



# 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

**22 MARCH 2022**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day prior to the Meeting to address the Council Meeting. Persons not registered to speak will not be able to address Council at the Meeting.

Council will only permit three speakers in support and three speakers in opposition to a recommendation contained in the Business Paper. If there are more than three speakers, Council's Governance division will contact all registered speakers to determine who will address Council. In relation to a Development Application, the applicant will be reserved a position to speak.

Members of the public will not be permitted to raise matters or provide information which involves:

- personnel matters concerning particular individuals (other than Councillors);
- personal hardship of any resident or ratepayer;
- information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
- Commercial information of a confidential nature that would, if disclosed:
  - prejudice the commercial position of the person who supplied it, or
  - confer a commercial advantage on a competitor of the Council; or
  - reveal a trade secret;
- information that would, if disclosed prejudice the maintenance of law;
- matters affecting the security of the Council, Councillors, Council staff or Council property;
- advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
- information concerning the nature and location of a place or an item of Aboriginal significance on community land;
- alleged contraventions of any Code of Conduct requirements applicable under Section 440; or
- on balance, be contrary to the public interest.

Members of the public will not be permitted to use Community Consultation to abuse, vilify, insult, threaten, intimidate or harass Councillors, Council staff or other members of the public. Conduct of this nature will be deemed to be an act of disorder and the person engaging in such behaviour will be ruled out of the order and may be expelled.

### **Disclosure of Political Donations or Gifts**

If you have made a relevant planning application to Council which is listed for determination on the Council Business Paper you must disclose any political donation or gift made to any councillor or employee of the Council within the period commencing two years before the application is made and ending when the application is determined (Section 147(4) Environmental Planning and Assessment Act 1979).

If you have made a relevant public submission to Council in relation to a relevant planning application which is listed for determination on the Council Business Paper you must disclose any political donation or gifts made to any councillor or employee of the Council by you as the person making the submission or any associate within the period commencing two years before the submission is made and ending when the application is determined (Section 147(5) Environmental Planning and Assessment Act 1979).

## AGENDA

- 1 APOLOGIES AND LEAVE OF ABSENCE**
- 2 COMMUNITY CONSULTATION**
- 3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL**

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 8 March 2022, 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 STEPHEN MEARS - INFORMATION RELATING TO THE PROPOSED NEW DUNGOWAN DAM**

### **MOTION**

*That Tamworth Regional Council urgently seek the release of the following information from the NSW State Government:*

- (i) details of the inputs that have been considered as part of the development of the cost v benefit analysis;*
- (ii) impacts and/or costs to existing water users that access supply from the current Dungowan Dam and associated pipeline; and*
- (iii) the estimated cost of water to Tamworth Regional Council and other users that will be sourced from the proposed new Dungowan Dam.*

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 22 March 2022.

### **SUPPORTING INFORMATION**

The proposal to build a new Dungowan Dam is of significant interest to our local community and there remains very little information available to provide our residents with any comfort or

assurance around the cost of construction and what that might mean with regards to future water prices. There is also considerable speculation around the impacts on existing water users and whether the proposed new dam will have any meaningful impact on water security for the City of Tamworth.

The best way to address the gossip and speculation is to provide the real information to the community and as a Council we should be advocating to the State Government to have that information released as soon as possible.

Cr Stephen Mears

15 March 2022

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## **OPEN COUNCIL REPORTS**

### **7 ENVIRONMENT AND PLANNING**

Nil

### **8 INFRASTRUCTURE AND SERVICES**

#### **8.1 2022 NORTHERN INLAND ACADEMY OF SPORT NATIONAL PRIMARY GAMES FINANCIAL ASSISTANCE REQUEST**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Sam Eriksson, Sports and Recreation Strategy Officer  
Paul Kelly, Manager Sports and Recreation

#### **RECOMMENDATION**

*That in relation to the report “2022 Northern Inland Academy of Sport National Primary Games Financial Assistance Request”, Council approve a complete fee waiver for all fees associated with the National Primary Games.*

#### **SUMMARY**

The National Primary Games (NPG) is a major multi-sport event aimed at the participation of children between the ages of 8-14 and is estimated to attract over 3,000 people to Tamworth for the event in July.

Given the economic benefit to the broader community, and the opportunity to showcase Tamworth’s high-quality sporting facilities, the Northern Inland Academy of Sport (NIAS) has requested Council support a fee waiver for field hire for this event.

#### **COMMENTARY**

The NPG is a major multi-sport event where children aged between 8-14 years participate in a chosen sport whilst representing their respective school, sporting club or sports association. The NPG has been held annually in Tamworth since its inception in 2015, and continues to provide a space for young athletes to enjoy the benefits of sport within a carnival-like atmosphere.

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NIAS is seeking to host the event in Tamworth, at a number of Tamworth Regional Council's (Council) sporting facilities during the month of July. These facilities include the Tamworth Sports Dome, Gipps Street turf fields and the Riverside turf precinct. By providing these facilities, Council and the broader community can showcase Tamworth's ability to host large scale sporting events to a large number of visitors.

NIAS has advised that they expect similar participation to previous years events which have attracted over 3,000 athletes and accompanied spectators. Based on sport tourism industry standards, this event will bring an economic benefit of \$906,000 to the region, as displayed in Figure 1.

