



# 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

### 25 JUNE 2024

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*

<b>Membership:</b>	<b>All Councillors</b>
<b>Quorum:</b>	<b>Five members</b>
<b>Chairperson:</b>	<b>The Mayor</b>
<b>Deputy Chairperson:</b>	<b>The Deputy Mayor</b>

## 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 and Ordinary Meeting held on Tuesday, 11 June 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**

- 6.1 NOTICE OF MOTION – CR MARK RODDA - TRANSPARENCY, ACCOUNTABILITY AND OPENNESS – FILE NO**

### **MOTION**

*That council develop a policy framework and procedure for recording interactions between council staff, councillors, lobbyists, developers, builders, their agents and real estate agents and in particular*

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 25 June 2024 to provide our community - transparency, accountability and openness when council staff and councillors engage with lobbyists, developers, their agents and real estate agents pursuant to Focus Area 9 – Open & Collaborative Leadership, of the Tamworth Regional Community Strategic Plan.

## Appendix 1

### Focus Area 9 – Open and Collaborative Leadership

<div> <div>FOCUS AREA 9</div> <div>OPEN AND COLLABORATIVE LEADERSHIP</div>  </div>					
<b>WHAT OUR COMMUNITY TOLD US:</b> <p>You want us to communicate openly and be accountable. You want to be consulted and included in decision making. It is important to you Council is well led, and that we advocate for all groups in our region, with business partners and other levels of government.</p> <p>You want our processes to be efficient, transparent and easy to use. You want us to deliver the future vision for our region sustainably. And you want council to be an organisation of excellence, both as an employer and a provider of services to the community.</p>					
<b>SUSTAINABLE DEVELOPMENT GOALS</b>   					
Our Priorities <i>Where do we want to be?</i>	Our Strategies <i>How will we get there?</i>	Council's Role	Our Partners	Measuring Success <i>How will we know we have succeeded?</i>	QBL Indicators
Conduct council business with transparency and accountability	Ensure council meets the requirements of the Local Government Act and other information and disclosure requirements under State and Federal laws  Make our planning and reporting easy to understand and reflective of the community's wants, needs and aspirations	Collaborator Provider	State Government NSW Statutory Authorities	Community satisfaction with council's transparency and accountability  Integrated Planning & Reporting complies with State Government legislation  Our Council represents and engages with all members of the community	Ovic Leadership
Our financial position is strong and able to meet our current and future obligations to our community	Ensure long term financial sustainability through short, medium and long term financial planning  Assets are managed to meet our community's needs through sustainable, cost effective lifecycle management	Provider	State Government NSW Statutory Authorities Our community	Community satisfaction with council's transparency and accountability	Ovic Leadership Social
Everyone in our community feels informed, heard and understood.	Develop and implement a Communications Strategy to help build trust and transparency between our community and Council  Provide customer services that are proactive, available, helpful, and accessible to everyone in the region	Provider	Our community	Community satisfaction with council communication  Community satisfaction with customer service	Ovic Leadership Economic Social

## SUPPORTING INFORMATION

### (a) Council note:-

- i. in 2023 the Independent Commission Against Corruption (ICAC) exposed three former local government councillors in South Sydney for engaging in serious corrupt conduct;
- ii. in late 2023, Operation Tolosa found that the City of Canada Bay Council Mayor and others engaged in serious corrupt conduct between November 2015 and February 2019. Operation Tolosa reiterated the need for a lobbyist register in local government;
- iii. the NSW Local Government Act 1993 (the Act) contains the framework for regulating conduct, honesty, disclosures of interest, serious corrupt conduct and misconduct. Section 439 imposes a statutory duty on a councillor to



- “act honestly and exercise a reasonable degree of care and diligence in carrying out his or her functions”;
- iv. the Act also allows for the creation of a “model code” which sets out the minimum standards of conduct for council officials. Its purpose includes assisting officials to act in a way that “enhances public confidence in local government”;
  - v. as local government officials we play a crucial role in the decision-making process, not limited to property development, however in the Model Code and the Act the word lobbyist is not mentioned;
  - vi. the Lobbying of Government Officials Act, 2011 that is in place covers lobbyists ensuring the lobbyists comply with ethical standards of conduct and other requirements set out in the Lobbyists Code. However, this Act does not apply to local government officials
  - vii. the rules for lobbying that the state and federal government face, must be the same rules applied to local governments. Recent ICAC findings support this; and
  - viii. we as Councillors must lead the way in holding our own integrity to the high standard we want and our communities wants, by exhorting the NSW Government to apply the same rules across all three levels of Government.
- (b) Tamworth Regional Councillors be required to publicly disclose their meetings with registered lobbyists, property developers, their agents and real estate agents in the same fashion as state and federal parliamentarians; and
  - (c) the General Manager be requested to write to the Office of Local Government NSW affirming our region’s support for increasing integrity in local government by adopting ICAC’s previous recommendations in relation to lobbyists.

Cr Mark Rodda

17 June 2024

### **Staff Comment**

Tamworth Regional Council meets all of its requirements under the Local Government Act in relation to lobbying.

The Office of Local Government (OLG) has provided an update and is considering prescribing a requirement under the Regulation for Councils to adopt a Lobbying Policy and issuing a model Policy under s23A of the LG Act.

OLG have advised Councils that part of changes being considered will be the requirement to adopt a policy on lobbying and while Councils will not be required to adopt the OLG’s Model Lobbying Policy, they must consider it when adopting a policy. The Policy adopted by Councils will be enforceable under Councils Code of Conduct.

OLG have developed a draft Model Policy and will be issuing this for consultation shortly. The model lobbying policy will: -

- Require third party ‘lobbyists’ as defined by the Policy to register before meeting with Council Officials
- Identify inappropriate behaviours associated with lobbying



- Identify steps to be taken to enhance transparency when being lobbied; and
- Identify responsibility and accountability for ensuring compliance with the Policy and reporting inappropriate behaviours.

When the OLG issues its completed Model Policy, Tamworth Regional Council Officers will develop a draft Model Policy that ensures council meets all legislative requirements as prescribed by OLG.

All policies, as per Council's practice, will be presented to Council in draft and then for community consultation. Post this process Council Officers will provide a final Model Policy for adoption by Councillors.

