

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

26 APRIL 2022

**PAUL BENNETT
GENERAL MANAGER**

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

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

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 12 April 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

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 PROPOSED ROAD NAMES FOR APPROVED TRAFALGAR ESTATE, WEST TAMWORTH SUBDIVISION (LOT 62 DP 1268846)

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Kathleen See-Kee, Development and Approvals Support Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed road names for approved Trafalgar Estate, West Tamworth Subdivision (LOT 62 DP 1268846)”, Council:

- (i) approve in principle the road names: ‘Brickworks’ Street and ‘Kiln’ Drive;*
- (ii) advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads Regulation 2018 Part 2 Division 1 Section 7 to enable interested parties the opportunity to make comment; and*
- (iii) provided no submissions are made which object to the proposed road names, proceed to publish the adopted names in the Government Gazette.*

SUMMARY

The purpose of this report is to nominate new road names for an approved Trafalgar Estate West Tamworth subdivision, identified as Lot 62 DP 1268846 Green Street West Tamworth. Council has approval from the Geographical Names Board to name these new roads.

COMMENTARY

Trafalgar Estate West Tamworth Subdivision

Proposed Names: ‘Brickworks’ Street and ‘Kiln’ Drive.

Development (DA0383/2014) Consent granted: 15 October 2014.

Theme or origin of proposed names: To reflect the history of the land being the site of the former Brick Works owned and operated by John and Audria Rodgers whose surname is now commemorated in the adjoining Rodgers Road.

Geographical Names Board Approval (RN2022-0021) Date: 8 March 2022.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The proposed road names will be exhibited for public comment in accordance with the Roads Act 1993 Section 162, Roads Regulation 2018 Part 2 Division 1 Section 7.

Should no submissions be lodged in objection to the proposed road names, Council will proceed to publish the adopted names in the Government Gazette. In the instance that one or more objections are received in respect of the proposed road names, the matter will be reported to a subsequent Council meeting for Council's further consideration.

(e) Delivery Program Objective/Strategy

A Region for the Future – Sound asset management planning

7.2 PROPOSED ROAD NAMES FOR APPROVED PARKLANE ESTATE, WEST TAMWORTH SUBDIVISION (LOT 20 DP 1274171)

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Kathleen See-Kee, Development and Approvals Support Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed road names for approved Parklane Estate, West Tamworth Subdivision (LOT 20 DP 1274171)”, Council:

- (i) approve in principle the road names: ‘Bond’ Street, ‘Clinker’ Close and ‘Corbel’ Close;*
- (ii) advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads Regulation 2018 Part 2 Division 1 Section 7 to enable interested parties the opportunity to make comment; and*
- (iii) provided no submissions are made which object to the proposed road names, proceed to publish the adopted names in the Government Gazette.*

SUMMARY

The purpose of this report is to nominate new road names for the approved Parklane Estate West Tamworth subdivision, identified as Lot 20 DP 1274171 Rodgers Road West Tamworth. Council has approval from the Geographical Names Board to name these new roads.

COMMENTARY

Parklane Estate West Tamworth Subdivision

Proposed Names: ‘Bond’ Street, ‘Clinker’ Close and ‘Corbel’ Close.

Development (DA0383/2014) Consent granted: 15 October 2014.

Theme or origin of proposed names: To reflect the history of land being the site of the former Brick Works owned and operated by John and Audria Rodgers whose surname is now commemorated in the adjoining Rodgers Road. The road names for this section west of Rodgers Road are derived from brick masonry terminology.

Geographical Names Board Approval (RN2022-0020) Date: 8 March 2022.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The proposed road names will be exhibited for public comment in accordance with the *Roads Act 1993* Section 162, *Roads Regulation 2018* Part 2 Division 1 Section 7.

Should no submissions be lodged in objection to the proposed road names, Council will proceed to publish the adopted names in the Government Gazette. In the instance that one or more objections are received in respect of the proposed road names, the matter will be reported to a subsequent Council meeting for Council's further consideration.

(e) Delivery Program Objective/Strategy

A Region for the Future – Sound asset management planning

7.3 DEPARTMENT OF PLANNING AND ENVIRONMENT EMPLOYMENT ZONES REFORM

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Sonya Vickery, Integrated Planner

RECOMMENDATION

That in relation to the report “Department of Planning and Environment Employment Zones Reform”, Council receive and acknowledge the report advising Council of amendments to the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010) proposed by the NSW Department of Planning and Environment in accordance with its Employment Zones Reform.

SUMMARY

The purpose of this report is to inform Council of the draft amendments proposed by the state Department of Planning and Environment by way of the *Standard Instrument (Local Environmental Plans) Order 2006 (SI LEP Order)* which will give effect to the Employment Zones Reform across all NSW Local Government Areas. The Employment Zones Reform will, on completion, replace all existing business and industrial zones with new zones in every Council planning instrument.

All Local Environmental Plans in NSW must be made in accordance with the *SI LEP Order*. This means that a translation amendment to the Tamworth Region Local Environmental Plan (TRLEP) 2010 is required. The Department of Planning and Environment (DPE) is coordinating the translation of LEP amendments and is proposing to conduct a state-wide public exhibition of these amendments in April/May 2022.

COMMENTARY

Background - Employment Zones Reform

The NSW Productivity Commission recommended that the DPE rationalise the number of employment-related zones in NSW. The stated aim is to increase land use flexibility and

expand the number of permitted uses within zones that principally contribute to employment across NSW.

The DPE has amended the *SI LEP Order* to introduce five (5) new employment zones and three (3) supporting zones. On 1 December 2022, all NSW business and industrial zones will be repealed from the *SI LEP Order* and replaced with the new zones.

The new zones are:

- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support
- E4 General Industrial
- E5 Heavy Industrial

Supporting zones:

- MU1 Mixed Use
- W4 Working Waterfront
- SP4 Enterprise

The following table describes how the existing business and industrial zones generally correspond to the new employment zones.