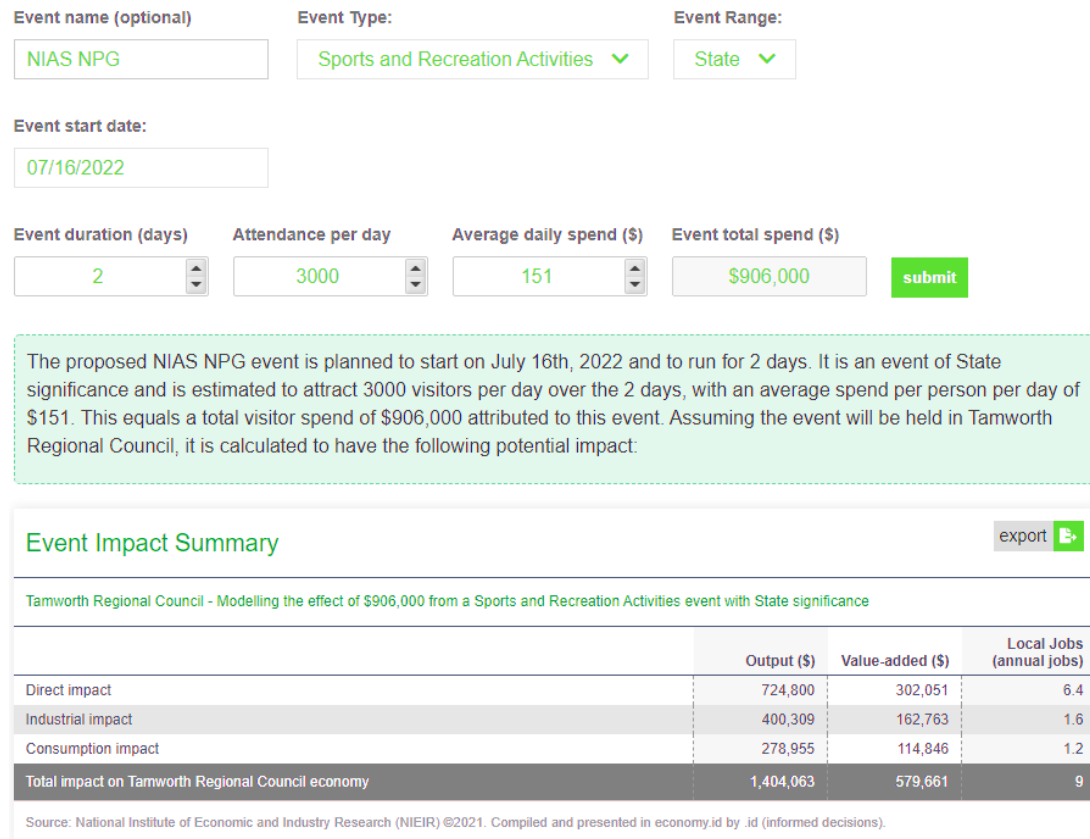


Figure 1. Event Impact Summary

The cost of hiring and preparing the fields and/or facilities for this event is estimated to be approximately \$8,000. The calculation of this fee is outlined below in Table 1.

Table 1: Fee Calculation

Description	Proposed fee
Turf sports field hire	\$3,500
Sports Dome hire	\$3,000
Cleaning/bins	\$1,500
<b>TOTAL</b>	<b>\$8,000</b>

This request is in line with Council's Sports Event Subsidisation Policy (SESP). It is therefore recommended that Council support this fee waiver request due to the economic benefit it brings the Tamworth community, the opportunity to showcase Tamworth's ability to host major sporting events and to promote participation in grass roots sport.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The Sports and Recreation division has an annual budget allocation for events subsidised under the SESP. Field and court hire fees estimated to be approximately \$8,000 (including GST) will be deducted from this budget.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

A Spirit of Community – C12 Provide high quality sporting facilities to meet the diverse needs of the community.

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## **8.2 IPART – REVIEW OF DOMESTIC WASTE CHARGES**

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

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report "IPART – Review of Domestic Waste Charges", Council lodge a submission objecting to any further regulation of Domestic Waste Management Charges, for the reasons detailed in the report.*

### **SUMMARY**

IPART has released a draft report on its review of domestic waste management charges and is inviting feedback.

The purpose of this report is to seek direction from Council on whether a submission should be made and if so, what should be in Council's submission.

### **COMMENTARY**

In 2010, the Minister for Local Government delegated to the Independent Pricing and Regulatory Tribunal (IPART) the function of approving special rate variations and minimum rates, and the function of varying annual domestic waste management (DWM) charges.

NSW Councils provide a range of DWM services to residents, such as kerbside collection, drop-off facilities and periodic clean-up services. To recover the cost of these services,

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Council's levy DWM charges (separate to general rates) on residential and commercial ratepayers.

Since being given the delegation in 2010, IPART has decided not to set a limit on the annual DWM charges made by Councils. IPART has been satisfied, to date, that DWM charges were likely to be reasonable, and that the cost of additional regulation would likely outweigh the benefit as:

- Councils are required to set charges that do not exceed the reasonable cost of providing DWM services;
- DWM costs have been independently audited as required by the Office of Local Government (OLG) each year; and
- many Councils outsource DWM services through a competitive tender process.

In 2019, OLG informed IPART that it had ceased conducting audits of the reasonable cost basis of DWM charges in 2016–17. IPART then decided it was necessary to investigate the level of DWM charges across NSW to help inform future decisions on DWM charges. IPART asked Councils to report on their DWM expenses and services for the 2017–18 and 2018–19 financial years as part of the 2019–20 Local Government Cost Index (LGCI) survey to inform this process.

IPART found:

- 1) relatively large increases in DWM charges in recent years; and
- 2) DWM charges vary significantly across Councils and between similar Councils.

In August 2020, IPART released a discussion paper to seek feedback on whether stakeholders considered that there are issues with the prices charged for domestic waste services and whether any regulatory or other action is required. IPART also sought feedback on potential options if regulatory action is required, noting that IPART would favour a less prescriptive approach. IPART outlined a proposed regulatory approach may include developing, in consultation with stakeholders a reporting, monitoring and benchmarking regime. This would involve developing a publicly available comparison tool, comparing DWM charges for equivalent services across comparable Councils, and pricing principles.

In response to the Discussion Paper, IPART was advised by Councils the major contributors to increases in DWM charges were external cost drivers outside Council control. Councils also had major concerns about:

- the lack of investment in waste recycling and disposal infrastructure;
- the Waste Levy increasing, but not resulting in additional funding to Councils for recycling;
- market concentration in the waste services industry; and
- differing needs and expectations of community.

Most Councils were not in favour of any regulation of DWM charges. Nevertheless, many Councils indicated support for clear and unambiguous pricing principles. However, some Councils were concerned that benchmarking DWM charges would not work, because it would be 'comparing apples to oranges'.

However, most ratepayers' submissions indicated their support for detailed regulation of DWM charges and the introduction of publicly available benchmark comparisons. They also raised specific concerns about:

- high landfill charges leading to significant illegal dumping; and
- Councils imposing DWM charges on residents of multi-unit developments (MUDs) that require waste collection by private contractors due to physical limitations in accessing bins.

Submissions from industry - waste contractors and related industry associations - generally were not in favour of IPART intervening because they consider the market is competitive, and charges are cost reflective.

