	Nil
New England District Emergency Management Committee (DEMC)	Nil
Northern Inland Government Water Managers Group	Nil
Northwest Regional Community Care Advisory Committee	Nil
Regional Arts NSW	Nil
Regional Galleries Association of New South Wales	Nil

(a) Policy Implications

This recommendation is in line with Council’s Media Engagement Policy.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(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.

9.3 ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - MAY 2021

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

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

RECOMMENDATION

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

SUMMARY

This report is to advise the main items of note for budget variations for the month of May 2021.

COMMENTARY

Council adopted the original budget included in the Annual Operational Plan for 2020-2021 at the Ordinary Meeting of Council held 23 June 2020. Any changes to the budget must be approved by Council at a later Ordinary Meeting.

This report seeks Council approval for any required budget variations identified during the month of May 2021, for which there has been no previous specific report or approval.

The main highlight of this report is the increased income in the area of Grant Funding the majority of this funding is for expenditure on roads however two of note are the \$50,000 for the NSW Planning Portal and the take up of income and expenditure for the museum digitisation/cataloguing project which has a budget of \$309,000.

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

Variations identified May 2021

<i>Description</i>	<i>Budget Variation</i>	<i>Operating Income</i>	<i>Operating Expenses</i>	<i>Capital Income</i>	<i>Capital Expenses</i>
Cultural Services	0	(309,051)	309,051	0	0
Events	0	(34,000)	34,000	0	0
AELEC Precinct	0	0	0	(31,775)	31,775
Compliance	0	9,241	(9,241)	0	0
Development	0	(45,500)	45,500	0	0
Plant, Fleet & Buildings	(4,462)	0	(4,462)	0	0
Sport & Recreation	17,800	0	0	(27,585)	45,385
Infrastructure Projects	(2,225,000)	(1,013,683)	1,013,683	(2,325,000)	100,000
Water & Waste	(303,195)	(206,717)	203,766	0	(300,244)
Laboratory	31,220	(45,500)	76,500	0	220
TOTAL	(2,483,637)	(1,645,210)	1,668,797	(2,384,360)	(122,864)

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 2020-2021 by fund of:

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(1,438,493)	1,465,031	(2,384,360)	177,380
Water	(56,717)	(56,969)	0	1,341
Sewer	(150,000)	260,735	0	(301,585)
Total	(1,645,210)	1,668,797	(2,384,360)	(122,864)

(c) Legal Implications

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

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

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.4 COUNCIL INVESTMENTS MAY 2021

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Council Investments May 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 May 2021, and highlight the continued impact of low interest rates on Council's budget.

COMMENTARY

At its meeting in June the Reserve Bank not surprisingly left interest rates on hold and maintained its current monetary approach. There was mixed news with the Australian economy growing and unemployment decreasing both faster than expected. However, the

sticking point of low inflation and subdued wages remains, so the catalyst for potential increases in interest rates remains stubbornly steadfast. Inflation is anticipated to increase by 0.5% over the next eighteen months to two years (sourced RBA media release 1 June 2021).

In accordance with Section 212 of the Local Government (General) Regulation 2005, the details of all money Council have invested as at 31 May 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	19,910,162	49,000,000	0	68,910,162	40.35%
BOQ	0	16,700,000	0	16,700,000	9.78%
CBA	0	31,000,000	0	31,000,000	18.15%
St George	0	7,000,000	0	7,000,000	4.10%
TCorp	0	0	2,877,873	2,877,873	1.68%
Westpac	0	44,300,580	0	44,300,580	25.94%
TOTAL	19,910,162	148,000,580	2,877,873	170,788,615	100%

The amount invested at 31 May 2021, has increased by \$6,432,520.10 compared to funds held at 30 April 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 a summary of investments held by each fund:

Fund	Restriction	Amount	%
General	Unrestricted	6,085,098	3.56%
General	Internally Restricted	40,105,759	23.48%
General	Externally Restricted	11,416,349	6.69%
	General Fund Total	57,607,206	33.73%
Water	Unrestricted	2,211,934	1.30%
Water	Internally Restricted	23,145,700	13.55%
Water	Externally Restricted	25,261,589	14.79%
	Water Fund Total	50,619,223	29.64%
Sewer	Unrestricted	2,244,467	1.31%
Sewer	Internally Restricted	44,761,907	26.21%
Sewer	Externally Restricted	15,555,812	9.11%
	Sewer Fund Total	62,562,186	36.63%
	Total Investments	170,788,615	

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.