Table 1. Zone translation

Existing Zone – <i>TRLEP 2010</i>	Employment Zone
B1 Neighbourhood Centre (i.e., Northgate)	E1 Local Centre
B2 Local Centre (i.e., Manilla CBD, Kootingal CBD)	
B3 Commercial Core (Tamworth CBD)	E2 Commercial Core
B4 Mixed Use (i.e., Bridge Street)	MU1 Mixed Use
B5 Business Development (i.e., Longyard)	E3 Productivity Support
B7 Business Park (i.e., TGGP)	
IN1 General Industrial (i.e., Taminda)	E4 General Industrial
IN3 Heavy Industrial (i.e., Glen Artney/TGGP)	E5 Heavy Industrial
Not applicable to the Tamworth LGA	W4 Working Waterfront
Not applicable to the Tamworth LGA	SP4 Enterprise

The DPE exhibited the employment zones framework from 20 May to 30 June 2021. Tamworth Regional Council made a submission expressing concerns in relation to the significance of the reform, the minimal consultation undertaken with Councils in the period prior to exhibition and the inadequate timeframes imposed on Councils for delivery of the framework.

Council's submission also queried the strategic intent of some of the new zones and the lack of alignment with Council's strategic land use documents, such as the *Tamworth Regional Blueprint 100* (Blueprint Part 1) and the *Tamworth Regional Local Strategic Planning Statement 2020* (LSPS) (Blueprint Part 2) which were both endorsed by the DPE in 2020.

The Employment Zones Reform is broad in nature and at a high level aims to achieve a "like for like" transfer of existing business and industrial zones to the new employment zones, as referenced in Table 1. The DPE provided councils with direction during the translation process and requested that all councils review the initial recommendations provided by the Department. Councils were requested to also consider each translation and assess whether a particular zone "*best reflects*" the local and strategic land use context.

Council identified and nominated several alternative amendments to the proposed zone translation. Extensive correspondence and negotiation was undertaken with the Department in order to propose a list of potential changes which are supported by Council's strategic land use planning initiatives and acknowledge changing land use patterns throughout the Tamworth region in recent years.

Table 2 below lists the number of properties within the Tamworth Regional LGA to be transferred from their existing zone to a new employment zone.

Table 2.

Locality	Existing Zone	Number of Properties
Tamworth	B3 Commercial Core	456
Tamworth	B1 Neighbourhood Centre	35
Tamworth	B4 Mixed Use	285
Tamworth	B5 Business Development	39
Tamworth	B7 Business Park	34
Tamworth	IN1 General Industrial	503
Tamworth	IN3 Heavy Industrial	78
Manilla	B1 Neighbourhood Centre	2
Manilla	B2 Local Centre	85
Manilla	IN1 General Industrial	33
Kootingal	B2 Local Centre	26
Kootingal	IN1 General Industrial	3
TOTAL		1579

Next steps – Department of Planning and Environment

- a state Environmental Planning Policy (SEPP) Explanation of Intended Effect (EIE) will be exhibited by DPE in April/May 2022;
- the SEPP EIE will outline each council’s proposed LEP amendment;
- DPE is building a web platform so that communities can readily identify their local changes and make a specific submission on the proposed translation and associated detail relevant to their local areas;
- submissions in their entirety as well as summaries will be shared with councils following the exhibition to enable finalisation of the amendments between DPE and Council in the second half of 2022; and
- DPE intends to complete its amendment of LEPs in all NSW Local Government Areas before December 2022.

Next steps – Tamworth Regional Council

- to ensure community members within the Tamworth Region are fully informed of the upcoming changes which may impact them, it is proposed to undertake targeted consultation directly with the affected property owners.
 - (a) **Policy Implications**
Nil
 - (b) **Financial Implications**
Expenses associated with targeted consultation will be funded from the existing Divisional budget.
 - (c) **Legal Implications**
The *SI LEP Order* will alter the planning provisions for selected zones by amending the *Tamworth Regional Local Environmental Plan 2010*.
 - (d) **Community Consultation**
A state-wide public exhibition will be undertaken by DPE. This process is anticipated to commence in April/May 2022 for a period of approximately six (6) weeks. Council is yet to be advised of the specific dates of the exhibition. Council's targeted local consultation is being designed to coincide with the Department's exhibition.
 - (e) **Delivery Program Objective/Strategy**
Not applicable as the Employment Zone Reform has been initiated and will be carried out by NSW State Government.
-

8 INFRASTRUCTURE AND SERVICES

8.1 URBAN STREET TREE MANAGEMENT PLAN - ADVISORY GROUP - MINUTES 7 MARCH 2022

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager Sports and Recreation

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Urban Street Tree Management Plan - Advisory Group - Minutes 7 March 2022", Council:

- (i) receive and note the minutes from the Urban Street Tree Management Plan – Advisory Group;*
 - (ii) endorse Brisbane Street, Fitzroy Street and White Street as priority streets for CBD tree planting; and*
 - (iii) adopt the Terms of Reference for the Advisory Group.*
-

SUMMARY

The purpose of this report is to present the minutes from the 7 March 2022 meeting, note the key outcomes of the meeting and adopt the renewed Terms of Reference.

COMMENTARY

On 7 March 2022 the Urban Street Tree Management Plan – Advisory Group (the Advisory Group) met for their first meeting following the election of the new Council. Minutes of this meeting are **ATTACHED**, refer **ANNEXURE 1**.

Key discussion items of the meeting included:

Terms of Reference

An updated Terms of Reference for the Advisory Group was provided for comment and discussed at the meeting. Minor amendments were made to reflect the involvement of the Director Liveable Communities. The updated Terms of Reference are **ATTACHED**, refer **ANNEXURE 2**.

It is recommended to Council that these updated Terms of Reference be adopted moving forward.

Sub Division Tree Planting and Maintenance Guideline

Tamworth Regional Council's (Council) Development Engineering team have completed a period of consultation with the development industry relating to a proposed change in the way street trees are planted for subdivisions. The development industry provided no negative feedback to Council relating to the proposed change.

The change is for developers to pay the contribution for street tree planting to Council and then Council will undertake the planting of new subdivisions once the occupation rate reaches 75% or after two years (whichever comes first).

The Advisory Group asked for one other change to these Guidelines in relation to lots with large street frontages requiring a planting rate of one tree per 30 metres of frontage or part thereof.