In March 2021, IPART convened a working group with 15 representatives from Councils and representatives from OLG to further work through the issues and develop their proposals. Council's Manager of Waste and Resource Recovery was invited to participate in the working group.

Following this consultation in December 2021, IPART released a draft report into the Review of Domestic Waste Management Charges. A copy of the report is **ATTACHED**, refer **ANNEXURE 1**. The draft report included advice that on 13 December 2021, IPART had decided not to set a limit on annual DWM charges made by Councils for 2022-23. Instead, IPART proposes to publish annually a "benchmark" waste peg. The benchmark waste peg would be non-binding on Councils and would be published at the same time as the rate peg. It is intended to give guidance to rate payers and Councils on how much the reasonable cost of providing DWM services should increase, year to year. Further, IPART proposes:

- to request Councils whose charges increased more than the benchmark waste peg to explain why;
- publish an annual report that highlights Councils whose DWM charges have increased by more than the benchmark waste peg and include the Council's explanations for the increases; and
- to recommend to the NSW Office of Local Government (OLG) that they provide guidance to Councils through pricing principles in the OLG's Council Rating and Revenue Raising Manual on how to set DWM costs.

IPART's proposed pricing principles are:

- DWM revenue should equal the efficient incremental cost of providing the DWM services;
- Council should publish details of the DWM services they provide, the size of the bin, the frequency of collection and the individual charges for each service;
- within a Council area, customers that are:
  - imposing similar cost for a particular service should pay the same DWM charge;
  - paying the same DWM charge for a particular service should get the same level of service; and
- any capital cost of providing DWM services should be recovered over the life of the asset to minimise price volatility.

From this, IPART believes it will be able to assess if DWM charges should be regulated through a binding DWM waste peg or setting individual DWM charges in the future.

IPART is seeking comment on the report with submissions open until 29 April 2022.

Assuming Council would like to make a submission on this matter then the following points are considered relevant:

- any further regulation, or an increase of the administrative burden on local government, is not necessary for the following reasons:
  - Council's fees and charges are publicly advertised before they are adopted. Customers have the right to question the charges before they are adopted;
  - it is in the best interest of the Council and its elected representatives to explain the need for increases in DWM charges to avoid criticism;
  - Council is the closest level of government to its customers and the customers have the right, through the election process, to not support a Council or Councillors who, in their view, have supported unreasonable increases in DWM charges;
- differences in DWM charges levied by authorities across the state, including annual increases, may be required for a number of factors including:
  - the need to recover the waste levy, where applicable;
  - the number, size and location of landfills operated by an authority;
  - geographical and social factors of the LGA that affect service provision;
  - environmental objectives of the community within the LGA;
  - the implementation of initiatives such as FOGO which come at considerable cost and must be paid for;
  - the cost of recycling processing is highly volatile, and influenced by commodity markets and federal exportation bans placed on plastics, cardboard and paper; and
  - the cost of construction and trade services in rural remote areas are considerably higher than urban areas.

As a result, applying a blanket approach, such as a waste peg will ignore several key factors that may be considered unique to each LGA.

IPART setting individual DWM charges is considered just another administrative burden for already resource stretched Councils for no apparent benefit. If this is introduced IPART will likely require reams of information to be provided by each Council and additional community engagement, over and above that already completed as part of the annual budget process which will take resources away from delivering services with the end result being the same, as good governance dictates Councils should already follow sound practise in calculating and setting its charges.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil at this time.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Nil

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**8.3 WATER NSW'S CUSTOMER ADVISORY GROUP NOMINATIONS 2022-2025**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Bruce Logan, Director Water and Waste**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Water NSW's Customer Advisory Group Nominations 2022-2025", Council:*

- (i) nominate the Director Water and Waste as Council's representative on the Namoi/Peel Customer Advisory Group for the period 1 July 2022 to 30 June 2025; and*
- (ii) not nominate an alternative representative.*

**SUMMARY**

The term of office for Water NSW's Customer Advisory Groups expires on 30 June 2022. Council is presently represented by the Director Water and Waste on the Namoi/Peel Customer Advisory Group. This report seeks direction from Council on whether Council wishes to be represented on a future committee, and if so, who will represent Council.

**COMMENTARY**

Customer Advisory Groups are an important forum for communication and consultation between Water NSW and its customers.

The Charter for a Customer Advisory Group is **ATTACHED**, refer **ANNEXURE 1**.

Water NSW is now calling for nominations for representatives to serve on the Customer Advisory Groups across NSW for a three-year term – concluding 30 June 2025. As a Local Water Utility sourcing water from both the Peel and Namoi Valleys, Council is invited to nominate a representative to the Namoi/Peel Customer Advisory Group. Nominations close 14 April 2022.

Council is able to nominate a representative and an alternate. Previously Council's representative has been the Director Water and Waste. Council has not nominated an alternate because the frequency of meetings makes it possible for the Director to attend the majority of meetings. It is recommended Council continue with this practise and not nominate an alternate.

**(a) Policy Implications**

Nil

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**(b) Financial Implications**

For private individuals, and/or private individuals representing a group, expenses incurred in attending meetings are claimable from Water NSW. Council's representative, should one be nominated and accepted, will attend during office hours and to date expenses (such as salary and travel) have not been claimed.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

A Region for the Future – F11 Sound asset management planning.

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**8.4 ORGANICS RECYCLING FACILITY ENVIRONMENTAL TRUST - CONSTRUCTION GRANT FUNDING**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Morne Hattingh, Manager - Waste and Resource Recovery**

**RECOMMENDATION**

*That in relation to the report “Organics Recycling Facility Environmental Trust - Construction Grant Funding”, Council submit the revised milestones for payment of grant funds associated with the construction of the proposed Organics Recycling Facility to the Environmental Trust.*

**SUMMARY**

The purpose of this report is to advise Council on progress with the proposed Tamworth Organics Recycling Facility and the outcome of Council discussions held with the Environmental Trust in regards to the \$3,000,000 construction grant funding.

**COMMENTARY**

Currently, Council's waste organic processing is limited to organic green waste at the Forest Road Waste Management Facility. This organic processing facility is licensed with the Environmental Protection Authority (EPA) and processes approximately 15,000 tonnes per annum of green waste. Since late 2015, Council has been working toward establishing a new Organics Recycling Facility.