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## **OPEN COUNCIL REPORTS**

### **7 ENVIRONMENT AND PLANNING**

#### **7.1 TAMWORTH REGIONAL COUNCIL ON-SITE WASTEWATER MANAGEMENT PLAN**

**DIRECTORATE:** LIVEABLE COMMUNITIES

**AUTHOR:** Rachel Mann, Senior Environmental Health Officer

**4 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council On-Site Wastewater Management Plan”, Council:*

- (i) approve the draft “Tamworth Regional Council On-Site Wastewater Management Plan” for public exhibition for a period of 28 days; and*
- (ii) receive a subsequent report to a future ordinary meeting of Council on the outcomes of the public exhibition prior to adoption of the final plan.*

#### **SUMMARY**

Tamworth Regional Council engaged engineering and environmental consultants, Decentralised Water Australia (DWA), to develop and prepare a new On-Site Wastewater Management Plan (OWMP) for adoption and implementation across the Tamworth Local Government Area (LGA).

The plan aims to minimise environmental, public health and economic risks associated with the assessment and installation of all on-site wastewater management systems in the LGA. The principal basis of the plan is to identify and determine all of the physical constraints that are known to influence the long-term sustainable operation of wastewater systems, and develop a classification and assessment framework based on these constraints.

The OWMP provides Council with a scientifically dependable risk and merit-based tool to proactively and effectively manage the assessment and design aspects for all wastewater systems at the application and approval stages of developments. It is not intended to replace any existing legislative provisions, rather it is designed to complement them.

#### **COMMENTARY**

Council engaged engineering and environmental consultants, Decentralised Water Australia (DWA), to develop and prepare a new On-Site Wastewater Management Plan (OWMP) for adoption and implementation across the Tamworth Local Government Area (LGA).

The proposed OWMP is intended to be used by a variety of audiences, including Council technical staff, developers, plumbers and installers of wastewater systems, planning and other technical consultants and property owners. The plan aims to give users a framework that:

- provides an easy to understand rating method that identifies the physical limitations to treatment and application of wastewater at an individual allotment scale;
- captures all types of development including domestic, non-domestic, subdivisions and land re-zoning;

- requires a level of land capability assessment that is equivalent to the level of determined risk;
- acts as a planning tool to allow for proper consideration of wastewater servicing requirements for un-sewered development;
- gives strong guidance for decision making on the level of assessment required for land capability evaluations; and
- gives all users guidance on the selection, design and construction of on-site wastewater systems.

A copy of the OWMP is **ATTACHED**, refer **ANNEXURE 1**.

A detailed assessment of all physical limitations known to influence the sustainable operation of waste water systems was undertaken for the entire LGA, the details of which are contained in a technical report that accompanies the OWMP and is **ATTACHED**, refer **ANNEXURE 2**. This involved identifying the different soil classifications, climatic variations and land slopes that are prevalent across the region, and using these to develop a land capability map. This land capability map was then further enhanced at an allotment scale to consider the proximity and sensitivity of defined receiving environments, allotment size and flood status. Receiving environments included intermittent and permanent watercourses, potable and non-potable bores, sensitive ecosystems, stormwater infrastructure and residential land.

The final output is a mapping layer that assigns a “*classification*” to each allotment which will be integrated into Council’s mapping system. The classification provides a broad indication of the specific constraints applicable to each allotment which may influence the selection, design, construction and operation of an on-site wastewater system. This assigned classification can then be used to determine the level of assessment required by developers, consultants and property owners when applying to Council for the installation of a new on-site wastewater system, land rezoning or subdivision development. The OWMP has devised two risk classifications, Level 1 and Level 2, with different levels of assessment and scrutiny required for each.

### **Domestic Allotments**

Domestic allotments classified as a Level 1 have an inherently lower risk and can therefore choose to use the “*Suitable Design Solutions*” for applications of new on-site wastewater systems. These are found in Appendix 1 of the OWMP. This method aims to streamline the approvals process as it recognises that lots with minimal constraints to sustainable on-site sewage management require a reduced level of investigation and design effort. The Suitable Design Solutions comprises a set of common system types and sizes determined to be appropriate for specific site conditions in the Tamworth LGA, with the final system selection based on the outcomes of a site and soil assessment. A proforma will be used by applicants to help assess individual allotments and determine the applicable design solutions, and is **ATTACHED**, refer **ANNEXURE 3**.

If the Suitable Design Solutions approach is not adopted for system selection and sizing, applicants will be required to undertake a more detailed level of assessment in accordance with the Level 2 assessment requirements. Level 2 sites will have greater site complexity and typically contain site and soil characteristics that are poorly suited to on-site wastewater systems. Assessment for this classification will need to be completed by an external consultant with qualifications and experience in soil and environmental evaluations, on-site wastewater systems and the local government regulatory framework. The assessment of

Level 2 allotments will require a comprehensive wastewater management report or equivalent document to be submitted with an application.

### **Non-Domestic Development**

The OWMP will also consider non-domestic development, of which the wastewater flows and characteristics can fluctuate significantly depending on the development type. Non-domestic development for the purposes of the OWMP will include:

- commercial or industrial activities including human and non-human wastewater sources;
- institutional facilities such as schools, community halls and recreational facilities;
- multi-dwelling and accommodation developments of a commercial nature; and
- wastewater collection systems servicing subdivisions or commercial/industrial developments that convey sewage to an existing sewerage system.

The OWMP proposes to also utilise two classifications (Level 1 and Level 2) for non-domestic development which will ensure that the appropriate level of scrutiny and assessment is applied to all applications. The required level of assessment will be based on the land capability of the proposed allotment, the type of wastewater (domestic or non-domestic) and the daily volume of wastewater generated. A Level 1 non-domestic proforma is to be used for all Level 1 applications and is **ATTACHED**, refer **ANNEXURE 4**. More complex applications that fit within the Level 2 category will require a comprehensive wastewater management report to be completed by a suitably qualified external consultant.

### **Subdivisions**

The OWMP will also capture unsewered development proposals that have the potential to increase dwelling entitlements, including rezoning, subdivisions and boundary adjustments. Assessment of these proposals from a wastewater management perspective is important as they allow future Potential Effluent Management Areas (PEMA) to be estimated. This will then be used to demonstrate that sufficient land will be available for future effluent management at a wastewater design flow/load typical for the development type.

Once again, a two level approach will be used to ensure accurate and adequate assessment is undertaken, dependant on the development type, location and potential constraints to wastewater land application. Level 1 assessment will only apply to applications where the number of proposed subdivided lots (inclusive of original) does not exceed five (5) lots, the lot sizes are greater than 4,000m<sup>2</sup> and all Level 1 site and soil subdivision criteria are achieved. Applications that are categorised as a Level 2 will require a comprehensive wastewater management report to be completed by a suitably qualified external consultant.