2022-2023 Greening Strategy

The Greening Strategy was discussed with some great successes from the previous Spring 2021 planting. The Autumn 2022 planting is currently underway with a further 750 new trees to be planted. This includes a planting of 300 trees by the Rotary Club of Tamworth First Light along Duri Road, Kent Street and at Electra Park.

The Advisory Group discussed the proposed planting of trees within the central business district (CBD) to create shade and improve the amenity of the streets. It was agreed to recommend Brisbane Street, Fitzroy Street and White Street as the priority streets for CBD tree planting.

(a) Policy Implications

Nil

(b) Financial Implications

If approved, the planting of Brisbane Street, Fitzroy Street, and White Street will be the priority streets for CBD planting and external funding will be sort for the implementation of this.

(c) Legal Implications

Nil

(d) Community Consultation

The Urban Street Tree Management Plan – Advisory Group is comprised of members of the community.

(e) Delivery Program Objective/Strategy

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

8.2 COMBINED NSW PRIMARY SCHOOLS SPORT ASSOCIATION AND NORTH WEST SCHOOLS SPORT ASSOCIATION FEE WAIVER REQUEST

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Blake Mammarella, Sports Venue - Program Officer
Paul Kelly, Manager Sports and Recreation

RECOMMENDATION

That in relation to the report “Combined NSW Primary Schools Sport Association and North West Schools Sport Association Fee Waiver Request”, Council approve a complete fee waiver for use of the Tamworth Sports Dome.

SUMMARY

NSW Primary School Sports Association and the North West School Sports Association are combining to host a multi-sport state championship week of festivities in Tamworth.

Never before has a state championship for two sports, or boys and girls for a single sport, been held concurrently in the same town, however Tamworth will host four state championships in one week in late May/early June.

Given the economic benefit to the community, and the opportunity to showcase Tamworth’s high-quality sporting facilities, Council is asked to support this event through a full fee waiver of Tamworth Regional Council’s sports facilities.

COMMENTARY

Each year there is a school based state championship for boys and girls in a range of different sports. These annual events are scheduled and hosted throughout the state in varying locations.


In an attempt to consolidate events, NSW Primary School Sports Association (NSWPSSA) and the North West School Sports Association (NWSSA) have worked with staff at Tamworth Regional Council (Council) to host a combined week-long sporting event that has never been conducted before in NSW.

Offering an open boys basketball, open girls’ basketball, open boys hockey and an open girls hockey championship will result in four state championships being conducted in a week. Organisers are preparing to host the events at two of Tamworth’s premier facilities; the Tamworth Sports Dome and the Tamworth Regional Hockey Centre.

Scheduled to be held from 30 May 2022 to 3 June 2022, the combined event is expected to result in over 600 student athletes, 1,200 parents/carers, 60 team coaches/managers and 50 teachers/officials from all over NSW coming to Tamworth for the week.

Based on sport tourism industry standards, this event will bring an economic benefit of more than \$2 million to the region, as displayed in Figure 1.

Figure 1 – Event Impact Summary

Event Impact Summary export 			
Tamworth Regional Council - Modelling the effect of \$1,442,050 from a Sports and Recreation Activities event with State significance			
	Output (\$)	Value-added (\$)	Local Jobs (annual jobs)
Direct impact	1,153,640	495,512	10.3
Industrial impact	636,036	264,963	2.3
Consumption impact	451,038	189,315	1.9
Total impact on Tamworth Regional Council economy	2,240,714	949,790	15

Source: National Institute of Economic and Industry Research (NIEIR) ©2021. Compiled and presented in economy.id by .id (informed decisions).

It is anticipated that the cost of hiring the facilities for this event will be approximately \$10,000.

In an attempt to keep participant costs as low as possible, organisers (NSWPSSA and NWSSA) have asked Council to consider a fee waiver for the use of the Tamworth Sports Dome. Organisers will seek a separate request with Tamworth Hockey Association for a fee waiver for their facility, as it is operated under a lease arrangement.

This is a great opportunity for Council and the broader community to showcase Tamworth’s ability to host large scale sporting events, and is an excellent boost to the region’s economy following a few slow years. It is therefore recommended that Council approve this fee waiver in support of this innovative event.

(a) Policy Implications

Nil

(b) Financial Implications

Sports and Recreation has an annual budget allocation for events subsidised under the Sports Events Subsidisation Policy (SESP). The fee for this event of approximately \$10,000 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

8.3 PROPOSED WATER PURIFICATION FACILITY

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed Water Purification Facility”, Council:

- (i) receive and note the report; and*
- (ii) allocate an additional \$1,735,000 from the Wastewater Reserve to fund the Early Phase Works for the Water Purification Facility. The work includes reference designs, preparation of required tender documentation as well as preliminary regulatory approvals and stakeholder engagement.*

SUMMARY

The purpose of this report is to formally advise Council of a proposal for Council to construct and operate a Water Purification Facility in Tamworth.

COMMENTARY

Councillors would be aware that Baiada has development consent to proceed with the construction of the new processing plant (PP), which according to Baiada will:

- cost approximately \$300M to construct;
- create 700 full time jobs, 2,046 indirect jobs;
- increase processing capacity to 3M birds per week;
- increase rendering capacity to 1,680 tonnes of finished product per week;
- increase grain production and sales;
- enable 24/7 operation;
- deliver leading edge environmental outcomes; and
- will also catalyse approximately \$350M in industry investment from the poultry sector.

Baiada plans to close down the existing In/Out Street abattoir when the new plant is constructed adjacent to its existing Rendering Plant at 1154 Gunnedah Road. The new plant will consume up to 8 Megalitres of water per day when operating at full capacity, whilst the existing plant uses approximately 2 Megalitres (ML) per day. Council’s water infrastructure in the area of the new plant cannot supply the additional 6 ML per day of water required to supply the new plant. Further, an increase of 6 MLs per day in potable water consumption equates to about 25% of the City of Tamworth’s average daily consumption and would see a significant reduction in water security for Tamworth, Moonbi and Kootingal.

To address these two issues the Development Consent for the project requires Baiada construct a water treatment facility on site, owned and operated by Baiada, which would treat wastewater generated by the PP to a level that is suitable for the treated water to be reused in the PP. Under this arrangement Council would supply up to 2.4 Megalitres of water per day to the PP and the balance of water required would be supplied by the onsite water treatment plant.