In May 2016, Council received \$1.35 million under Round 3 of the NSW Governments Organics Infrastructure (large and small) Grants Program. In August 2018, Council submitted a grant application to the NSW Government for Organics Processing Infrastructure funding through the Waste Less Recycle More Organics Infrastructure (large and small) Grants Program. In late February 2019, Council was advised by the NSW Environmental Trust (ET), the body which administers the grant funding, that Council's grant application had been successful to the total value of \$3 million. The following project Milestones were included in the final funding agreement:



Milestone No	Details	Due Date	Funding amount
1	<ul style="list-style-type: none"> <li>signed Deed of Agreement;</li> <li>any documents required as a special condition;</li> <li>for BOOT projects, the requirement to demonstrate net community benefit is discussed with the Trust;</li> <li>project measures report (initial projections); and</li> <li>tax invoice to the Trust for the instalment amount.</li> </ul>	29 March 2019	\$1,500,000
2	<ul style="list-style-type: none"> <li>milestone report (Trust template);</li> <li>project measures report (progress);</li> <li>statement of expenditure (progress);</li> <li>copies of supplier/order documentation (agreements/letters);</li> <li>engagement/purchase orders);</li> <li>copy of final design and costs;</li> <li>copies of tax invoices/quotes from service providers/suppliers/contractors</li> <li>for BOOT projects, evidence of quantitative demonstration of net community benefit; and</li> <li>tax invoice to the Trust for the instalment amount.</li> </ul>	30 October 2020	\$600,000
3	<ul style="list-style-type: none"> <li>milestone report;</li> <li>project measures report (progress);</li> <li>statement of expenditure (progress);</li> <li>photographs of installed equipment;</li> <li>site visit by EPA/Environmental Trust;</li> <li>copies of tax invoices/quotes from service providers/suppliers/contractors; and</li> <li>tax invoice to the Trust for the instalment amount.</li> </ul>	1 July 2021	\$600,000
Final	<ul style="list-style-type: none"> <li>final report (Trust template);</li> <li>project measures report (final);</li> </ul>	31 January 2022	\$300,000



	<ul style="list-style-type: none"> <li>• statement of expenditure (final) signed and certified by council's Chief Financial Officer;</li> <li>• photographs of operating equipment;</li> <li>• six-month post implementation report;</li> <li>• site visit by EPA/Environmental Trust;</li> <li>• copies of final tax invoices for providers, suppliers, contractors' documentation supporting completion of project;</li> <li>• photos, videos, monitoring and evaluation report, media releases, construction certificate; and</li> <li>• tax invoice to the Trust for the instalment amount.</li> </ul>		
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After receiving the grant funding Council completed the following steps to advance the establishment of the Organics Recycling Facility (ORF).

- at its meeting held on 9 April 2019, Council resolved to proceed with purchasing the proposed Organic Recycling Facility site, located at 284 Gidley Appleby Road, Gidley;
- development application for the Organics Recycling Facility lodged for review by the determining authority, the Northern Regional Planning Panel (the Panel). The Project initially was referred to the Panel on 19 February 2020. The Panel deferred a decision pending further information; and
- the development application was again submitted to the Panel at its meeting of 23 September 2020. The Panel determined to approve the development application and, in doing so, applied 98 conditions of consent on the facility.

Following the DA Approval, Council staff consulted with ET, seeking to amend the original project grant milestones and retain the grant funding. Councils request for extension of time, flagged the delay in approvals process impacted the delay in delivery of Project. ET recognised that Council had committed significant resources in support of establishing the Project and agreed to amend the original Millstones as listed below:

Milestone No.	Original Due Date	Proposed Date
2	30 October 2020	31 August 2021
3	31 July 2021	31 August 2021
Final	31 January 2022	31 March 2022

NB – Milestone 1 payment was made in accordance with the original agreement.

Following receipt of the amended milestones the following work was completed on the project:

- in July 2020, Council released an Expression of Interest (EOI) for the Tamworth Organic Recycling Facility. The EOI invited interest from suitably qualified and experienced companies to assist in delivering the Project;

- in April 2021, Council called select tenders from selected companies who responded to the EOI for the Design, Build Own Operate and Transfer (BOOT) ORF Model;
- following consideration of the tenders received Council resolved not to proceed with the proposed delivery model because the increase in charges required to fund that option and other identified capital works in the waste area was considered too great. The Council resolution included the following:
  - Council had to obtain certainty of the Waste Divisions long term potential income and processing cost of Council’s kerbside recyclables;
  - further discussions with the Environmental Trust in regards to the existing construction grant for the Organics Recycling Facility to maintain the current grant and attract further funding;
  - seek assistance from the Member for Tamworth, as required, to retain the existing grant, as per above and provide additional funding for the construction of the Organics Recycling Facility (ORF);
  - negotiate with Cleanaway, as required, any changes to services provided under the current Waste Collection Services contract, which assumed the Organics Recycling Facility would be operational as of 1 July 2022, now that the facility will not be operational on that date; and
  - prepare a detailed design of the Organics Recycling Facility and if necessary, seek a modification to the existing development consent seeking approval for any modifications.

Throughout the tender process, Council Officers have been in contact with ET, and following the resolution, Council formally notified the ET that it would not be able to achieve the amended Millstones dates with a subsequent meeting to discuss further on 15 September 2021.

At that meeting, the ET discussed the information required to assess whether a further variation to the Deed may be possible. Council provided a preliminary response to the NSW EPA and ET on 26 October 2021 and 21 November 2021.

On 8 March 2022, ET formally notified Council regarding the correspondence received on 22 November 2021. After reviewing the proposed project plan timeline and the proposed milestones, the ET has now requested Council consider the Proposed Schedule of revised Milestone and Payments as listed below:

Milestone No.	Original Due Date	Proposed Date	\$
2	31 August 2021	01 April 2022	\$50,000
3	1 August 2021	01 July 2022	\$550,000
4	-	01 October 2023	\$600,000
Final	30 March 2021	01 April 2024	\$300,000

The revised milestones recognise commissioning at the end of the construction phase as licencing can be obtained and food organics garden organics operations can commence. The ET asked Council to consider the proposal and has requested a response by the 23 March 2022.