The OWMP will provide Council with a scientifically dependable risk and merit-based tool for the assessment of future development applications and the assessment requirements for land capability evaluations. It will enable Council staff to proactively and effectively manage the assessment and design aspects for all wastewater systems at the application and approvals stage of a development. It provides several advantages to Council, including:

- an improved decision-making framework and planning tool for the approval and installation of wastewater systems and long term planning strategies;
- a greater level of consistency in assessment and certainty in outcomes for developers, property owners, planning and wastewater consultants, systems installers and Council staff; and

- improved and sustainable environmental and public health outcomes.

**(a) Policy Implications**

This plan supersedes some requirements within Council's On-Site Sewage Management Strategy 2014, mostly those relating to approvals for new system installations. The 2014 Strategy is to be reviewed in 2024/25.

**(b) Financial Implications**

Nil

**(c) Legal Implications**

The OWMP will ensure that there is reduced reputational and legal risk to Council associated with the approval of on-site wastewater management systems. The framework will provide greater transparency on the approvals process and improve community awareness and support through knowing that Council has implemented an LGA specific wastewater assessment guideline.

**(d) Community Consultation**

Consultation regarding the draft OWMP will be undertaken with a focus on developers, plumbers and installers of wastewater systems, planning and other technical consultants and also property owners.

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

Focus Area 4 – Resilient and Diverse Communities

R5 Be a safer and more resilient community

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## **7.2 DEFERRAL OF SECTION 64 HEADWORKS CHARGES FOR SUBDIVISION DEVELOPMENTS - POLICY UPDATE**

**DIRECTORATE:** LIVEABLE COMMUNITIES

**AUTHOR:** Benjamin Mobilio, Senior Development Engineer

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Deferral of Section 64 Headworks Charges for Subdivision Developments - Policy Update”, Council:*

- (i) endorse the public exhibition of the Draft Revised Policy for a period of 28 days;*
- (ii) in the case there are no further changes requested to the Draft Revised Policy or no negative submissions received, authorise the adoption of the Revised Policy.*

### **SUMMARY**

The purpose of this report is to detail proposed amendments to Council’s Policy – 9.4 *Deferral of Water Headworks Payments and Sewer Headworks Payments*.

### **COMMENTARY**

Headworks charges are a contribution towards the cost of upgrading and expanding trunk water supply or sewer infrastructure to accommodate the incremental increase in demand from new development. These charges are levied under Section 64 of the Local Government Act in accordance with Council’s Development Servicing Plans. In the case of subdivisions, payments are required prior to the issue of a Subdivision Certificate.

Council’s current policy for the deferral of sewer and water headworks payment has been in effect since early 2021 and evolved from an earlier interim arrangement where sewer and water headworks charges were temporarily refunded for unsold lots as part of Council’s COVID-19 relief package. Since this policy was implemented, one developer has utilised the policy due to hardship and other developers have considered using the policy.

Council staff were approached in 2023 by a developer requesting to defer headworks under the Policy, however the developer requested to provide a bank guarantee in-lieu of registering caveats on individual lots and potentially delaying the sale of individual lots. This request was declined at the time due to the strict application of Council’s policy.

With further investigation and informal discussions internally with relevant divisions and externally with industry stakeholders including consultants and developers, a bank guarantee is considered to be a suitable, even preferable, option for ‘security’ of Council’s interests, in particular, a single bank guarantee is less legally burdensome than caveats over each lot created from subdivision. However, it was also acknowledged that bank guarantees are not easily available to all developers, primarily due to constraints on their issuance by banking institutions.

Bank guarantees are currently accepted by Council as security for performance and maintenance obligations associated with Subdivision Works Certificates. This is in accordance with Council Policy – 9.3 *Payment of Bond in Lieu of Constructions* and Council’s *Engineering Design Minimum Standards*.

It was further found that bank guarantees were accepted by other Council's in NSW, for the deferral of water and sewer contributions, namely Dubbo Regional and Junee Shire Councils.

In order to provide flexibility for acceptable 'security', amendments are required to the existing Policy. The Draft Revised Policy – "Deferral of Water and Sewer Headworks Charges" is **ATTACHED**, refer **ANNEXURE 1**.

**(a) Policy Implications**

The recommendation is for the adoption of a revised Policy for the deferral of water and sewer headworks charges for subdivision developments that would otherwise be payable prior to the release of a Subdivision Certificate.

**(b) Financial Implications**

Deferral of charges by up to two years would delay income to water and sewer funds, however deferred charges would be subject to revised amounts in accordance with Council's Fees and Charges for future financial years resulting in no net financial loss or gain from the policy.

**(c) Legal Implications**

Legal agreements associated with security of payment in the form of caveats will require the Seal of Council to be affixed.

The local Government (General) Regulation 2005, Section 400(4), required that the Seal of Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the Seal be so affixed.

**(d) Community Consultation**

Community Consultation will occur through public exhibition of the Draft Revised Policy for a period of 28 days. Local civil engineering and survey consultants and subdivision developers will also be notified in writing.

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

Focus Area 9 – Open and Collaborative Leadership

Assets are managed to meet our community's needs through sustainable, cost-effective lifecycle management

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## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - 5 JUNE 2024**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** Steven Marshall, Strategy, Assets and Design Engineer

**3 ANNEXURES ATTACHED**

**1 ENCLOSURES ENCLOSED**

#### **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Local Traffic Committee Meeting - 5 June 2024”, Council:*

- (i) approve the extension of the bus zone directly out the front of Calrossy Boarding House at 24-34 Tribe Street, North Tamworth by 12m to create enough storage room for two buses;*
- (ii) approve the NAIDOC march along Peel Street and White Street in Tamworth and its associated traffic impacts along adjoining streets, from 9:30am to 10.30am on 12 July 2024; and*
- (iii) approve the ‘A Winters Night’ event and the closure of Peel Street, Tamworth, from Bourke Street to Brisbane Street, from 11:00am to 10.00pm on 10 August 2024.*

#### **SUMMARY**

The purpose of this report is to advise Council of the three recommendations made by the Tamworth Local Traffic Committee (the Committee) at the meeting held 5 June 2024.

#### **COMMENTARY**

The minutes from the Committee meeting held on 5 June 2024, are **ENCLOSED**, refer **ENCLOSURE 1**.