However, Council has some concerns with the proposed on-site treatment facility to be operated by Baiada, including:

- what would happen in the event the treatment plant on site failed for whatever reason – would Baiada expect Council to make up the shortfall of water required for however long it takes to bring the plant back into operation;
- can Council make sufficient water available from existing infrastructure to allow this;
- what would be the effect on supply to other consumers in the area if Council did this; and
- the treatment process is very specialised and is not core business for Baiada – how well resourced will Baiada be to the successful operation of the onsite plant if they know they have a Council supplied system as a backup.

In addition, Council would also be aware that all effluent produced by Council's Westdale Wastewater Treatment Plant (WWTP) is reused for irrigation at Council's Tamworth Effluent Reuse Farm. Ongoing issues associated with the treatment and land-based reuse of the effluent include:

- the quality of the effluent produced by the WWTP is relatively high in salt or Total Dissolved Solids (TDS). This salt is having a detrimental effect on the long-term sustainability of the Tamworth Effluent Reuse Farm;
- the major reason for the high TDS in the effluent is the wastewater delivered to the WWTP from the existing chicken, beef and lamb abattoirs and Baiada's Rendering Plant; and
- the WWTP is not designed to remove TDS.

To address all/most of the current concerns Council staff suggested that instead of Baiada constructing and operating the treatment facility on its land, Council could construct and operate a facility on its own land. This facility would accept existing trade waste quality wastewater from the beef and lamb abattoirs, and from Baiada's existing rendering plant and the new processing plant. The wastewater accepted by the plant would be treated to an industrial standard (non-potable but suitable for use in industrial processes). This industrial standard water, or purified water, would then be sent back for use by the same customers that generated the wastewater in the first place. The advantages of this model include:

- if the wastewater from the abattoirs and rendering plant could be separated from the other sewage at the WWTP and treated separately, then the quality of the wastewater at the WWTP would improve and the sustainability of the reuse farm would increase;
- if Council could take the wastewater from the abattoirs and the rendering plant, treat it and make it available to the same customers for use in their processes, as a substitute for potable water, this would mean:
 - Council would reduce the load on the existing WWTP and thereby defer planned works to increase its capacity;
 - Council would be able to use the potable water saved to increase the city's water security in general and/or supply other businesses which may set up in the city;
- if Council built, owned and operated the plant to treat the wastewater from the abattoirs and rendering plant, on Council owned land, then with our existing expertise we would be better suited to this than any of the owners of the abattoirs or rendering plant; and

- the purified water could also be made available to new industry that may set up in the nearby Tamworth Global Gateway Park, increasing the attractiveness of this development to business and further offsetting the use of potable water in this area.

To investigate this possibility further, Council approached Regional Development NSW. The department supported the project and advised a strategic business case would be required, should NSW Government funding be required for the project, and agreed to part fund the development of the strategic business case. Following discussion with Council, \$50,000 was provided by the NSW Government with the balance \$92,087 provided by Council.

The Strategic Business Case was prepared by Hunter H2O and completed and delivered to Regional Development NSW on 22 September 2021. Key points from the business case include:

- **Tamworth is suffering from two key issues, namely water security, and effluent salinity;**
 - *water solutions for Tamworth need to address both of these key issues;*
 - *recycling of saline effluent to produce high-purity water for industrial use **offers the distinct advantage of addressing both** issues simultaneously;*
 - *critically, this approach will also **facilitate a sustainable framework for new industry development in Tamworth**, by providing a **scalable facility** for purified recycled water to support any new major developments in Tamworth's Global Gateway Park and any other major industry developments generally in Tamworth's Airport/Western precinct. The Water Purification Facility (WPF) will be able to be augmented over time, subject to additional demand, to supply new industrial water demand whilst creating negligible increase in demand for environmental raw water;*
 - *a **Cost Benefit Analysis (CBA)** has demonstrated that, if the Baiada development progresses, then a common water purification facility (WPF) **provides a clear net benefit compared to the alternatives**. The economic analysis, however, suggests that additional investment in the WPF is not justified if the expanded industrial development does not occur;*
 - *a **Benefit-Cost Ratio (BCR)** of ≥ 1 only applies for a common WPF. This can be facilitated by **Council if it has sufficient funding**. If not, the **whole community misses out on the benefit**. If the approach is not funded, it will remove the driver for Council to participate, eliminating economic development which is a benefit to the State, and will reduce water security for the region. The State has a clear benefit in supporting the WPF. The BCR increases dramatically with future expansion of industry, and this will facilitate the State Government's vision for a population of 100,000 for Tamworth;*
 - *a higher population growth rate (compared to the base case of 0.5% per annum) from 2022 onwards will increase the need for water restrictions, thereby increasing the water security costs (in present value terms) in this scenario. This would further strengthen the benefits that can be expected from a common WPF (with or without Dungowan Dam); and*
 - *water recycling is essential for industry for Tamworth. **Water security modelling indicates that if significant additional industrial water demand were added without recycling, then the benefits of additional dam capacity would be substantially eroded.***
-

The full Executive Summary from the business case is **ATTACHED**, refer **ANNEXURE 1**. Since completion of the Business Case discussion has been ongoing with the Australian and State Governments in relation to funding for the plant to proceed.

In addition, Council has also agreed to provide a further \$300,000 to fund the completion of a P90 cost estimate, and project plan.

Assuming Council supports the proposed plant and wants to be in a position to commence construction of the plant as soon as possible after funding is announced and received, Council may like to consider allocating further money to complete the Early Phase Works which have been identified as being required to facilitate prompt implementation of the project.

These Early Phase Works will confirm the procurement pathway for Council, with a view to minimising risk in the current construction environment.