As per the ET request, Council has completed and submitted a Waste Variation request and sought approval to adjust the proposed Milestones as per the table below and to clarify some of the conditions associated with each Milestone. It seems the ET have still considered the BOOT model arrangement in error and expect Council to award the ORF tender by July. This will not be possible given consideration of the DA modifications, which is still pending. As a result, the proposed new milestones are:

Milestone No.	Proposed Date	Revised Date	\$
2	01 April 2022	01 July 2022	\$50,000
3	01 July 2022	01 September 2022	\$550,000
4	01 October 2023	01 November 2023	\$600,000
Final	01 April 2024	01 July 2024	\$300,000

Notwithstanding some issues with the proposed amendments to the grant milestones, it is good news that the Environment Trust is prepared to vary the terms of the funding deed and in so doing will continue to provide \$3 Million towards the cost of establishing the proposed Organics Recycling Facility.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The Waste Division's Capital works budget for 2022/23 financial year includes the ET grant funding. Should Council and the ET not agree to revised milestones then it is possible grant funding for the project would be withdrawn and, were the project to proceed, Council may have to fund an additional \$3 Million towards the project and repay any funds already paid.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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

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

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Kay Burnes, Senior Place Manager

**1 ANNEXURES ATTACHED**

***Recommendation***

***That in relation to the report "Place Management and Section 355 Committee***

**Activities”, Council:**

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

<b>Attunga Recreation Ground Committee</b>	<b>21 December 2021</b>
<b>Duri Progress Association</b>	<b>21 September 2021</b>
<b>Duri Progress Association</b>	<b>16 November 2021</b>
<b>Kootingal War Memorial Hall Committee</b>	<b>19 July 2021</b>
<b>Kootingal War Memorial Hall Committee</b>	<b>30 October 2021</b>
<b>Manilla Showground Advisory Committee AGM</b>	<b>18 November 2021</b>
<b>Manilla Showground Advisory Committee</b>	<b>18 November 2021</b>
<b>Moonbi Museum Committee AGM</b>	<b>27 October 2021</b>
<b>Moonbi Museum Committee</b>	<b>27 October 2021</b>
<b>Moonbi War Memorial Hall and Recreation Reserve Committee AGM</b>	<b>03 November 2021</b>
<b>Moonbi War Memoria Hall and Recreation Reserve Committee</b>	<b>03 November 2021</b>
<b>Weabonga Hall and Recreation Reserve Local Committee AGM</b>	<b>15 July 2021</b>
<b>Weabonga Hall and Recreation Reserve Local Committee</b>	<b>15 July 2021</b>
<b>Weabonga Hall and Recreation Reserve Local Committee</b>	<b>16 September 2021</b>
<b>Weabonga Hall and Recreation Reserve Local Committee</b>	<b>28 October 2021</b>
<b>Weabonga Hall and Recreation Reserve Local Committee</b>	<b>9 December 2021;</b>

**(ii) in accordance with the decision of the Attunga Recreation Ground S355 Committee disband the committee and under Section 377 of the Local Government Act withdraw the delegation to manage and operate the Recreation Ground including the collection of income from users;**

**(iii) determine that any assets and liabilities held by the Attunga Recreation Ground S355 Committee be transferred to Council;**

**(iv) note the resignation of Mr Andy Eccleston from the Kootingal War Memorial Hall Committee at the meeting held 19 July 2021;**

**(v) adopt the recommendation of the Kootingal War Memorial Hall Committee’s General Meeting held 30 October 2021 to accept Lisa Crayn as a Committee member;**

**(vi) adopt the recommendation of the Kootingal War Memorial Hall Committee’s General Meeting held 30 October 2021 to appoint the following executive member:**

<b>Secretary</b>	<b>Lisa Crayn;</b>
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**(vii) adopt the recommendation of the Manilla Showground Advisory Committee’s**

**Annual General Meeting held 18 November 2021 to appoint the following executive members and members:**

**Chairperson** **Jim Maxwell**

**Deputy Chairperson** **Rod Northey**

**Secretary** **Lou Ellen Overton**

**Publicity Officer** **Jane Martin**

**Delegates:**

**Manilla Football Club** **Neil Bonnett**

**Manilla Team Penning Association** **Bill McIlrick;**

**(viii) adopt the recommendation of the Moonbi Museum Committee’s Annual General Meeting held 27 October 2021 to appoint the following executive members and members:**

**Chairperson** **Bill Humphrys**

**Deputy Chairperson (1)** **Gary Courtney**

**Deputy Chairperson (2)** **Ray Nelson**

**Secretary** **Dorothea Vaux**

**Committee: Claudette Humphrys, Lee Rodger Pam Vincent, Elaine Plant, Gwen Davidson, Sheila Blackmore, Kay Wieland, Joy Ballard, Jillian Courtney, Norm Vincent, and Sandy Field.**

**Noting the resignation of Jim Attard, Mary Attard and Janelle Lewis;**

**(ix) adopt the recommendation of the Moonbi War Memorial Hall and Recreation Reserve Committee’s Annual General Meeting held 3 November 2021 to appoint the following executive members and members:**

**Chairperson** **Graham Thompson**

**Secretary/Treasurer** **Dorothea Vaux**

**Booking Officer** **Karin Thompson**

**Committee: Robyn Maher**

**Noting the resignation of David Emanuel and Jill Emanuel;**

**(x) adopt the recommendation of the Weabonga Hall and Recreation Reserve Local Committee’s Annual General Meeting held 21 July 2021 to appoint the following executive members and members:**

**Chairperson** **Bert Robertson**

**Secretary** **Dennis Chenoweth**

**Treasurer** **Gary Mahoney**

**Committee: Leon Thompson, Howard Webster, Mia Jenkins, Wayne Williams, David Jones, Billy Mann, and Ruth White;**

**(xi) Adopt the recommendation of the Weabonga Hall and Recreation Reserve Local Committee’s General Meeting held 16 September 2021 to appoint the following member:**

**Committee: Simon Abrahams; and**

**(xii) Adopt the recommendation of the Weabonga Hall and Recreation Reserve Local Committee's General Meeting held 28 October 2021 to appoint the following members:**

**Committee: David Pitt, Eliza Pitt, and Ian Pitt.**

## **SUMMARY**

The purpose of this report is to:

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

## **COMMENTARY**

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

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

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

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

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

- the Attunga Recreation Ground S355 Committee has acknowledged recent resignations of Executive Committee members and has been unable to fill the vacancies. The Committee has therefore decided to hand back its delegated authority to Council. Council will now take on the ground bookings and maintenance of the ground. Council Officers are currently in discussion with the local Attunga Rodeo Committee regarding permissible licence options over the section of land which the committee occupies at the reserve.
- Kootingal War Memorial Hall S355 Committee has inadvertently recorded an incorrect bank balance for May 2021 of \$93.33 in their meeting minutes 17 July 2021. The committee will amend the record to reflect the correct May 2021 Bank Balance of \$6,893.33.