9.5 ADOPTION OF THE TAMWORTH REGIONAL COUNCIL ANNUAL OPERATIONAL PLAN 2021/2022

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Anna Russell, Acting Manager Strategy and Performance
Reference: Item 9.4 to Ordinary Council 27 April 2021 - Minute No 106/21
Item 9.1 to Ordinary Council 13 April 2021 - Minute No 85/21
4 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Adoption of the Tamworth Regional Council Annual Operation Plan 2021/2022”, Council make the following determinations:

- (i) in accordance with Section 404 and 405 of the Local Government Act 1993, Council adopt the Tamworth Regional Council Annual Operational Plan 2021/2022, as described in ANNEXURE 1, ANNEXURE 2 and ANNEXURE 3, noting amendments made to the exhibited draft, refer ANNEXURE 4;*
- (ii) in accordance with Part 9, Division 5, clause 211(2) of the Local Government (General) Regulation 2005, Council approve expenditure and vote funds as detailed in the Tamworth Regional Council Annual Operational Plan 2021/2022, subject to the amendments as outlined in ANNEXURE 4 of this report;*
- (iii) that in relation to ordinary rates, Council adopt the 2.0% annual maximum rate peg, as approved by the Independent Pricing and Regulatory Tribunal, and in accordance with Section 494 of the Local Government Act 1993, Council make and levy the ordinary rates for the year 1 July 2021 to 30 June 2022, as ATTACHED, refer ANNEXURE 2;*
- (iv) that in relation to water supply charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges in ANNEXURE 2 for Water Supply Services in 2021/2022;*
- (v) that in relation to sewerage service charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges in ANNEXURE 2 for Sewerage Services in 2021/2022;*
- (vi) that in relation to waste management charges, in accordance with Section 496 and Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the annual charges in ANNEXURE 2 for Waste Management Services in 2021/2022;*
- (vii) that in relation to stormwater management service charges, in accordance with Section 496A of the Local Government Act 1993, Council make and impose the charges in ANNEXURE 2 for Stormwater Management Services in 2021/2022, to fund works identified in the Tamworth Urban Area Stormwater Management Plan;*
- (viii) that in relation to interest on overdue rates and charges, Council make and impose the maximum charge for interest of 6% from 1 July 2021 to 30 June 2022 inclusive on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566 (3) of the Local Government Act 1993; and*
- (ix) that in relation to the exhibited fees and charges in ANNEXURE 3, fees and charges for services provided by Council as detailed in ANNEXURE 3 of the Tamworth Regional Council Annual Operational Plan 2021/2022 be adopted in accordance with Section 502 of the Local Government Act 1993, and other*

relevant legislation as described in the annexure, noting amendments made to the exhibited draft, refer ANNEXURE 4.

SUMMARY

At its Ordinary Meeting held 27 April 2021, Council resolved to place the following Integrated Planning and Reporting (IP&R) draft documents on public exhibition in accordance with Section 405 of the Local Government Act 1993, for the 2021/2022 year:

- Annual Operational Plan (AOP) 2021/2022;
- Revenue Policy 2021/2022; and
- Fees and Charges 2021/2022.

Following the completion of the exhibition period and consideration of submissions received, the purpose of this report is to recommend to Council that the Tamworth Regional Council Annual Operational Plan 2021/2022, including Council's 2021/2022 Revenue Policy and Fees and Charges, be adopted.

COMMENTARY

Before the beginning of each financial year Council must adopt an Operational Plan that details the activities to be engaged in by Council during the year as part of the Delivery Program covering that year. To facilitate the activities Council must also approve and vote funds for expenditure, and adopt the rates and fees and charges to be applied.

The Operational Plan for 2021/2022 provides the detail for the fifth year of the Delivery Program for 2017-2022, which sets the objectives for the term of the current Council. Due to the current COVID-19 pandemic and the postponement of Council elections, the Office of Local Government (OLG) has extended the current IP&R cycle for 12 months, converting it into a five-year cycle with the next cycle reducing to a three-year cycle.

These documents have been prepared in line with the current Community Strategic Plan ("Keychange") and the Resourcing Strategy. As the Resourcing Strategy demonstrates, Council should continue to apply rate peg limits to rates and charges to maintain current service levels and financial sustainability.

The budget tables in the Plan include details of the source and application of funds by key service functions. This is supported by a detailed budget to be used by management to implement and monitor the plan. Budget progress will be reported via the Quarterly Budget Review Statements following the September, December and March quarters. Budget variations requiring Council approval will be reported monthly. Performance reports will also be provided every six months to report progress against the operational actions included in the delivery program for the year.