The items proposed for the early phase works are identified and explained in the Table below:

Item	Works Required	Reasons Critical Path Impact
Coordination/ Project Management of Early Phase Works	Continuation of project intent building on project work completed to date	Essential to manage early-phase deliverables
Project Overview Review and Preliminary Design Basis Decision-Making Workshop	Broad Brush Risk Assessment (formally facilitated) Review of basis of design for major cost elements	Identify show-stoppers Confirm all stakeholders have been identified Avoid later significant change to design basis
Planning	Background information works – survey, geotech, baseline groundwater monitoring PW User agreements, revised trade waste discharge agreements	Minimise physical works unknowns Confirm that PW users are in agreement with the project approach
LGA s60 Approval Process for Recycled Water Management Scheme	Recycled Water management Plan for Recycled Water Management Scheme	To commence LGA s60 Application process
Finalise delivery model including operation of the new plant	Assessment of all delivery options for design, construction and future operation	The final delivery model will determine the scope of works to be tendered

Item	Works Required	Reasons Critical Path Impact
Review of Environmental Factors	Environmental assessment of the Project under s5.5(1) of the EP&A Act.	Essential regulatory obligation of Division 5.1 or Part 5 of EP&A Act
Expression of Interest Phase for WPF Process Facility	<p>Prepare documentation and manage/assess submission process.</p> <p>Prepare short-list of tenders</p>	<p>WPF Process is very complex, with many options available as to how to achieve the required treated water outcome. Treatment process impacts upon power consumption (significant) and final brine volume and evaporated salt load generated.</p> <p>Several process long lead time items</p>
Tendering for WPF Process Facility	<p>Prepare detailed specification and integrate with General terms and Conditions of contract</p> <p>Technical support through tender process.</p> <p>Assess tenders.</p>	<p>Direct impacts upon other long lead time project elements, especially:</p> <ul style="list-style-type: none"> • power supply requirement • brine lagoons volume • ultimate salt accumulation and its impact upon brine lagoon design
Power Supply Reference Design and Procurement	Liaise with Essential Energy to design and procure power supply kiosk transformers (indicative 3 MW)	Long lead time supply item
Purified Water Reservoir(s) Reference Design	Conduct design	Affects WPF site space requirement and layout
Brine Lagoons Reference Design	<p>Required for EPA negotiations (potential classification as Waste Management Facility due to salt accumulation)</p> <p>Required for early contractor engagement for construction</p>	Critical path item due to need to finalise EPA approvals and then embark upon final design. Brine lagoons may be classified as a Restricted Solid Waste Landfill requiring additional construction specifications.

Item	Works Required	Reasons Critical Path Impact
Services Package Infrastructure	Land allocation Communications access and IT integration planning	Essential to subsequent critical path design works
Value Workshop Engineering	Review major design elements, structures and materials to potentially identify project cost savings	Identify any significant design changes prior to finalisation of design packages.

The estimated cost of this work is \$1,735,000.

(a) Policy Implications

Nil

(b) Financial Implications

Depending on the funding provided by the Australian and/or State Governments Council may be required to provide some funding towards the capital cost of construction.

Should Council agree to fund the Early Phase Works then the funding would have to be made available from the Wastewater Reserve.

(c) Legal Implications

Businesses providing the trade water quality wastewater to the proposed facility and those utilising the industrial standard water produced will be required to sign Agreements with Council in relation to the supply of the wastewater and the use of the purified water.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCIL INVESTMENTS MARCH 2022

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
 AUTHOR: Sherrill Young, Finance Manager

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Council Investments March 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 March 2022.

COMMENTARY

The Reserve Bank of Australia at its meeting on April 5, announced it was leaving interest rates on hold, it felt there wasn't sufficient evidence to demonstrate a sustainable increase in inflation; a prerequisite for an increase in interest rates. The Reserve Bank is continuing to monitor the resolution of supply issues, developments in energy markets and the trend in labour costs all of which it believes will be key factors with regards to inflation levels. The Reserve Bank remains steadfast, refusing to increase interest rates until indicators suggest a sustainable increase in inflation within the two to three percent range.

Council is slowly seeing a gradual, albeit slight improvement in the rates it is able to achieve on its term deposit investments.

In accordance with Section 212 of the Local Government (General) Regulation 2021, the details of all money invested by Council as at 31 March 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	5,355,716.04	56,000,000.00	0.00	61,355,716.04	31.34%
BOQ	0.00	14,000,000.00	0.00	14,000,000.00	7.15%
CBA	0.00	58,000,000.00	0.00	58,000,000.00	29.63%
St George	0.00	4,000,000.00	0.00	4,000,000.00	2.04%
TCorp	0.00	0.00	1,000,922.54	1,000,922.54	0.51%
Westpac	0.00	52,418,213.41	0.00	52,418,213.41	26.77%
Suncorp	0.00	5,000,000.00	0.00	5,000,000.00	2.56%
TOTAL	5,355,716.04	189,418,213.41	1,000,922.54	195,774,851.99	100%

The amount invested at 31 March 2022, has decreased by \$5,148,163.54 (2.56%) compared to funds held at 28 February 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	3.16%
General	Internally Restricted	62,441,411	31.89%
General	Externally Restricted	21,122,736	10.79%
	General Fund Total	89,746,755	45.84%
Water	Unrestricted	2,007,640	1.03%
Water	Internally Restricted	21,873,921	11.17%
Water	Externally Restricted	20,439,287	10.44%
	Water Fund Total	44,320,848	22.64%
Sewer	Unrestricted	2,215,411	1.13%
Sewer	Internally Restricted	43,325,011	22.13%
Sewer	Externally Restricted	16,166,826	8.26%
	Sewer Fund Total	61,707,248	31.52%
	Total Investments	195,774,851	100.00%

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

Communication from NSW Treasury shows that interest rates on borrowings have increased over the last six months. There has also been a gradual increase on rates available for term deposits which would suggest that the banking industry is factoring in rate rises in the short term.

(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.

9.2 ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - MARCH 2022 – FILE NO

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
Item 11 to Closed Council 22 March 2022 - Minute No 90/22**

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2021/2022 Budget Variation Report – March 2022”, Council note and approve the variations to the existing budget as listed in the attached ANNEXURE, refer, ANNEXURE 1.

SUMMARY

This report seeks Council approval for budget variations identified during the month of March 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.