- the Kootingal War Memorial Hall S355 `Committee has been advised that its proposal to continue to seek quotes and funding to provide a new kitchen for the hall should not proceed at this point in time, noting Council’s resolution to deliver a new library and renovated community hall on the site. Similar advice has been given to the Committee in relation to its proposal to create a Mini Museum of Kootingal Military History within the hall. It is considered the most appropriate time for this project to be developed and opinions and thoughts sought from amongst the local community would be following completion of the detailed design and estimate of the library and hall project. This would enable consideration of physical space, budget and available Council resources to assist in determining the viability of the proposal.
- Weabonga Hall and Recreation Reserve Local Committee has been advised that the community signs project is outside of their delegated function, however, the project will be investigated further by Place Management. The Committee has been listed on Council’s Community Mower Register and will be allocated a mower when a suitable machine becomes available and adequate safe storage can be obtained. The Financial records of the Committee have now been received and Council is in the progress of undertaking a financial audit. The Committee has chosen to investigate possible future funding options to upgrade the community hall and resolved to construct a shed on the recreation reserve.

**(a) Policy Implications**

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

**(b) Financial Implications**

Section 355 Committee and Place Management activities and budgets are maintained under the Liveable Communities Directorate budget.

**(c) Legal Implications**

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

**(d) Community Consultation**

Nil

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

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

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## 9.2 2022 ANZAC DAY MEMORIAL SERVICES WITHIN THE TAMWORTH REGIONAL COUNCIL AREA

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

### RECOMMENDATION

*That in relation to the report “2022 Anzac Day Memorial Services within the Tamworth Regional Council Area”, Council nominate Councillor representation at the following locations:*

<i>Attunga</i>	<i>Cr .....</i>	<i>Monday, 25 April</i>
<i>Barraba</i>	<i>Cr .....</i>	
<i>Bendemeer</i>	<i>Cr .....</i>	
<i>Duri</i>	<i>Cr .....</i>	
<i>Kootingal</i>	<i>Cr .....</i>	
<i>Moonbi Masonic Village RFBI</i>	<i>Cr .....</i>	
<i>Manilla</i>	<i>Cr .....</i>	
<i>Manilla Central School</i>	<i>Cr .....</i>	
<i>Moonbi</i>	<i>Cr .....</i>	
<i>Nundle</i>	<i>Cr .....</i>	
<i>Somerton</i>	<i>Cr .....</i>	
<i>Tamworth</i>	<i>Cr .....</i>	<i>Monday, 25 April</i>
<i>Gipps Street Memorial</i>	<i>Cr.....</i>	

### SUMMARY

The purpose of this report is to determine individual Councillors interest in attending the 2022 Anzac Day Memorial Services.

### COMMENTARY

Listed below is an itinerary for the locations in the region where Council is aware that ANZAC Services are held. As further information is received it will be brought to the attention of the nominated Councillor for that location.

#### **Attunga**

An invitation has been received from the Attunga Anzac Day Committee to attend the Anzac Day March and Memorial Service commencing in front of the Attunga Primary School at 3pm, and the Service at the Memorial Gates in Attunga Street. After the Service light refreshments will be served in the Attunga Hall.

#### **Barraba**

No formal invitation to Council has been received however, the Dawn Service normally commences at 6am at the Memorial Clock. The March commences at 10:50am from the



corner of Queen and Alice streets, and arrives at the Memorial Clock at 11am for the commencement of the Service. Lunch will be held after the Service.

### **Bendemeer**

No formal invitation to Council has been received however, the Dawn Service normally commences at 5:30am at the Memorial Gates in Memorial Park (Old New England Highway) and the March commences at 10:45am from the Bendemeer Uniting Church with the Service held at Memorial Park at 11am.

### **Duri**

No formal invitation to Council has been received however, the Service normally commences at 7:30am and conducted by the Salvation Army at the Sportsground Memorial. With coffee, tea and ANZAC biscuits served afterwards.

### **Kootingal**

No formal invitation to Council has been received however, the March from Kootingal School normally commences at 8am (assembly at 7:45am) with the Service at approximately 8:30am at the Memorial in Memorial Park, Denman Avenue. With Morning Tea held following the Service.

### **Moonbi**

No formal invitation to Council has been received however the Moonbi Masonic Village RFBI normally host a Service, at the Moonbi Masonic Village RFBI starting at 9:30am.

### **Manilla**

#### *Manilla ANZAC Day Service*

No formal invitation to Council has been received however, the March normally commences at 10:45am from the RSL Club with the Service to follow adjacent to the Large Town Hall. Lunch is then held after the Service.

#### *Manilla Central School*

No formal invitation to Council has been received from Manilla Central School however the Manilla Central School normally conduct a Service commencing at 10:30am at the Primary Department. A morning tea will follow the Service in the Primary Library.

### **Moonbi**

No formal invitation to Council has been received however, the March normally commences at 10am from the Moonbi Public School. With Morning Tea held following the Service.

### **Nundle**

An invitation has been received from the Tamworth RSL Sub-branch to attend the Nundle ANZAC Day Commemoration Service. The Service will commence at 10am in the Cenotaph.

### **Somerton**

No formal invitation to Council has been received however, the March normally commences from the School at 7:45am, the Commemorative Service is normally held at the War Memorial Hall at 8:00am

### **Tamworth**

An invitation has been received from the Tamworth RSL sub-Branch to attend the ANZAC Day Services and Luncheon.

*Program ANZAC Day 2021, Tamworth*

5:30am	ANZAC Day Dawn Service	ANZAC Memorial Gates	ANZAC Park
10:45am	Main Service	Tamworth Memorial Town Hall	Fitzroy Street
12:00pm	Tamworth RSL Sub-branch ANZAC Day Luncheon	All attendees (except official guests) are required to have a paid ticket.	Blazes Showroom - West's League Club

*Gipps Street Memorial*

No formal invitation has been received from the Rotary Club of Tamworth West, however, the ANZAC Day Memorial Service at the Gipps Street Memorial normally commences at 7:00am.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Funding for attendance at the above Anzac Day Memorial Services including travel and wreaths is included in the Governance Budget.