The draft versions of these documents are as follows:

- Tamworth Regional Council Draft Annual Operational Plan 2021/2022, **ATTACHED**, refer **ANNEXURE 1**;
- Tamworth Regional Council Draft Revenue Policy 2021/2022, **ATTACHED**, refer **ANNEXURE 2**;
- Tamworth Regional Council Draft Fees and Charges 2021/2022, **ATTACHED**, refer **ANNEXURE 3**; and
- Summary of changes to draft documents presented to Council prior to Community consultation period - a complete list of changes and variances including any financial amendments from the initial draft, **ATTACHED**, refer **ANNEXURE 4**.

Modifications to both Fees and Charges, and the Revenue Policy (via budget adjustments requested to reflect operational decisions made since the original drafting of actions and the

budget in March 2021), are also listed in the draft **ATTACHED**, refer **ANNEXURE 4**.

2021/2022 Revenue Policy

Council's 2021/2022 Revenue Policy **ATTACHED**, refer **ANNEXURE 2**, conforms to the legislative requirements of section 405 of the Local Government Act 1993. It is recommended that Council adopt rates and charges based on the 2.0% maximum rate peg, as approved by the NSW Independent Pricing and Regulatory Tribunal, and in accordance with Section 494 of the Local Government Act 1993.

2021/2022 Fees and Charges

It is recommended that the fees and charges for the services provided by the Council, as detailed in Fees and Charges 2021/2022 as **ATTACHED**, refer **ANNEXURE 3**, be adopted in accordance with Section 502 of the Local Government Act 1993, noting the amendments as presented in **ANNEXURE 4**.

Public Exhibition Period

The draft Annual Operational Plan, along with the Draft Fees and Charges and Draft Revenue Policy, were on public exhibition from 3 May to 31 May 2021.

Communications and engagement activities included a combination of media, social media and face to face opportunities to share information with our community and to listen to feedback they may have regarding the exhibited policies and plans.

During the public exhibition period extra emphasis was placed on the proposed 10% increase to the Domestic Waste Management Charge and the proposed changes to the fees and charges associated with disposing of waste at Council's nine waste management facilities.

Responses received from the community are summarised below:

Annual Operational Plan 2021/2022	
<i>15 formal submissions received</i>	
Key themes:	Climate Change
	Road use, condition and maintenance
Fees and Charges 2021/2022	
<i>206 formal submissions received</i>	
Key themes:	Waste management, base rates increase unacceptable
	Waste management, reduction of services concerns
	Waste management, illegal dumping concerns
	Waste management, financial hardship concerns
	Waste management, financial impact on pensioners
Revenue Policy 2021/2022	
<i>No formal submissions received</i>	

The adoption of the Tamworth Regional Council Annual Operational Plan, Revenue Policy and Fees and Charges for 2021/2022 will serve to outline the activities and services that Council plans to provide over the next financial year. Copies will be made available on Council's website and sent to the Office of Local Government.

(a) Policy Implications

As detailed in **ANNEXURES 1, 2, 3 and 4**.

(b) Financial Implications

As detailed in **ANNEXURES 1, 2, 3 and 4.**

(c) Legal Implications

When adopted Council's Integrated Planning and Reporting documents for 2021/2022 will meet relevant statutory requirements for the Local Government Act 1993.

(d) Community Consultation

The Local Government Act 1993 requires Council at a minimum to place the draft Annual Operation Plan on public exhibition for a period of at least 28 days.

The exhibition included the following communications and engagement activities;

- Media releases
- Media opportunities to speak with Council representatives
- Social media via Facebook
- Radio advertisements
- Newsprint advertisements (Northern Daily Leader, Barraba Gazette and the Manilla Express)
- Pop-up information desks across the region including Tamworth, Barraba, Manilla, Nundle and Kootingal

The Draft Tamworth Regional Council Annual Operational Plan 2021/2022, Draft Revenue Policy 2021/2022 and Draft Fees and Charges 2021/2022 were publicly exhibited between 3 May 2021 and 31 May 2021. Hard copies of the document were made available at the face to face information sessions and if requested copies were posted. Council placed public notices of the exhibition period in the Northern Daily Leader, Barraba Gazette and the Manilla Express in accordance with statutory requirements. Council also conducted a social media campaign and during the exhibition period Council held a number of face-to-face meetings throughout the region, as detailed below:

Date	Location
Monday, 3 May	Tamworth
Saturday, 8 May	Barraba
Wednesday, 12 May	Nundle
Sunday, 16 May	Tamworth
Sunday, 23 May	Manilla
Thursday, 27 May	Kootingal

(e) Delivery Program Objective/Strategy

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

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

9.6 STORES INVENTORY WRITE OFF

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Stores Inventory Write Off”, Council:

- (i) receive and note the report; and*
- (ii) authorise the write off of \$1,939.58 being obsolete inventory.*

SUMMARY

Every year finance and store staff are required to carry out a stock take of stores inventory. This year it was determined that Council is holding items to the value of \$1,939.58 that are obsolete and need to be written off to maintain the accuracy of Council’s financial reports.

COMMENTARY

A stock take of Council store items was held on Thursday 17 June 2021. The work preceding the stocktake and the actual stock take itself highlighted **ATTACHED**, refer **ANNEXURE 1**, obsolete store items that need to be expensed (written off). Expensing these obsolete items will remove them from Council’s balance sheet. The items are recorded at a value of \$1,939.58 when the actual value is zero due to obsolesce.

(a) Policy Implications

Nil

(b) Financial Implications

From a financial reporting perspective this is an immaterial correction to Council’s current assets.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.7 COUNCILLOR ANNUAL FEES FOR THE 2021/2022 FINANCIAL YEAR

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

RECOMMENDATION

That in relation to the report “Councillor Annual Fees for the 2021/2022 Financial Year”, Council fix and determine the annual fee payable to Councillors and Mayor of Tamworth Regional Council for the 2021/2022 financial year effective from 1 July 2021, at the maximum allowable amount for a Regional Centre Council.

SUMMARY

The purpose of this report is to advise Council on the Local Government Remuneration Tribunal’s decision on the range of fees payable to Councillors and Mayors for 2021/2022.

COMMENTARY

The Local Government Remuneration Tribunal handed down its 2021 report on 23 April 2021, and determined that there be a 2% increase in the fees payable to Councillors and Mayors in the next financial year. The full Annual Report and Determination is **ATTACHED**, refer **ANNEXURE 1**.

The Tribunal found that the current allocation of Councils into categories was appropriate and no changes have been made in this regard. Tamworth Regional Council was re-categorised last year into the new category of Regional Centre and a new fee structure was allocated accordingly.

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2021, are determined as follows:

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils Metropolitan	Principal CBD	28,190	41,340	172,480	226,960
	Major CBD	18,800	34,820	39,940	112,520
	Metropolitan Large	18,800	31,020	39,940	90,370
	Metropolitan Medium	14,100	26,310	29,950	69,900
	Metropolitan Small	9,370	20,690	19,970	45,110
General Purpose Councils Non-metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370

	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

(a) Policy Implications

It has been Council's practice to fix and determine the annual fee payable to a Councillor and the Mayor since formation of Tamworth Regional Council at the maximum amounts determined by the Tribunal.

(b) Financial Implications

If approved an additional amount of \$4,410 for Councillors and \$1,200 for the Mayor will need to be added to the 2021/2022 budget.

(c) Legal Implications

Section 248 and 249 of the Local Government Act 1993, require Councils to fix and pay an annual fee to Councillors and Mayors based on the Tribunal's determination for the 2021-22 financial year.

(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 CRIME PREVENTION WORKING GROUP MEETING - 14 MAY 2021

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That, in relation to the report “Crime Prevention Working Group Meeting – 14 May 2021”, Council:

- (i) receive and note the Minutes of the Crime Prevention Working Group Meeting held 14 May 2021; and*
- (ii) consider the following recommendations of the Crime Prevention Working Group Meeting:*
 - that Council consider the appointment of an Aboriginal Cultural Officer at Tamworth Regional Council;*
 - that Council partner with the Police to produce an information package outlining effective strategies for rural landholders to minimise the risk and occurrence of rural crime.*

SUMMARY

The purpose of this report is to present the minutes of the Crime Prevention Working Group (CPWG) meeting held on 14 May 2021, provide Council with an overview of the meeting outcomes and bring to Council for consideration, any recommendations from the meeting.

COMMENTARY

The following is a summary of the main items discussed at the CPWG meeting held on 14 May 2021, as reported in the **ATTACHED** minutes, refer **ANNEXURE 1**.

