



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, Lands Building, Nemingha Room, 25-27 Fitzroy Street, Tamworth**, commencing at **6:30pm**.

ORDINARY COUNCIL AGENDA

11 JUNE 2024

PAUL BENNETT
GENERAL MANAGER

Order of Business

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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, 28 May 2024, 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 TAMWORTH REGIONAL COUNCIL HERITAGE WORKING GROUP MEETING MINUTES - 15 MARCH 2024

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Gina Vereker, Director Liveable Communities

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Council Heritage Working Group Meeting Minutes - 15 March 2024”, Council:

- (i) receive and note the minutes;*
- (ii) investigate the design and potential cost of appropriate signage to be erected at Paradise Park advising of the location of nearby toilet facilities;*
- (iii) dissolve the King George V Avenue Working Group sub-committee and amend the Terms of Reference of the Tamworth Regional Council Heritage Working Group to include a resident/representative from King George V Avenue as a*

community member; and

(iv) write to:-

- (a) the Local Member, the Hon. Kevin Anderson recommending the “School House at Hallsville” be sold or gifted to a project such as BackTrack to enable its preservation and/or reuse;**
- (b) Heritage NSW seeking its consent/comment regarding the proposal for a large sign to be erected at the start of King George V Avenue acknowledging its heritage listing.**

SUMMARY

The purpose of this report is to present to Council the Minutes of the Tamworth Regional Council Heritage Working Group meeting held on 15 March 2024 and to provide an overview of the meeting outcomes.

COMMENTARY

The Minutes of the Tamworth Regional Council Heritage Working Group Meeting held on 15 March 2024 are **ATTACHED**, refer **ANNEXURE 1**. A brief summary of items discussed at the meeting follows below:

- the proposed “BackTrack” project was discussed and a motion was passed recommending that the “School House at Hallsville” would be an ideal site for such a project and a letter be sent to the Local Member suggesting the property be sold or gifted to the project;
- at a previous meeting of the King George V Avenue Working Group the following items were raised:-
 - a proposal for erection of a large sign at the commencement of the Avenue alerting drivers that they are entering a heritage listed avenue; and
 - the need for signage to be erected alerting visitors/community etc., that toilet facilities can be found at the Hall of Fame.

Discussion took place in regards to the items above and the Heritage Working Group agreed that further investigation should take place in relation to these suggestions.

- The continuation of the King George V Avenue Working Group being a sub-committee of the Heritage Working Group was discussed. Consideration was also given to the dissolution of the sub-committee, to be replaced with the appointment of a resident of King George V Avenue as a community representative to the Heritage Working Group. This motion was unanimously supported. The previously adopted Terms of Reference have therefore been amended for Council’s consideration and are **ATTACHED**, refer **ANNEXURE 2**;

(a) Policy Implications

The amendment to the Terms of Reference to include a community member representing King George V Avenue has no specific policy implication.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The members of the King George V Avenue Working Group sub-committee were consulted (two (2) members were present during the discussion) in relation to the proposal to disband the sub-committee and appoint a representative as a community member to the Heritage Working Group.

(e) Delivery Program Objective/Strategy

Focus Area 7 – Celebrate our cultures and heritages

8 INFRASTRUCTURE AND SERVICES

8.1 2024 LOCAL GOVERNMENT WATER MANAGEMENT CONFERENCE - GOULBURN 23 TO 25 JULY 2024

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “2024 Local Government Water Management Conference - Goulburn 23 to 25 July 2024”, Council nominates representatives to attend this conference as appropriate.

SUMMARY

The purpose of this report is to advise Council that the 2024 Local Government Water Management Conference will be hosted by Goulburn Mulwaree Council at the Goulburn Recreation Area from 23-25 July 2024. This report has been prepared for Council to nominate Councillor representatives to attend this conference as appropriate.

COMMENTARY

The 2024 Local Government Water Management Conference will be hosted by Goulburn Mulwaree Council at the Goulburn Recreation Area from 23-25 July 2024. The conference provides insights in to the latest water policy and government priorities, as well as strategies for planning for future droughts and disaster management.

The Welcome Reception and Registration will be held from 5:30pm to 7:30pm on Tuesday, 23 July 2024 at the Goulburn Performing Arts Centre. The Conference then commences at 8:15am on Wednesday, 24 July at the Goulburn Recreation Area and concludes Thursday, 25 July at approximately 2:00pm.