#### **64/2024 – Bus Zone Extension, Tribe Street, North Tamworth**

Tamworth Regional Council (Council) has been approached by Calrossy Anglican School requesting an extension to a bus zone in front of the Calrossy Boarding House (Simpson House) at 24-34 Tribe Street, North Tamworth to create enough storage room for two buses. The location of Simpson House is shown in Figure 1 below.



*Figure 1: Location of Simpson House at 24-34 Tribe Street, North Tamworth.*

The bus zone is used, twice daily, for a 58-seat coach and a 25-seat mini bus. When a vehicle parks right on the entry point to the bus zone, similar to that shown below in Figure 2, the bus zone is restricted to just one vehicle.



*Figure 2: On street parking and bus zone on Tribe Street, North Tamworth*

As shown in the **ATTACHED**, refer **ANNEXURE 1**, Council has investigated the site and is proposing the bus zone be extended 12m. This would enable enough storage room for two buses. Two on-street parking spaces will be lost on Tribe Street between 7.30am-9.00am and 2.30pm-4.00pm, Monday to Friday.

**COMMITTEE RECOMMENDATION:** the Committee members unanimously support the extension of the bus zone by 12m to create enough storage room for two buses directly out the front of Calrossy Boarding House at 24-34 Tribe Street in North Tamworth.

#### **68/2024 – Tamworth NAIDOC March 2024**

Council has been notified that the 2024 NAIDOC march is scheduled for Friday 12 July 2024.

The event consists of the following details:

- event location: Tamworth, NSW
- date: 12 July 2024
- event time: 9.30am to 10.30am (inclusive of set up and pack down periods)
- roads affected:
  - Peel Street from the Tamworth Aboriginal Medical Service (TAMS) (1/180 Peel Street) to White Street; and
  - White Street from Peel Street to Kable Avenue (into Bicentennial Park).
- estimated Number of Participants: 1,000

A Road Occupancy Licence (ROL) will be submitted for the Transport for NSW (TfNSW) impacted roads including;

- Peel Street between O'Connell Street and Darling Street; and
- Brisbane Street between Kable Avenue and Marius Street.

Council will be seeking Police assistance with the closure of Brisbane Street between Marius Street and Kable Avenue, and with piloting the march.

Registered vehicles to transport the Elders that are unable to walk the route shall be integrated into the march.

The proposed Traffic Guidance Scheme (TGS) can be found **ATTACHED**, refer **ANNEXURE 2**.

TfNSW requested variable message sign (VMS) boards be installed to detour heavy vehicles around the Tamworth CBD. Boards will be required on:

- Armidale Road to detour heavy vehicles via Scott Road; and
- Peel Street/Manilla Road to detour heavy vehicles via Jewry Street.

The Committee requested the TGS be updated to prevent vehicles accessing the march from Bourke Street and Dowe Street.

**COMMITTEE RECOMMENDATION:** Pending the requested alterations, the Committee members unanimously support the NAIDOC march along Peel Street and White Street in Tamworth and its associated traffic impacts along adjoining streets, from 9:30am to 10.30am on 12 July 2024.

#### **69/2024 – A Winters Night 2024 – Night Street Activation**

Council is planning to hold 'A Winters Night' on Peel Street, Tamworth on Saturday 10 August 2024.

The event consists of the following details:

- event location: Tamworth, NSW
- date: 10 August 2024
- event time: 5.00pm to 8.00pm
- roads affected: Peel Street, from Bourke Street to Brisbane Street
- road closure Details:
  - 5.00am – close off angle and parallel parking spaces along Peel Street, from Bourke Street to Brisbane Street.
  - 11.00am – close off Peel Street, from Bourke Street to Brisbane Street.
  - 10.00pm – reopen Peel Street.

The proposed TGS can be found **ATTACHED**, refer **ANNEXURE 3**.

**COMMITTEE RECOMMENDATION:** the Committee members unanimously support the 'A Winters Night' event and the closure of Peel Street, Tamworth, from Bourke Street to Brisbane Street, from 11:00am to 10.00pm on 10 August 2024.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

64/2024 – Shall be funded by the Road Infrastructure Maintenance budget.

68/2024 and 69/2024 - Shall be funded by the existing special event traffic management budget.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

64/2024 - Community notification to be completed before implementing the change.

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

Focus Area 5 – Connect our region and its citizens

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## 9 GOVERNANCE, STRATEGY AND FINANCE

### 9.1 SUNDRY DEBTOR WRITE OFF FOR 2023/2024

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Seon Millstead, Revenue Accountant

1 CONFIDENTIAL ENCLOSURES ENCLOSED

#### RECOMMENDATION

*That in relation to the report “Sundry Debtor Write Off for 2023/2024”, Council approve the writing off of sundry debtors totalling \$654,307.54 in accordance with Section 131 and 213 of the Local Government (General) Regulation 2021.*

#### SUMMARY

The purpose of this report is to advise Council of sundry debtor bad debts which have been identified as uncollectable and should be written off in accordance with Section 131 and 213 of the Local Government (General) Regulation 2021.

#### COMMENTARY

The writing off of these general debtors for user charges, fees and other income is submitted for approval.

The amounts written off are summarised as follows:

Uneconomical to recover	\$ 4,891.90
Legal grounds to recover exhausted	<u>\$ 649,415.64</u>
	<u>\$ 654,307.54</u>

The debts listed in **CONFIDENTIAL ENCLOSURE 1** are unsecured debts, for this reason recovery is not always possible. In accordance with Section 213(5) of the *Local Government (General) Regulation 2021*, it is considered reasonable, that any further attempt to recover these debts would not be cost effective.

The table listing the proposed write offs are **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**, and includes:

- the name of the person/business whose debt is being written off;
- the details of the amount concerned; and
- the amount of the debt.

The fact that a debt has been written off does not prevent Council initiating legal proceedings in the future to recover the debt. Any amount written off will be adjusted if part or all of the debt is subsequently recovered.

#### (a) Policy Implications

Nil

#### (b) Financial Implications

The writing off of the amounts shown in the attachment will reduce the balance of outstanding receivables.