- Access to the Tamworth Regional Youth Centre by children under the age of 12 years:
The CPWG was advised that after consultation with relevant stakeholders, the original decision to exclude children under the age of 12 years from the Tamworth Regional Youth Centre will continue. While it is acknowledged that this is an issue, a lack of available resources to deal with the specific needs of that age group currently exists.
To assist with this issue, Tamworth Family Support Services has a small amount of funding and is currently in the initial stages of developing a program to specifically target the under 12 years age group. An appropriate facilitator is currently being sought to manage the relevant program.
- Tamworth and District Liquor Accord (TDLA):
At the request of NSW Police and as part of NSW Police’s commitment to reduce violence, anti-social behaviour and other forms of criminal behaviour, the TDLA has amended its constitution to include an Outlaw Motor Cycle Gang (OMCG) specific multi-venue barring policy.
Under the policy, all licensees agree to exclude from their premises any person confirmed by the NSW Police as a current member of any OMCG. It is hoped the policy will send a strong message and help create a safer environment for venues and patrons.
- Police crime report and focus:

Oxley Police District advised while encouraged by low crime rates across most key crime categories, there is concern over a spike in the number of property theft offences, including the stealing of motor vehicles. Police continue to actively target the mainly young offenders and have made a number of significant arrests. Unfortunately, the offenders often continue to be involved in offences whilst on bail.

Police continue to encourage the general public to provide assistance by ensuring their vehicles and homes are secured. Too often vehicles and homes are left unsecured or with valuables in plain sight, leaving them a prime target for opportunistic thieves. A joint Police and Council campaign is currently being developed with the aim of increasing personal security awareness across the region.

Police are also continuing a focus on stopping the supply and use of illegal drugs. Since January 2021, 60 search warrants have been executed. A recently executed warrant yielded approximately \$30,000 in cash and 1kg of cannabis.

- Domestic violence:

Considerable Police resources continue to be directed toward dealing with domestic violence offences. Domestic violence is not limited to one single socioeconomic group in the community. All sections of the community are affected, with male and females being both the victim and the offender.

Domestic violence is traditionally a difficult issue to manage, however a number of targeted policing actions have had a positive impact. Additionally, increased communication with other agencies has also produced excellent results. The cooperation between agencies allows for a holistic approach and provides an opportunity to address identified deficiencies.

- Youth Justice:

Youth Justice has continued to implement programs with a strong emphasis on diversion and supervision. These programs aim to care for young offenders and reduce the risk of reoffending. Amongst other things, the programs offer health, educational and spiritual aspects.

Recently, Youth Justice was involved in staging the *'My Journey, My Life'* program. The program is a culturally based intervention resource for young aboriginal men. The goal of the program is to lead the participants away from offending behaviour and promote attributes which enable them to be strong leaders in their community.

- Community Corrections

Community Corrections advised that while still operating under a COVID-19 safe plan, it is beginning to return to a normal work flow. Supervised community service work has increased to 75% capacity. Apart from other services provided, targeted programs focusing on drug and alcohol use, drink driving as well as family and domestic violence are currently operating. These programs have been well received and are returning positive results.

- Graffiti:

A graffiti statistics report was tabled outlining results between 1 February and 30 April 2021. Throughout the period, nine incidents were recorded, at a cost to Council of \$1,525 to remove. During the same period last year, eight incidents were recorded costing Council \$1,260 to remove.

The majority of incidents occurred in the South Tamworth area with privately owned properties being the main victim. Strategies have been implemented to address the issue and identify the offenders.

- Burnt Out Houses:

The CPWG spoke about the work done by Homes North particularly in relation to cleaning and rehabilitating sites previously containing burnt out houses in West Tamworth. Unfortunately, these sites are not being redeveloped leaving potential for them to be subject to illegal dumping. The issue is a priority and has been escalated. The opportunity for Homes North to purchase the properties is currently being considered.

- **Aboriginal Cultural Officer:**

Discussions took place regarding the benefit of Council engaging an Aboriginal Cultural Officer. The CPWG agreed that as an active member of the local Aboriginal community, the Aboriginal Cultural Officer could be a valuable asset to Council in a wide range of areas. Such areas include fostering a stronger, positive and open relationship with the Aboriginal community as well as assisting in the development of a range of targeted strategies, including crime prevention.

The CPWG agreed to strongly recommend to Council that consideration be given to appointing an Aboriginal Cultural Officer for the Tamworth region.

- **Regional Homelessness:**

Homes North advised that it has experienced a sharp rise in homelessness, which is placing pressure on its limited budget. The rise is in part due to existing landlords seeking to sell their properties in the current strong real estate market. At this time there is no single solution, with a number of strategies being considered.