Notable budget adjustments for the month of March include a reduction in income for the compliance area due to the cessation of charging compliance levies in accordance with State Government instructions; these instructions came into effect at the end of December. The division has been able to offset reduced income for this financial year by decreasing legal costs. Going forward compliance is faced with the challenge of continuing to provide necessary services with reduced income levels of approximately \$300,000 per annum. Finally, income and selling costs from land sales for the Tamworth Global Gateway Park budgeted for this financial year have been deferred to next year. While sales for the industrial site are going well (refer to confidential Council report at the Ordinary Meeting of Council, 22 March 2022) and contracts conditionally exchanged on eight lots, it is not anticipated that these conditions will be met until next financial year.

Variations identified March 2022

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Entertainment Venues	20,000	0	0	0	20,000
Events	0	(100,000)	100,000	0	0
Business Systems & Solutions	(7,400)	0	(68,781)	0	61,381
Growth & Prosperity	3,173,122	0	(82,820)	3,255,942	
Airport	(1,953)	0	(1,953)	0	0
AELEC Precinct	98,690	188,167	(89,477)	0	0
Financial Services	(17,707)	0	(17,707)	0	0
People & Culture	1,107	0	1,107	0	0
Legal	(1,186)	0	(1,186)	0	0
Office of the GM	(11,117)	0	(11,117)	0	0
Communications & Engagement	25,250	0	25,250	0	0
Strategy & Perf Dir Mgt	20,015	0	20,015	0	0
Compliance	0	76,383	(76,383)	0	0
Liveable Communities Dir Mgt	5,143	0	5,143	0	0
Development	42,750	0	42,750	0	0
Integrated Planning	(75,309)	0	(75,309)	0	0
Plant, Fleet &	(2,184)	0	(2,184)	0	0

Buildings					
Regional Service Dir Mgt	(5,256)	0	(5,256)	0	0
Infrastructure Projects	(1,354,676)	(553,970)	538,684	(2,760,115)	1,420,725
Waste Management	(42,633)	(168,298)	125,665	0	0
Water & Wastewater	643,057	(22,144)	681,530	(18,000)	1,671
Laboratory & Sustainability	52,471	(500,000)	500,357	0	52,114
TOTAL	2,562,184	(1,079,862)	1,608,328	477,827	1,555,891

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	(1,057,718)	926,798	495,827	1,554,220
Water	(22,144)	40,839	(18,000)	17,711
Sewer	0	640,691	0	(16,040)
Total	(1,079,862)	1,608,328	477,827	1,555,891

(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.

9.3 2022 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

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

RECOMMENDATION

That in relation to the report “2022 National General Assembly of Local Government”, Council:

- (i) nominate Councillor representatives to attend this conference as appropriate; and*
- (ii) approve the motion submission as outlined in the report.*

SUMMARY

The purpose of this report is to advise Council of the 2022 National General Assembly of Local Government Conference to be held at the National Convention Centre, Canberra over 19-22 June 2022.

COMMENTARY

Convened annually by the Australian Local Government Association (ALGA), the National General Assembly (NGA) of Local Government is the peak annual event for Local Government, attracting in excess of 800 Mayors and Councillors each year. The Assembly provides a unique opportunity for Local Government to engage directly with Federal Government, to develop national policy and to influence the future direction of our councils and our communities.

The 2022 NGA will be held at the National Convention Centre in Canberra over 19-22 June 2022. While the Assembly is not until June, accommodation is reserved with registration and can book out early, therefore to secure rooms close to the National Convention Centre it is recommended that Councillors nominate to attend as soon as possible.

The theme for the 2022 NGA is “Partners in Progress” focusing on how partnerships, particularly between the Australian Government and local governments, can tackle the immediate challenges facing communities and help us confidently prepare for the future.

ALGA called for submissions of motions for the 2022 NGA. To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions needed meet the following criteria:

- 1) be relevant to the work of local government nationally;
- 2) not be focused on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic national importance and should be discussed at a national conference;
- 3) be consistent with the themes of the NGA;
- 4) complement or build on the policy objectives of your state and territory local government association;
- 5) be submitted by a council which is a financial member of their state or territory local government association;
- 6) propose a clear action and outcome, i.e. call on the Australian Government to do something;
- 7) be a new motion that has not already been debated at an NGA in the preceding two years; and

- 8) not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

The closing date for submissions or motions was 23 March 2022. Council have submitted one motion for consideration at the 2022 NGA which requires a formal resolution of Council to be included in the NGA business paper. The motion submission is below:

National Objective:

That the Australian Federal Government consider additional funding programs to support the construction and ongoing running costs associated with The Australian Government commitment to reduce food being landfilled through the National Waste Policy, and the associated national Waste Policy Action Plan (2019).

Summary of Key Arguments

Local Governments in NSW, as part of the commitment, will be required to introduce separate Food Organics and Garden Organics (FOGO) collections by 2030. Meeting the commitment requires purpose-built facilities, designed with innovative processing technology which will accept and treats organic waste streams such as garden and food organics. This infrastructure comes at a high capital cost, recoverable through relatively small rate bases for regional and rural Councils. Ongoing running costs also present challenges and will have long term financial impacts on Local Government. State funding has been made available to support Councils but is a small proportion of the total capital cost of the project.

(a) Policy Implications

In accordance with Council's Payment of Expenses and Provision of Facilities to Councillors Policy, authorisation of attendance of Councillors to the NGA must be by way of a resolution of Council.

(b) Financial Implications

The estimated cost per delegate will be approximately \$1,850, which includes registration fees of \$989, accommodation at \$180-\$250 per night, and air travel at \$600. There is sufficient operational budget within the Councillor's conferences and seminars budget to fund Councillor attendance at the NGA.

(c) Legal Implications

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

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Region of Progressive Leadership – L12 Represent and advocate community needs.