Of the sundry debtor amounts to be written off \$4,908.75 are not in the provision for doubtful debts. If the recommendation to write off these debts is approved this amount will be expensed in the current financial year.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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## **9.2 COUNCIL INVESTMENTS MAY 2024**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Manager - Financial Services  
Robyn Barnes, Accountant

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Council Investments May 2024”, Council receive and note the report.*

### **SUMMARY**

In accordance with *Local Government (General) Regulation 2021*, Clause 212, the purpose of this report is to provide Council with a register of investments held as at 31 May 2024, and provide Responsible Accounting Officer certification that investments comply with the *Local Government Act 1993*, *Local Government (General) Regulation 2021* and Council's Investment Policy. The register and accompanying certification can be found **ATTACHED**, refer **ANNEXURE 1**.

### **COMMENTARY**

Interesting information was released by the Australian Bureau of Statistics in early June. For the quarter the gross domestic product (GDP) rose by 0.1% for the March quarter and only increased by 1.1% year to date. This shows that the economy's growth is slow and raises the question of how effective interest rate increases in the current economic climate will be on positively assisting the Reserve Banks goal of reducing inflation. Government spending was the biggest growth contributor with household growth being low and for the most part being spent on essentials.

The register **ATTACHED**, refer **ANNEXURE 1** shows Council's cash and investment holdings as at 31 May 2024.

During the month, Council's portfolio performed above the industry average, returning 5.12% against the three-month Bank Bill Swap rate (3m BBSW) of 4.35%.

**(a) Policy Implications**

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

**(b) Financial Implications**

Interest rate increases are having a positive impact on Council's return on investments.

**(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
- *Local Government Code of Accounting Practice & Financial Reporting* – Update No 15 dated June 2007.

**(d) Community Consultation**

Nil

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

Focus Area 9 – Open and collaborative leadership

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### 9.3 ANNUAL OPERATIONAL PLAN 2023/2024 BUDGET VARIATION REPORT - MAY 2024

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Manager - Financial Services

**Reference:** Item 9.5 to Ordinary Council 29 June 2023 - Minute No 146/23  
**1 ANNEXURES ATTACHED**

#### RECOMMENDATION

*That in relation to the report “Annual Operational Plan 2023/2024 Budget Variation Report - May 2024”, Council note and approve the variations to the existing budget as listed in ATTACHED refer ANNEXURE 1 to the report.*

#### SUMMARY

This report seeks Council approval for budget variations identified during May 2024, for which there has been no previous specific report or approval.

#### COMMENTARY

Council adopted the original budget included in the Annual Operational Plan for 2023/2024 at the Ordinary Meeting of Council held 29 June 2023. 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 and Annual Financial Reports provide additional revised information for budget forecasts and actual year-to-date results.

After a busy month in April for budget adjustments due to the third quarterly budget review the month of May was by comparison quiet. Of interest were budget adjustments recognising additional grant funds for NAIDOC projects totalling \$50k along with \$150k for open streets grant funded program. The open streets program is to assist with community-based events designed to support local businesses.

#### May 2024 Budget Variations

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Economic & Destination Development	(3,909)	0	(3,909)	0	0
Events	0	(150,000)	150,000	0	0
AELEC	20,200	0	0	0	20,200
Community Safety & Wellbeing	(125,000)	(50,000)	45,000	0	(120,000)

Water	5,469	0	0	0	5,469
<b>TOTAL</b>	<b>(103,240)</b>	<b>(200,000)</b>	191,091	0	<b>(94,331)</b>

Black budget variation will *reduce* Council's forecast operating result and/or bank account

Green budget variation will **increase** Councils forecast operating result and/or bank account

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The variations included in the report have the following impact on forecast results for 2023/2024 by fund of:

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
General	(200,000)	191,091	0	(99,800)
Water	0	0	0	5,469
Sewer	0	0	0	0
<b>Total</b>	<b>(200,000)</b>	191,091	0	<b>(94,331)</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**

Focus Area 9 – Open and collaborative leadership

#### 9.4 TAMWORTH REGIONAL COUNCIL - INTEGRATED PLANNING AND REPORTING DOCUMENTS FOR 2024/2025

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Manager - Financial Services  
Anna Russell, Manager - Strategy and Performance

**Reference:** Item 9.1 to Ordinary Council 14 May 2024 - Minute No 95/24  
Item 8.3 to Ordinary Council 28 May 2024 - Minute No 110/24

**4 ANNEXURES ATTACHED**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

#### **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council - Integrated Planning and Reporting Documents for 2024/2025”, Council makes the following determinations:*

- (i) in relation to ordinary rates, Council adopts the Special Variation Scenario of 18.5% (inclusive of a 4.9% rate peg increase) annual maximum rate peg, as approved by the Independent Pricing and Regulatory Tribunal (IPART);*
- (ii) in accordance with Section 494 of the Local Government Act 1993, Council make and levy the ordinary rates for the year 1 July 2024 to 30 June 2025, refer ANNEXURE 2;*
- (iii) in accordance with Part 9, Division 5, clause 211(2) of the Local Government (General) Regulation 2021, Council approves expenditure and vote funds as detailed in DRAFT Our Delivery Plan 2023-2025 and Our Annual Plan and Budget 2024/25 as per the Special Variation Scenario;*
- (iv) Council authorises the affixing of the Seal of the Council to all Loan Documents relating to 2024/2025 loan funding for:*
  - Skywalk;*
  - Aquatic Centre;*
  - Digital Transformation;**as detailed in DRAFT Our Delivery Plan 2023-2025 and Our Annual Plan and Budget 2024/25, and DRAFT Statement of Revenue Policy 2024/25, refer ANNEXURE 1 and ANNEXURE 2;*
- (v) in relation to water supply charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges for Water Supply Services in 2024/2025, refer ANNEXURE 2;*
- (vi) in relation to sewerage service charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges for Sewerage Services in 2024/2025, refer ANNEXURE 2;*
- (vii) in relation to waste management charges, in accordance with Section 496 and Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the annual charges for Waste Management Services in 2024/2025, refer ANNEXURE 2;*
- (viii) in relation to stormwater management service charges, in accordance with Section 496A of the Local Government Act 1993, Council make and impose the charges for the purpose of construction of Stormwater Management Services*

*identified in Council's Urban Area Stormwater Management Plan(s), refer ANNEXURE 2;*