- **Wellbeing and Health In-reach Nurse Coordinators (WHIN):**

NSW Health and the Department of Education have collaborated to secure a WHIN Coordinator for the region. WHIN Coordinators support the health and wellbeing needs of vulnerable school students and their families. Appropriate assessments and referral to health and social services form part of their function.

The Coordinator will work with Tamworth High School, Westdale Public School and Tamworth Public School. If the program is successful there may be opportunity to expand the role to additional schools.

Another program which is anticipated to be commenced Term 3 of 2021, is the '*Perfect Presence Program*'. This is a targeted early intervention program for students identified at risk of disengaging from school. The target cohort is students in years eight, nine and ten. Other criteria include an attendance rate between 70-90% and a record of between two and four suspensions.

- **Rural Crime:**

A discussion took place regarding the level of rural crime in the region. Police advised that rural crime is an issue of concern in the region with a number of unique challenges. Issues such as the isolation of victims and delays in reporting can make it quite challenging to identify offenders. A number of effective strategies have been devised which may assist owners in reducing the likelihood of their property being targeted, however it is often hard to reach all potential victims.

The group agreed that a joint Police and Council information package mailed out with Council Rates Notices may be an ideal way to reach the greatest number of owners.

- **Terms of Reference:**

A review of the CPWG Terms of Reference (TOR) has revealed a disconnect between the TOR and member composition and numbers. It was agreed a review and update of the existing TOR is necessary to better reflect the range of organisations and members.

(a) Policy Implications

Nil

(b) Financial Implications

Should Council resolve to proceed to appoint an Aboriginal Cultural Officer, an amount of approximately \$90,000.00 p.a. will be required to be added to the Cultural and Community Services salary budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

10.2 TAMWORTH REGION INCLUSIVE CULTURE ADVISORY COMMITTEE (TRICAC) - MINUTES - 12 MAY 2021

DIRECTORATE: GROWTH AND PROSPERITY

AUTHOR: Kay Delahunt, Manager - Cultural and Community Services

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Region Inclusive Culture Advisory Committee (TRICAC) – Minutes – 12 May 2021”, Council receive and note the Minutes.

SUMMARY

The purpose of this report is to present to Council the Minutes of the Tamworth Region Inclusive Culture Advisory Committee (TRICAC) meeting held 12 May 2021 and to provide Council with an overview of the meeting outcomes.

COMMENTARY

A TRICAC Committee meeting was held on 12 May 2021. The Minutes of the meeting are **ATTACHED**, refer **ANNEXURE 1**.

The meeting of 12 May 2021, was centred around exploring any barriers to inclusion for the LGBTQ community in the Tamworth Region. Two invited guests provided the committee with an overview of some of the barriers that the LGBTQ community experience locally. The speakers used their own experiences to demonstrate the obstacles they encountered when seeking information from medical, professional and other relevant organisations in Tamworth. One speaker had to source help outside of Tamworth.

The guests discussed with the committee several suggestions to develop increased inclusion for the LGBTQ community and their families. These included:

- the redesign of forms to include pronoun tick boxes;
- planning for inclusive toilets;
- increased visibility – flags, t-shirts, stickers etc to let the LGBTQ community know that they will be welcome a business or facility; and
- provision of LGBTQ awareness training for frontline staff in local businesses and services.

The meeting also discussed:

- inviting the local ‘Pride Group’ to submit correspondence and reports to TRICAC; and
- inviting the Business Chamber to a future meeting to explore ways local businesses can increase their inclusivity.

The inclusion of a new community award was also suggested.

The Committee made two recommendations at this meeting. These included:

- that ACON training be provided to all Tamworth Regional Council frontline staff; and
- that the Committee supports creating a new award ‘Tamworth Region Inclusive Arts Award’.

The Committee’s advice on operational matters will be considered by Council staff/management.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Two members of the LGBTQ community attended the meeting to share their experience

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

(e) Delivery Program Objective/Strategy

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

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 PURCHASE OF PROPERTY FOR SEWER AUGMENTATION

DIRECTORATE: WATER AND WASTE
AUTHOR: Justin Lalor, Strategy Engineer

3 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c)&(d) 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

An augmentation to an existing pump station and a new rising main is required to augment the sewer network in Calala, Tamworth. To facilitate the larger pump station additional land is required.

The purpose of this report is to seek direction from Council in relation to the acquisition of this land.

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.