**(c) Legal Implications**

Council's formal approval for the attendance of any Councillor at these Anzac Day Memorial Day Services is required for insurance purposes whilst these Representatives of Council are performing bona fide duties.

**(d) Community Consultation**

Nil

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

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

**9.3 COUNCIL INVESTMENTS FEBRUARY 2022**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Sherrill Young, Finance Manager**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Council Investments February 2022", Council receive and note the report.*

**SUMMARY**

The purpose of this report is to provide an overview of Council Investments for the month of February 2022.

## COMMENTARY

Patience seems to be the key theme in the Reserve Banks media release on March 1, 2022. Even though inflation has picked up more quickly than the RBA expected it is still lower than other countries. The reserve bank is unsure how inflation will pan out due to supply issues and global developments. The Reserve Bank remains committed to not increasing the cash rate until inflation is sustainably sitting between the two to three percent target range, with sustainable being the key word.

In accordance with Section 212 of the Local Government (General) Regulation 2021, the details of all money invested by Council as at 28 February 2022, 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	20,015,205.10	32,000,000.00	0.00	52,015,205.10	25.89%
BOQ	0.00	17,000,000.00	0.00	17,000,000.00	8.46%
CBA	0.00	74,500,000.00	0.00	74,500,000.00	37.08%
St George	0.00	4,000,000.00	0.00	4,000,000.00	1.99%
TCorp	0.00	0.00	1,001,608.17	1,001,608.17	0.50%
Westpac	0.00	52,406,202.26	0.00	52,406,202.26	26.08%
<b>TOTAL</b>	<b>20,015,205.10</b>	<b>179,906,202.26</b>	<b>1,001,608.17</b>	<b>200,923,015.53</b>	<b>100%</b>

The amount invested at 28 February 2022, has increased by \$13,009,268.94 (6.92%) compared to funds held at 31 January 2022.

Council's investments are mostly comprised of restricted funds that have been received for specific purposes or funds held for future renewal works. The following table provides an indicative summary of investments held by each fund. The figures provided are based on Opening Balances from the last completed and audited financial year. The figures provide a guide on the proportion of total cash that is restricted in use.

Fund	Restriction	Amount	%
General	Unrestricted	6,182,608	3.08%
General	Internally Restricted	67,589,575	33.64%
General	Externally Restricted	21,122,736	10.51%
	<b>General Fund Total</b>	<b>94,894,919</b>	<b>47.23%</b>
Water	Unrestricted	2,007,640	1.00%
Water	Internally Restricted	21,873,921	10.89%
Water	Externally Restricted	20,439,287	10.17%
	<b>Water Fund Total</b>	<b>44,320,848</b>	<b>22.06%</b>

Sewer	Unrestricted	2,215,411	1.10%
Sewer	Internally Restricted	43,325,011	21.56%
Sewer	Externally Restricted	16,166,826	8.05%
	<b>Sewer Fund Total</b>	<b>61,707,248</b>	<b>30.71%</b>
	<b>Total Investments</b>	<b>200,923,015</b>	<b>100.00%</b>

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

**Unrestricted**

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

**Internally Restricted**

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

**Externally Restricted**

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

The use of restricted funds is largely controlled by 10-20 year Asset Management Plans which are included in the Resourcing Strategy of Council’s Community Strategic Plan.

**(a) Policy Implications**

All of Council’s investments are held in accordance with the Tamworth Regional Council Investment Policy.

**(b) Financial Implications**

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

**(c) Legal Implications**

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

- Local Government Act 1993 – Section 625;
- Local Government Act 1993 – Order (of Minister) dated 16 November 2000;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A (2), 14C (1) and 2;
- Local Government (General) Regulation 2021 – Clauses 212 and 215; and
- Local Government Code of Accounting Practice & Financial Reporting – Update No 15 dated June 2007.

**(d) Community Consultation**

Nil

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

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

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

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Sherrill Young, Finance Manager**

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

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

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

**SUMMARY**

This report seeks Council approval for budget variations identified during the month of February 2022 for which there has been no previous specific report or approval.

**COMMENTARY**

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

Readers of this report are reminded that its contents should not be viewed in isolation. Quarterly Budget Review Statements provide Council with a full review of revised budget forecasts and actual year to date results.

Budget adjustments processed in February 2022, relate to airport operations. Due to decreased passenger numbers as a result of Covid, capital works where appropriate are being deferred.

**Variations identified February 2022**

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Airport	(717,208)	0	2,500	571,800	(1,291,508)
<b>TOTAL</b>	<b>(717,208)</b>	<b>0</b>	<b>2,500</b>	<b>571,800</b>	<b>(1,291,508)</b>

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

No material change to aggregate income and expenditure figures for this period.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

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

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	0	2500	571,800	(1,291,508)
Water	0	0	0	0
Sewer	0	0	0	0
<b>Total</b>	<b>0</b>	<b>2,500</b>	<b>571,800</b>	<b>(1,291,508)</b>

**(c) Legal Implications**

This report is in compliance with the following sections of the *Local Government (General) Regulation 2021*:

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

**(d) Community Consultation**

Nil

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

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

**10 COMMUNITY SERVICES**

**10.1 TAMWORTH REGION ARTS ADVISORY COMMITTEE MEETING – 24 NOVEMBER 2021 - MINUTES**

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Bridget Guthrie, Director Tamworth Regional Gallery and Museums

**2 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Tamworth Region Arts Advisory Committee Meeting – 24 November 2021 - Minutes”, Council:*

- (i) receive and notes the Minutes; and*
- (ii) approve the draft revised Tamworth Region Arts Advisory Committee Terms of Reference ATTACHED refer ANNEXURE 1.*

**SUMMARY**

The purpose of this report is to present the Minutes of the Tamworth Region Arts Advisory Committee (TRAAC) Meeting held on 24 November 2021, and to provide Council with an

overview of the meeting outcomes.

## **COMMENTARY**

### **Background**

The broad purpose and aim of the Tamworth Region Arts Advisory Committee (TRAAC) is to provide strategic advice to Council in relation to 'Arts' matters within the region and make recommendations regarding priority areas for development and or support.