- (ix) in relation to interest on overdue rates and charges, Council make and impose the maximum charge for interest of 10.5% on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566 (3) of the Local Government Act 1993;*
- (x) in relation to the exhibited fees and charges; fees and charges for the actual use of services provided by Council as detailed in DRAFT Our Delivery Plan 2024/2025 and Our Annual Plan and Budget 2024/2025 be adopted in accordance with Section 502 of the Local Government Act 1993, refer ANNEXURE 3.;*
- (xi) in accordance with Section 405 of the Local Government Act 1993, Council adopt DRAFT Our Delivery Plan 2023-/2025 and Our Annual Plan and Budget 2024/25 ATTACHED, refer ANNEXURE 1, DRAFT Statement of Revenue Policy 2024/25 ATTACHED, refer ANNEXURE 2, and DRAFT Our Fees & Charges 2024/25 ATTACHED, refer ANNEXURE 3 subject to the removal of all Base Case Scenarios to reflect the recommendations outlined in this report; and*
- (xii) Note that the current budget incorporates a new Aquatic Centre. Since preparing this budget, a grant application to the Federal Government for \$15M was not successful. The budget will need to be amended to reflect this change and any adopted alternate course of action in the 2024/2025 financial year. Any loan funding in excess of the \$15M contained in the IP&R documentation will require separate approval by Council.*

## SUMMARY

At its Ordinary Meeting held 14 May 2024, Council resolved to place the following Integrated Planning and Reporting (IP&R) draft documents on public exhibition in accordance with Section 405 of the Local Government Act for the 2024/2025 year:

- DRAFT Our Delivery Plan 2023-2025 and Our Annual Plan and Budget 2024/25;
- DRAFT Statement of Revenue Policy 2024/25;
- DRAFT Fees and Charges 2024/25;

These DRAFT IP&R documents contain a Base Case Scenario and a Special Variation Scenario as outlined in the minutes for item 9.1 Ordinary Council meeting 14 May 2024. Subject to the motion adopted on 25 June 2024 either the Base Case Scenario or the Special Variation scenario will be removed from the DRAFT IP&R documents to reflect the adopted recommendation. The final IP&R documents can only reflect either the base case or the special variation scenario.

The four-year special variation scenario fully incorporates the NSW Independent Regulatory and Pricing Tribunal (IPART) approved Special Variation (SV) with an 18.5% Ordinary Rate increase including the 4.9% Rate Peg increase for 2024/2025 and 15% increase in 2025/2026 inclusive of a forecast 2.5% Rate Peg increase.

During the exhibition period twenty-seven submissions were received from the community, see **ATTACHED**, refer **CONFIDENTIAL ENCLOSURE 4**. No significant or strategic changes are recommended in response to community feedback.

The purpose of this report is to recommend to Council that the Tamworth Regional Council Integrated Planning and Reporting draft documents listed above be adopted inclusive of the

Special Variation of an Ordinary Rate increase of 18.5% in year 1 inclusive of a 4.9% Rate Peg increase and 15.0% in year 2 inclusive of a forecast 2.5% Rate Peg increase, as approved by the Independent Pricing and Regulatory Tribunal.

## COMMENTARY

### Background

Under the Integrated Planning and Reporting (IP&R) Framework, Council is required to prepare and adopt a number of documents to facilitate integration of long-term planning and implementation of Council activities.

Our Delivery Plan 2023-2025 aligns with Blueprint 100 - Our Community Plan 2023-2033, and sets the priorities and direction for the term of Council. DRAFT Our Annual Plan and Budget 2024/25 sets specific actions Council will undertake during the next 12 months.

The DRAFT suite of documents was endorsed by Council on 14 May 2024 for public exhibition for 28 days from 15 May 2024 until 12 June 2024, under Section 405(2) of the *Local Government Act 1993*.

### Public Exhibition and Survey Responses

The draft plans were placed on public exhibition from 15 May 2024 to 12 June 2024. Submissions were received from the community via MyTRC Online Community after a promotional campaign across print, digital, and radio media.

The majority of submissions relate to the SV application, with a number of other relating to water security, specific parks, transparency in decision making, waste charges and financial management. Where a submission related to a particular strategy or operational area the submission was forwarded to the relevant business unit manager to respond appropriately.

Respondents were able to comment on one or more of the three documents on public exhibition within the one submission.

The table below summarises the submissions received. Note the total number of topics does not correlate with the number of submissions, as some responses raised more than one topic of concern.

Submissions Received			
TOTAL number of submissions	Our Annual Plan & Budget	Revenue Policy	Fees & Charges
27	22	18	20
Topics/Concerns raised in submissions			
Special Rate Variation	12	13	15
Sport & Recreation	6	-	1
Budget	5	5	-
Water security	2	1	-
Compliance	2	-	-

Waste	1	2	-
Animal welfare	-	-	1
Roads	1	-	-
Economic & investment	1	-	-
Place management	1	-	-
Sustainability	1	-	-
Planning	1	-	-

The full content of responses received are presented in the **ATTACHED**, refer **ANNEXURE 4**.

Modifications to the Schedule of Fees and Charges requested to reflect operational decisions made since the original drafting of actions are also listed in the draft, **ATTACHED**, refer **ANNEXURE 5**.

#### **DRAFT Statement of Revenue Policy 2024/25**

Council's DRAFT Statement of Revenue Policy 2024/25, **ATTACHED**, refer **ANNEXURE 2** conforms to the legislative requirements of Section 405 of the *Local Government Act 1993*. It is recommended that Council adopt the 18.5% annual maximum rate peg, as approved by IPART, and in accordance with Section 494 of the *Local Government Act 1993*. Any reference/tables pertaining the Base Case Scenario should be removed from the Draft Statement of Revenue Policy. The Special Variation scenario contains a multiple year IPART approved special variation increase for ordinary rates.

#### **DRAFT Fees and Charges 2024/25**

Fees and charges for the actual use of services provided by the Council, as detailed in the DRAFT Fees and Charges 2024/25, **ATTACHED**, refer **ANNEXURE 3** be adopted in accordance with Section 502 of the *Local Government Act 1993*. **ANNEXURE 5** details a list of changes to the Fees and Charges document. The changes are predominantly wording changes however the fees for vehicular charging stations have been updated as per the Council meeting on 28 May 2024.

The adoption of the IP&R suite of documents will provide Council with a direction during its term in council with next local government elections scheduled September 2024, and the service activities and actions that it plans to undertake over the next financial year. Once adopted, copies will be made available on Council's website and provided to the Office of Local Government.

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

Nil

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

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

**(c) Legal Implications**

When adopted Council's Integrated Planning and Reporting documents for the period 2024/25 will meet relevant stator requirements of the Local Government Act 1993.