The Draft Conference Program is **ATTACHED**, refer **ANNEXURE 1**. Among others, the program includes the following speakers and topics:

- Tanya Plibersek MP – Minister for Environment and Water, will be delivering a pre-recorded opening address;
- Rose Jackson MLC – NSW Minister for Water will be delivering the NSW Minister's Address;
- the Department of Climate Change, Energy, the Environment and Water will be delivering a session in relation to the Department's key oversight and support functions under the Regulatory and Assurance Framework;
- the program includes numerous Council's presenting on the conference themes of sustainable water resource management and disaster management resilience; and
- a site visit of Goulburn Mulwaree Council's water and wastewater treatment facilities will also form part of the conference program.

Council's Director Water and Waste, Manager – Water and Environmental Operations and Manager – Projects, Strategy and Infrastructure are proposing to attend the conference.

(a) Policy Implications

Councillor(s) authorised to attend the 2024 Local Government Water Management Conference, in accordance with Council's policy relating to the *Payment of Expenses and Provision of Facilities to Councillors*.

Approval arrangements for Councillor discretionary trips, attendance of Councillors at conferences, seminars, forums, workshops, professional development programs and/or other significant expenses and facilities under this policy and for insurance purposes must be authorised by way of a formal resolution of an Ordinary Meeting of Council.

(b) Financial Implications

Councillors have been allocated funds to specifically provide for attendance at Local Government Sector Conferences, Workshops, industry working parties and Community Non-Council functions and events.

Authorisation of the attendance of Councillors is by way of resolution of Council. Authorisation and the payment of the expenses involved will only be provided by Council where the conference, workshop or industry working party is directly related to the Councillor's Civic Functions and responsibilities and/or the Local Government Sector.

Conference registration is \$860 per person. Various accommodation options are available ranging from \$200-\$300 per night.

(c) Legal Implications

Council's formal resolution for attendance of any delegate is required for insurance purposes whilst the representatives are performing bona fide Council duties.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Karen Litchfield, Internal Auditor

1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Audit, Risk and Improvement Committee”, Council receive and note the Minutes of the meeting held 2 May 2024.

SUMMARY

The purpose of this report is to present to Council the Minutes of the Audit, Risk and Improvement Committee meeting held Thursday, 2 May 2024.

COMMENTARY

The quarterly meeting of the Audit, Risk and Improvement Committee was held on Thursday, 2 May 2024. The Minutes of the meeting are **ENCLOSED**, refer **ENCLOSURE 1**.

(a) Policy Implications

Nil

(b) Financial Implications

Costs associated with the Internal Audit function are included in the 2024/2025 Annual Operational Plan.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Group 9 - Open and collaborative leadership.

10 COMMUNITY SERVICES

10.1 DOLLY PARTON'S IMAGINATION LIBRARY ANNUAL COUNCIL COMMITMENT

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Lisa Rennie, Executive Assistant

RECOMMENDATION

That in relation to the report “Dolly Parton's Imagination Library Annual Council Commitment”, Council:

- (i) allocate \$200,000 from the 2024/2025 and 2025/2026 General Fund to part finance the program for the 2024/2025 and 2025/26 financial years;*
- (ii) continue to promote the program across the Tamworth Local Government Area and actively pursue corporate and community sponsorship/donations; and*
- (iii) investigate other similar models in an effort to manage ongoing cost increases;*
- (iv) write to the Local Member, the Honourable Kevin Anderson requesting that he lobby the State Government for funding to assist with the continued delivery of the program*

SUMMARY

In August 2018 Council resolved to implement from January 2019, Dolly Parton's Imagination Library program to all new born children across the Tamworth Local Government Area.

At Council's Ordinary Meeting of 8 November 2022, Council resolved that an additional \$100,000 would be allocated to the program in the 2021/2022 financial year and a further \$200,000 for the 2022/2023 and 2023/2024 financial years.

The program celebrated its first major milestone in January 2024 with the first five year old children graduating from the program with a love of reading.

To enable this program to continue to be delivered to every child born in the Tamworth Local Government, further financial assistance is needed.

COMMENTARY

Background

Dolly Parton's Imagination Library is a unique program designed to kickstart a lifelong love of reading. Council is proud to be the driver of this fantastic initiative, partnering with United Way Australia to bring the program to the Tamworth Region.

Council introduced the program to the Local Government Area (LGA) in January 2019. All babies born from January 2019 residing in the LGA are eligible to access the program. Each child receives one free physical book to keep, per month, every month from birth up until the age of five years.