9.4 APPLICATION FOR ADDITIONAL SPECIAL VARIATION (ASV) FOR 2022/2023

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Rami Abu-Shaqra, Chief Financial Officer
Reference: Item 9.1 to Ordinary Council 12 April 2022 - Minute No 98/22
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Application for Additional Special Variation (ASV) for 2022/2023”, Council:

- (i) apply for a permanent single year special variation to increase the notional rate income for 2022/2023 under Section 508(2) of the Local Government Act 1993 (the Act) by 2%, including the 0.7% rate peg. If approved the ASV will generate an additional \$514,610 in general rate income for the first year;*
- (ii) requires the additional income to counteract the targeted RBA 2-3% inflation rate for next financial year and reduce the predicted General Fund operating deficit for 2022/23.*
- (iii) has considered the impact on ratepayers and the community in 2022/23 and future years, if a permanent special variation is approved and considers that the ASV is reasonable.*

SUMMARY

Upon compiling the application for a permanent special variation of 1.3% in addition to the rate peg amount of 0.7% awarded by the Independent Pricing and Regulatory Tribunal (IPART) NSW, it was determined that the resolution passed at the ordinary Council meeting, April 12, 2022, did not meet the specific application requirements. The purpose of this report is to address the specific resolution requirements.

COMMENTARY

Council staff, in compiling the IPART application for the additional special variation found that the specific wording required in the Council resolution for the ASV had not been met in the resolution adopted by Council at its meeting on April 12, 2022. Whilst each of the items outlined in the above recommendation were covered in the body of the referenced report, the resolution does not specifically encompass the IPART requirements outlined under the heading “*What will Councils need to provide to IPART for all ASV applications?*” in **ATTACHED**, refer, **ANNEXURE 1**.

(a) Policy Implications

Nil

(b) Financial Implications

If Council is granted a SRV of 1.3% (on top of the peg of 0.7%), General fund will have the additional income of \$514,610.00 in the 2022/23 financial year that was originally planned for in Integrated Planning & Reporting 2021/2022. That planned (now additional) income will ensure minimal interruptions to the delivery of Council’s programs within its Community Strategic Plan that support the liveability and the growth of its community.

(c) Legal Implications

Nil

(d) Community Consultation

Under this one-off ASV, Council is not required to demonstrate additional community consultation. IPART will consider the consultation undertaken by Council through the IP&R process (2021/2022) and consider the resolution to apply for a ASV meets the requirements outlined above.

The Council is of the opinion that the impact on the ratepayers from this ASV, if granted, will be reasonable. The table above shows a \$1.60 per week average increase for Tamworth Residential and \$2.80 per week average increase for Business. These increases include all currently planned changes in water and waste charges. This request for permanent special variation will not add any additional burden to the ratepayers that was not previously planned for and consulted with the community.

(e) Delivery Program Objective/Strategy

A Region of Progressive Leadership – L12 Represent and advocate community needs.

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

10 COMMUNITY SERVICES

10.1 TAMWORTH REGIONAL YOUTH COUNCIL - MINUTES OF THE ORDINARY MEETING HELD 31 MARCH 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 31 March 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 31 March 2022, and provide Council with an overview of the outcomes.

COMMENTARY

An Ordinary Meeting of the Tamworth Regional Youth Council was held on Thursday, 31 March 2022. The Minutes of the meeting are **ATTACHED**, refer **ANNEXURE 1**.

The main topics considered at the meeting are summarised below:

- The Youth Council Congratulated Youth Cr Caitlin Blanch on her appointment to the 2022 Regional Youth Taskforce. The Regional Youth Taskforce connects young people from Regional NSW with their community and engages them on issues such as:
 - getting a job;

- mental health; and
- public transport.

Youth Cr Blanch is one of two representatives for the New England and North West region.

- The Youth Council was briefed and given the opportunity to provide feedback and input in relation to a number of developing projects for the Tamworth region. These included:
 - Tamworth Regional Council Entrance Strategy;
 - University of New England Smart Region Incubator; and
 - Namoi Unlimited’s “*Engaged People and Skills*” project.
- The Youth Council discussed the upcoming 2022 Youth Week program, including two of the events that the Youth Council has developed:
 - Cultural Celebrations on Saturday 9 April 2022; and
 - the Accessibility Sports Day on Tuesday 12 April 2022.

NSW Youth Week will run from Monday, 4 April to Thursday, 14 April 2022. Information on the program can be found at www.tamworth.nsw.gov.au/youthie.

(a) Policy Implications

Nil

(b) Financial Implications

Youth Week activities and initiatives are funded from:

- -grant funding awarded by the NSW Department of Communities and Justice (\$4474.80); and
- matched funding from the Cultural and Community Services operational expenditure 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.

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 T128/2022 - CONSTRUCTION OF DAVIDSONS LANE AND PULLMANS ROAD UPGRADES

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Callum Fletcher, Senior Project Engineer

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

SUMMARY

The purpose of this report is to seek Council's acceptance of tender T128/2022 to award a lump sum contract for the construction of the Davidsons Lane and Pullmans Road upgrades.

Background

The Moonbi to Hallsville route consists of 24.6 kilometres of Tamworth Regional Council's (Council) local road network, including Davidsons Lane, Upper Moore Creek Road, Moonbi Gap Road and Charles Street. These roads form the link between the New England Highway and MR63 Manilla Road (and further west onto the Oxley Highway via Appleby Lane). This link, shown in Figure 1 below, is a key freight connection for the New England region and NSW. The route upgrade project aims to improve the safety on this route for all road users with the Australian Government having committed \$2 million under the Heavy Vehicle Safety and Productivity Program, with Council matching this contribution.



Figure 1 – Locality plan for route

Sections along the route currently carry between 500 and 1,400 vehicles per day with approximately 87% passenger vehicles and 13% heavy vehicles. An independent Road Safety Audit (RSA) was undertaken along the route, with a number of locations identified and prioritised for safety improvements. The number of locations able to be upgraded is limited by the available funding.

Two of the locations prioritised for improvements are the intersection of Davidsons Lane and Pullmans Road, and the sharp horizontal curve immediately to the south of this intersection, shown in Figure 2.



Figure 2 – Safety improvement locations associated with this tender.

Tender Scope and Evaluation

A tender for the construction of the Davidsons Lane and Pullmans Road upgrades was advertised for a period of 21 days and closed on 6 April 2022. Tenderers were required to provide a schedule of prices for the works to include:

- project management, site management, administration, quality assurance, traffic controls, and environmental controls;
- overhead electrical relocations;
- intersection upgrade at Pullmans Road and Davidsons Lane including pavement widening, median construction, bus stop relocation, new bitumen seal, new signage, and line marking;
- curve realignment of Davidsons Lane, south of Pullmans Road, including pavement construction, drainage structures, driveway alterations, bitumen seal, new signage, and line marking; and
- site rehabilitation and demobilisation.