**(d) Community Consultation**

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

The draft documents were placed on public exhibition between 15 May 2024 and 12 June 2024. During the exhibition period Council placed public notices in the Northern Daily Leader, Barraba Gazette and Manilla Express in accordance with statutory requirements, being placed on Council's website during the exhibition period. An electronic feedback form was provided via council's "Have Your Say" website.

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

Focus Area 9 – Open and collaborative leadership.

Action T0102.01 – Utilise the Integrated Planning and Reporting Framework to guide our community's long term vision for the region

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## **9.5 APPOINTMENT OF EXTERNAL MEMBER TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE**

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

### **RECOMMENDATION**

*That in relation to the report "Appointment of External Member to the Audit, Risk and Improvement Committee", Council appoint Mr Glenn Inglis as an external independent member to the Audit, Risk and Improvement Committee for a four year period from 17 September 2024.*

### **SUMMARY**

The purpose of this report is to appoint an independent external member to the Audit, Risk and Improvement Committee.

### **COMMENTARY**

Council is required under S428A of the *Local Governance Act 1993* to have an Audit, Risk and Improvement Committee. Tamworth Regional Council has operated an Audit, Risk and Improvement Committee since 2012, with three independent members and currently staggers the membership of the Committee to ensure continuation of the knowledge of Council operations, financial reporting and structure.

Independent Members to an Audit, Risk and Improvement Committee must:

- take a professional approach to their responsibilities, including an appropriate commitment of time and effort;



- know the business, culture and values of Council and take the time to understand changes that affect how Council operates and its risks;
- have sufficient understanding of Council's financial reporting responsibilities to be able to contribute to the Committee's consideration of the annual financial statements;
- understand the role of the Committee and the expectations of Council;
- act in the best interests of Council;
- take a professional approach;
- be a good communicator and build effective relationships with Council and other Committee members; and
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry.

Mr Masters recently resigned as an independent member of the Committee and following an Expression of Interest process, it is recommended to Council that Mr Glenn Inglis be appointed to the Committee. Mr Inglis is to commence at the October 2024 meeting, for an initial term of four years.

**(a) Policy Implications**

The Audit, Risk and Improvement Committee functions under a Terms of Reference.

**(b) Financial Implications**

Costs associated with the Internal Audit function are included in the Annual Operational Plan each year.

**(c) Legal Implications**

Council is required under S428A of the *Local Government Act 1993* to have an Audit, Risk and Improvement Committee with three external independent members.

**(d) Community Consultation**

An Expression of Interest process was undertaken to fill the vacancy in the Committee.

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

Focus Group 9 - Open and collaborative leadership.

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## **10 COMMUNITY SERVICES**

### **10.1 2024/2025 REGIONAL EVENTS MARKETING SUPPORT PROGRAM**

**DIRECTORATE:** CREATIVE COMMUNITIES AND EXPERIENCES  
**AUTHOR:** Linda Bridges, Coordinator Visitor Economy

#### **RECOMMENDATION**

*That in relation to the report “2024/2025 Regional Events Marketing Support Program”, Council:*

- (i) support the recommended events as noted within the body of this report; and*
- (ii) approve the allocation of funds as outlined in the body of the report.*

#### **SUMMARY**

The purpose of this report is to seek authorisation to allocate \$28,000 from the 2024/2025 Regional Events Marketing Support Program budget to support pre-qualified local regional events.

#### **COMMENTARY**

Applications under the 2024/2025 Regional Events Marketing Support Program were invited from 23 April to 17 May 2024, inclusive. Promotion of the funding program included a media launch, direct email to database of previous applicants, e-news, social posts and Northern Daily Leader Column.

Tamworth Regional Council's (Council) Regional Events Marketing Support Program provides financial and/or in-kind marketing support for marketing activity for events and festivals held within the Tamworth region. Applicants are required to complete a Regional Events Marketing Support Program application in full, including all supporting documentation as listed in the checklist on the application form.

In order to qualify for funding, an event must exhibit and be able to report back on three key focus areas:

- the economic benefit of the event to the Tamworth region;
- an increase in overnight visitation to the Tamworth region, and
- event feasibility for new events, or for existing/established events demonstrate how the event will grow.

There are 3 tiers of funding available, up to a maximum of \$5,000 per event.

1. \$100 - \$750
2. \$751 - \$2,000
3. \$2,001 - \$5,000 (maximum)

All applications are assessed against the economic assessment model to determine the economic benefit based on external impact from a median to upper limit. Based on this assessment the applications, including the recommended offer of marketing support, are detailed in the attached closed report.

The total economic benefit for all applications for the 2024/2025 Regional Events Marketing Support Program equate to \$8,151,476 with \$5,632,113 generated by estimated external visitation.

## RECOMMENDATION

It is recommended that Council supports the following applications and associated events:

Event	Applicant	Recommended Support (ex. GST)	Economic Return (Based on overnight visitors)
Nundle Twilight Christmas Market	Nundle Woollen Mill	\$750	\$28,559
Tamworth Running Festival	Tamworth Triathlon Club	\$750	\$14,280
Tamworth Mountain Biking Festival - Triple Event Weekend	Tamworth Mountain Bikers	\$1,500	\$97,161
ADAA Proud National Grand Prix 2024	Agility Dog of Association Australia Ltd	\$1,500	\$76,508
The Great Nundle Dog Race 2025	Nundle Public School P&C Association	\$2,500	\$228,473
Grey Fergie Tractor Muster Bendemeer	Grey Fergie Tractor Muster Committee	\$2,500	\$273,104
Barraba Show	Barraba P,A&H Association Inc	\$2,500	\$202,418
TSPH Clinic Participants Campdraft	Texas Star Performance Horses Pty Ltd	\$2,500	\$280,956
2024 Tamworth World Cup Show	North & North West Show Jumping Club	\$4,000	\$813,401
ABCRA 2024 National Finals Rodeo	Australian Bushman's Campdraft and Rodeo Association	\$4,500	\$1,358,268
2024 NCHA Australia 4CYTE Jubilee Futurity	NCHA Australia	\$5,000	\$2,258,985

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The Creative Communities and Experiences directorate has an Event Support Marketing Program budget. Funding of \$28,000 will be deducted from this budget.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Direct marketing, social and advertising were conducted to promote the availability of the program. A full marketing report is available on request.