In January 2024, the Program celebrated a major milestone achieving five years since its commencement with the first five year old's graduating from the program.

Statistics

Key statistics for the past five years (lifetime) from January 2019 to June 2024:

- total number of children enrolled **4,070** (lifetime enrolments)
- books distributed to families **118,196** (lifetime books)
- **275** graduations to date (2019 enrolments started graduating in January 2024)
- Local and other donor contributions to the cost of the program (**43%**)
- Council contribution to the cost of the program (**54%**)
- Philanthropic contribution to the cost of the program (**3%**)

Research in regards to the Tamworth LGA DPIL Program

The results presented below are a summary of PhD research conducted through Macquarie University in partnership with United Way Australia.

- 98% of caregivers in the Tamworth Region joined the Imagination Library program for children born between January 2019 and November 2022.

Home Literacy Environment

In Tamworth, caregivers read to their children more frequently, for longer durations and had more books in the home compared to the Australian average.

- caregivers reading daily at baseline were five times more likely to continue daily reading routines after three years.
- at three years, 74% of caregivers read daily or more, higher than the national average of 58%.
- after six months, 65% of caregivers read for over 10 minutes daily, nearly double the typical Australian rate of 33%.
- at six months, 76% of caregivers reported they had more than 25 books in the home, higher than the 44% reported nationally.

Reading Attitudes and Interactions

The primary benefit reported by caregivers was their children's love of books and reading.

At three years of age, 75% of children requested daily reading sessions, 85% of caregivers felt more connected to their child and reported increased quality family time.

Equality and Socialisation

- the program fosters equality as all children receives the same books, providing a level playing field in preschool.
- shared books create connections among children, fostering imaginative play and social interaction.

Emerging Literacy Skills

At three years of age, a greater percentage of children in the Tamworth LGA exhibited improved emerging language and literacy skills, including print concepts, expressive vocabulary and an increase when read to daily or more, compared to those read to less frequently.

Cost

The cost of each book delivered to each child is currently \$9.00. There are currently 3,616 children registered on the program with children graduating every month and new babies or new children to the Local Government Area replacing the graduated children.

Should Council continue to support this significant initiative within the Tamworth Region, the on-going cost will be approximately \$380,000.00 p.a. plus.

This program is not financially supported by Dolly Parton herself and can only continue with the ongoing financial support of Council, as well as corporate and community donations.

Council is most grateful for the donations received from corporate bodies and the community between the dates of 1 January 2023 and 1 May 2024 with such donations totalling \$185,397.00.

(a) Policy Implications

Nil

(b) Financial Implications

Should Council adopt the recommendation Council's \$200,000.00 contribution will be funded from the General Fund.

(c) Legal Implications

Nil

(d) Community Consultation

Promotion of the program will be ongoing in order to attempt to obtain additional financial support from the community.

(e) Delivery Program Objective/Strategy

Focus Area 3 – Prosperity and Innovation

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.

PROPOSED LEASE OF COUNCIL OWNED LAND AT THE TAMWORTH REGIONAL AIRPORT - LOT 29 DEPOSITED PLAN 826112

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Nicholas Hawkins, Commercial Property Officer
Reference: Item 15.1 to Ordinary Council 28 March 2017 - Minute No. 76/17

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

SUMMARY

The purpose of this report is to seek Council's authorisation to enter a lease agreement for Lot 29 Deposited Plan 826112 at the Tamworth Regional Airport.

PROPOSED LEASE OF COUNCIL OWNED LAND AT THE TAMWORTH REGIONAL AIRPORT - LOT 23 DEPOSITED PLAN 826112 AND LOT 54 DEPOSITED PLAN 882054

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Nicholas Hawkins, Commercial Property Officer

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

SUMMARY

The purpose of this report is to seek Council's authorisation to enter a lease agreement for Lot 23 Deposited Plan 826112 and Lot 54 Deposited Pan 882054 at the Tamworth Regional Airport.

SUPPLY AND DELIVERY OF ONE 8x4 TWIN STEER RIGID HOOKLIFT TRUCK - T060/2024

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Stephen Groth, Technical Officer - Fleet and Workshops

1 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (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 competitor of Council.

SUMMARY

This report considers tenders for the replacement of one of Tamworth Regional Council's (Council) existing rigid hooklift trucks. This replacement is scheduled in accordance with Council's plant and fleet asset management plan. The new truck will be utilised in Council's Waste and Resource Recovery division.