Committee members are encouraged to act as arts champions within the region, particularly in the event of Tamworth Regional Council facilitated forums which aim to provide opportunity for consultation and engagement with representatives of the arts and other community groups. Committee members, as arts champions, should encourage arts and cultural groups to come together to share knowledge and information about issues such as events management, promotion and publicity, audience development and access to the arts.

In addition to the three Councillor representatives, TRAAC membership consists of a core membership of six community members and one Arts North West representative. The members are considered as independent representatives with specialised areas of knowledge in the 'Arts'. Representation is also encouraged from arts practitioners from within hard-to-reach communities and TRAAC recognises and encourages diversity across the Tamworth Regional Council area.

The Committee to date has been highly engaged in the development of the Cultural Plan, Regional Museums Engagement Strategy, Public Art Engagement Strategy, Tamworth Regional Gallery's Strategic Plan, and Tamworth Performing Arts Centre and Cultural Precinct Business Case.

TRAAC comprises of a body of expert individuals who meet quarterly to provide strategic advice to Council on matters relating to the arts and cultural vitality of the Tamworth Region. The draft revised version of the TRAAC Terms of Reference is **ATTACHED** for Council's consideration, refer **ANNEXURE 1**.

### **Meeting of 24 November 2021**

Members received presentations from various committee members with one external speaker as part of the meeting. The Minutes of the meeting are **ATTACHED**, refer **ANNEXURE 2**.

### **Summary of Agenda Items**

The following matters were considered:

- a presentation by Caroline Downer from Arts North West and subsequent discussion on the economic importance of the arts and entertainment sector;
- an update on the Wild Sparks Arts Festival provided by Paul Singh with the festival dates booked for 21 to 23 October 2022 in Bicentennial Park;
- an update on the progress of the artist in residency project and the on-going public art projects that will be coming to fruition in 2022 provided by Councils Director, Tamworth Regional Galleries and Museums, Bridget Guthrie; and
- a presentation on the Tamworth Regional Council Entrance Strategy concept delivered by Council's Sports and Recreation Strategy Officer, Sam Eriksson. The concept was endorsed by the committee.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The TRAAC includes six community members who represent a broad range of art disciplines. The Committee provides strategic advice to the Council in relation to 'Arts' matters within the region and makes recommendations regarding priority areas for development.

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

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

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**10.2 TAMWORTH REGIONAL YOUTH COUNCIL - MINUTES OF THE ORDINARY MEETING HELD 23 FEBRUARY 2022**

**DIRECTORATE: LIVEABLE COMMUNITIES**

**AUTHOR: Katey Allwell, Team Leader Inclusive Community**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Tamworth Regional Youth Council - Minutes of the Ordinary Meeting held 23 February 2022", Council receive and note the minutes.*

**SUMMARY**

The purpose of this report is to present the minutes of the Tamworth Regional Youth Council meeting held 23 February 2022, and provide Council with an overview of the outcomes.

**COMMENTARY**

An Ordinary Meeting of the Tamworth Regional Youth Council was held on Wednesday, 23 February 2022. The main topics considered during the meeting are detailed in the minutes **ATTACHED**, refer **ANNEXURE 1**.

The Youth Council welcomed Councillor Marc Sutherland as the new Council delegate. His role is to support, mentor and advocate for the Youth Council.

**Youth Week**

The Youth Council considered and discussed a number of activities for inclusion in the 2022 Youth Week Program. These included an Accessibility Sports Day and Cultural Celebrations. NSW Youth Week will run from Monday, 4 April 2022 until Thursday, 14 April 2022 and a local program will be unveiled to the community later this month.

**i.am Program**

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Youth Councillors Abigail Clarke, Erica Hall, Chloe-Lee Opie and Cameron Rake were nominated to join the i.am program's Local Youth Reference Group. The program, known previously as the Youth Aftercare Pilot, works with young people under 25 years of age who have attempted suicide, are having thoughts of suicide or who use self-harm as a coping strategy. The Local Youth Reference Group will have input into the implementation of the program.

### **Tamworth Arts Festival**

Two representatives of the Youth Council – Councillor Caitlin Ferris and Councillor Elle Woods – were nominated to join the Wildspark Rural Arts Vision Community Group to bring a youth perspective to the planning of the upcoming Tamworth Arts Festival in October, 2022.

### **Requests to address the Youth Council**

The Youth Council received two (2) agenda item requests to address/consult the Youth Council (see below), and resolved to have both parties attend the next ordinary Youth Council meeting:

- consultation regarding Namoi Unlimited and the project that has commenced to develop resources to attract young people to careers with Local Government; and
- Consultation regarding the Scorched Program on behalf of the UNE Smart Region Incubator. This program is for 15–40-year-olds to address challenges posed by bushfires and climate change on the region through entrepreneurship.

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

Nil

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

All Youth Week activities and initiatives will be funded from the Cultural and Community Services operational budget.

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

Nil

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

The Tamworth Regional Youth Council represent a diverse group of young people of various backgrounds, who advise Council on issues that are relevant to young people across the local government area.

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

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

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## **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.*

#### **TAMWORTH GLOBAL GATEWAY PARK STAGE 2 SALE AND MARKETING**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Luke Stevenson, Commercial Property Officer  
**Reference:** Item 16.11 to Ordinary Council 15 December 2020  
**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

### **SUMMARY**

The purpose of this report is to update the Council on the progress of sales in Stage 1 of the Tamworth Global Gateway Park (TGGP) and seek authorisation for the Mayor and General Manager to negotiate the sale of land in the area identified as Stage 2 of the TGGP.

#### **PROPOSED PART LEASE BALD HILL**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Daniel Murphy, Business Systems and Solutions

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c),(d)i,(d)ii&(f) of the local Government Act 1993 on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business., commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it., information that would, if disclosed, confer a commercial advantage on a competitor of Council. and details of systems and/or arrangements that have been implemented to protect Council, Councillors, staff and Council property.

### **SUMMARY**

The purpose of this report is to notify the Council of the proposed lease and recommended allocation of Local Roads and Community Infrastructure (LRCI) Australian funding awarded to Council and seek authorisation for the Mayor and General Manager to negotiate the terms of a subsequent lease agreement to activate the project within the time frame set out in the Grant requirements.