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

Focus Area 3 – Prosperity and innovation

Focus Area 8 – A strong and vibrant identity

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## 10.2 TAMWORTH REGIONAL TOURISM PRECINCT STRATEGY AND BUSINESS CASE

**DIRECTORATE:** CREATIVE COMMUNITIES AND EXPERIENCES

**AUTHOR:** Linda Bridges, Coordinator Visitor Economy

**4 ANNEXURES ATTACHED**

### RECOMMENDATION

*That in relation to the report “Tamworth Regional Tourism Precinct Strategy and Business Case”, Council adopts the Business Case for future grant funding application use.*

### SUMMARY

Destination Marketing Store (DMS) were engaged by Council to develop a Strategy and Business Case for a new Visitor Experience Centre funded by the Regional NSW – Business Case and Strategy Development Fund.

The report contains 5 stages for a successful Tamworth Regional Council (Council) Capital of Country Tourism Precinct project and includes;

- Stage One – Situation Analysis (DMS), see **ATTACHED**, refer **ANNEXURE 1**
- Stage Two – Benchmark Visitor Information Centres (HVH Group), see **ATTACHED**, refer **ANNEXURE 1**
- Stage Three – Precinct Analysis (HVH Group), see **ATTACHED**, refer **ANNEXURE 1**
- Stage Four – Visitor Experience Centre Fit out, see **ATTACHED**, refer **ANNEXURE 2**
- Stage Five – Regional Tourism Service Model, see **ATTACHED**, refer **ANNEXURE 3**
- final Business Case, see **ATTACHED**, refer **ANNEXURE 4**

The purpose of this report is to seek formal adoption of the Business Case so as Council may take advantage of future funding opportunities to build a new facility.

### COMMENTARY

Tourism is worth almost \$300 million annually to the Tamworth Region’s economy. It is a significant industry, employing over 1,200 people, and contributes to the vibrancy and liveability of the region. However, Tamworth Country Music Festival (TCMF), a 10-day event, accounts for 20% of the region’s visitor economy.

Now is the time for the Tamworth region to capitalise on its strengths and invest in the growth of a more sustainable and vibrant visitor economy.

The Tamworth Regional Tourism Strategy & Business Case is about setting the direction for Tamworth Regional Council (Council) to guide the development of a new regional visitor servicing model that extends across the Tamworth, Gunnedah, Liverpool Plains and Walcha local government areas.

The aim is to sustainably grow the region’s visitor economy by establishing Tamworth as the “Capital of Country NSW”, leveraging of its reputation as the Capital of Country Music and extensive agricultural and equine history, and creating a compelling visitor proposition that drives both longer stays and repeat visitation to the region.

This ambition requires the retention and expansion of existing visitor segments, development of visitor segments, and development of new experiences and services.

The development is also aimed at celebrating the region's significant rural heritage that spreads across the Gunnedah, Walcha and Liverpool Plains Local Government Areas (LGA) and creates the opportunity for a wider visitor dispersal throughout the region.

The Business Case has been developed to align with Council's Visitor Economy Plan adopted in November 2022 and is also informed through the analysis of State and regional plans, including Destination NSW's Visitor Economy Strategy 2030 and the Destination Management Plan of Destination Country and Outback NSW.

The Strategy proposes that a new Visitor Experience Centre (VEC) would include Tamworth's existing country music museum collection, reimagined and augmented with engaging exhibitions and immersive experiences for locals and visitors to enjoy.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Council staff to take advantage of future funding opportunities in consultation with Council's project priorities.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Consultants DMS led over twelve stakeholder sessions (face to face workshops, small group and one-on-one meetings and video-conferencing sessions) across Tamworth in August and September 2023.

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

Focus area 3 – Prosperity and Innovation

Focus area 7 – Celebrate Our Cultures and Heritage

Focus area 8 – A Strong and Vibrant Identity

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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.*

### **TENDER T073/2024 - 83-97 BRISBANE STREET SUBFLOOR RENEWAL**

**DIRECTORATE: REGIONAL SERVICES**  
**AUTHOR: Claire Turnor, Projects Engineer**  
**Mark Gardiner, Manager - Project Planning and Delivery**

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c)&(g) 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

### **SUMMARY**

Tamworth Regional Council (Council) is managing the engineering and reconstruction of the subfloor structure at 83-97 Brisbane St Tamworth. Tender T073/2024 is currently advertised on Council's website and Tenderlink, seeking to engage a suitably qualified and experienced building contractor to complete the building subfloor reconstruction.

### **T076/2024 - SUPPLY AND DELIVERY OF ONE DRAIN AND SEWER JETTING 4X2 TRUCK**

**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 Tamworth Regional Council's (Council) existing drain and sewer truck and jetting unit. The new drain and sewer jetting truck will continue to be utilised by Council's Water and Waste directorate for the clearing and maintenance of sewer and stormwater lines by high-pressure water.



## **CARDBOARD PROCESSING AGREEMENT - COUNCIL AND OPAL PACKAGING AUSTRALIA PTY LTD**

**DIRECTORATE: WATER AND WASTE**

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

**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)i of the local Government Act 1993 on the grounds that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **SUMMARY**

When Council finalised the purchase of the former Challenge Community Services site, adjacent to the Forest Road Waste Management Facility in Tamworth, Council took over a cardboard processing operation that was in place at the facility. This operation was based on an informal agreement between Challenge and Opal Packaging Australia Pty Ltd whereby;

- Opal provided and installed a cardboard baler, free of charge, onsite in the Challenge facility;
- Opal collected cardboard from various commercial operations in Tamworth and surrounds, delivered that cardboard to the Challenge facility;
- Challenge staff then compacted and baled that cardboard using the Opal baler and Opal then transported the baled cardboard from site to another facility for further processing; and
- Opal paid Challenge a fee for the baling of the cardboard.

In addition, Challenge had the opportunity to source cardboard from other customers, collect that Cardboard, bale it using the Opal baler and then Opal would transport this cardboard from site for further processing. When this occurred, Opal paid Challenge an amount in addition to the baling fee.

No formal Agreement was in place between Challenge and Opal Packaging governing this arrangement. Council has been working with Opal since taking possession of the site to prepare a formal agreement. This work has now been completed and Council is requested to approve signing the new agreement.

**PROPOSED LEASE TO TAMWORTH CRICKET INCORPORATED OF PART OF LOT 23 IN  
DEPOSITED PLAN 95995 AND PART OF LOT 22 IN DEPOSITED PLAN 95995**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Samuel Eriksson, Sports and Recreation Strategy Officer**

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

**SUMMARY**

The purpose of this report is to advise Council of the matters relating to Tamworth Cricket Incorporated and a proposed lease agreement between the two lease parties.