DEED OF ASSIGNMENT, FOSSICKERS TOURIST PARK NUNDLE

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: Luke Stevenson, Commercial Property Officer

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

This report seeks Council's authorisation to enter into a Deed of Assignment of the current Lease of Council property, the details of which are more particularly described within the body of this report.

TENDER T022/2022 - SUPPLY AND DELIVERY OF TWO BOGIE DRIVE TAR PATCHING TRUCKS

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)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

This report considers a tender for the replacement of Tamworth Regional Council's (Council) existing two bogie drive tar patching trucks. These replacements are in accordance with Council's Plant and Fleet Asset Management Plan. The two new tar patching trucks will be utilised for Council's sealed roads maintenance.

TENDER T121/2022 - WINNING AND CRUSHING OF MATERIAL IN COUNCIL MANAGED PITS

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Jay Morrow, Senior Operations Engineer

2 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to recommend to Council acceptance of a tender for T121/2022 - Winning and Crushing of Material in Council Managed Pits within the Tamworth Regional Council (Council) area, as and when required, for two years with an optional one year extension at Council's discretion.

TENDER T104/2022 – CCTV INVESTIGATION, CLEAN AND CONDITION ASSESSMENT OF SEWER MAINS AND ACCESS CHAMBERS

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

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 of the local Government Act 1993 on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business. and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

SUMMARY

The purpose of this report is to recommend the acceptance of a tender for the cleaning, closed circuit television (CCTV) and condition assessment of approximately 48 kilometres of various diameter sewers within Tamworth, Manilla and Barraba. This report discusses the merits of the tenders received and recommends a preferred Tenderer.

Tamworth Regional Council carries out an ongoing inspection program of sewer assets to identify asset condition and prepare rehabilitation programs as required. Determination of asset condition is also used by Council to calculate the economic value of assets.

The proposed work is to perform sewer main cleaning, CCTV inspection and assess the structural condition of Council's sewer assets (including access chambers) to allow the determination of rehabilitation works that may be required to maintain efficient ongoing operations of the sewerage system.

TENDER T094/2022 - AUTOMATED METER INFRASTRUCTURE AND DATA MANAGEMENT TO TAMWORTH REGIONAL COUNCIL RETICULATED WATER SUPPLY AREAS

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager - Water and Environmental Operations
Reference: Item 8.2 to Ordinary Council 27 June 2017 - Minute No 190/17
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

The purpose of this report is to inform Council of the Tender outcomes for Request for Tender T094/2022 – Automated Metering Infrastructure and Data Management to Tamworth Regional Council Water Supply Areas and recommend a preferred tender.

Council currently deploys a fleet of 21,880 water meters of between 20 and 200mm in diameter for the purpose of recording water usage. This meter fleet is currently read by a combination of Council staff and labour hire personnel equivalent of two permanent positions. Once a water meter is physically read, the usage data is imported into Council's business system TechnologyOne for customer invoicing. Meters servicing residential and small commercial properties are read and invoiced quarterly. Large users (approximately 100) are read and invoiced monthly.

Automatic meter reading (AMR) is:

- the technology of automatically collecting consumption, diagnostic, and status data from a water meter and transferring that data to a central database for billing, troubleshooting, and analysing;
- with water AMR existing mechanical meters can be retrofitted with a reading device or an integrated meter (meter with a built-in reading device) can be installed;
- there are numerous options available but in general the AMR devices connect by way of a constructed low power data collection network. This network sends data back to a central collation system for billing and data analysis;
- most systems incorporate internal and external customer interfacing software packages to allow interpretation of data;
- due to the low data/power requirements AMR batteries generally have a life of 15 years (same life as a water meter);
- AMR has been used in utility industries for over 20 years but within the water sector the earliest use within Australia was the mid 2000's. More recently, wide spread AMR systems have become the norm with the following nearby Council's implementing systems:
 - Narrabri Shire Council implemented AMR in 2017;
 - Gunnedah Shire Council implemented AMR in 2019;

- Mid-Western Regional Council implemented AMR in 2019; and
- Dubbo Regional Council implemented AMR in 2021/22.

TAMWORTH REGIONAL COUNCIL'S EXPERIENCE WITH AMR

In 2007, Council identified opportunities in AMR and undertook actions to trial and convert the meter fleet to an automated platform over an extended period. This rollout failed due to technical and installation deficiencies including the following and very few AMR devices were purchased and fitted:

- the need for a reed switch was not known at the time of tendering – led to additional cost;
- devices were connected to the meter via a cable which could get cut – either accidentally or not;
- devices connected to the meter using cable ties deteriorated in the sun and devices fell off;
- hand held devices never worked as proponents said they would;
- drive by reading did not work as originally proposed; and
- serial number of the device had to match the meter number – Council staff had difficulty with the complexity of long numbers.

However, in 2014 modifications were undertaken to the units left over from the 2007 tender and using experience gained initially and since the 2007 tender, an AMR network was deployed in Bendemeer and Nundle. This system has proven reliable with about 95% of the meters installed being read automatically.

Given this success, Council further engaged water industry specialists Hunter H2O in March 2017 to provide a technology review on automated water metering opportunities. This review identified emerging technologies and assessed a number of options available to Council where technology development had matured and presented viable opportunities to commit to AMR with confidence that technology advancement has reached a level of development where asset investment could be justified.

A report was presented to Council on 27 June 2017, providing advice on the opportunities available from AMR technologies. After considering this report, Council resolved to receive and note the report and request the Director Water and Waste to prepare a further report in relation to this matter, once further information regarding options for Automated Meter Reading is available.

Council subsequently engaged ITONLINE Group to undertake a "Meter Reading Options Study Report" specific to Tamworth Regional Council's needs. The report was finalised in November 2017, and identified similar business case results to other water utilities, in particular the business case produced indicated that installation of AMR in towns and villages returned a positive cost benefit analysis because of the increased cost involved with meter reading in these locations, but for Tamworth the cost benefit analysis did not support the introduction of AMR on cost alone.

The developed business case did identify other more intangible benefits of AMR take some time to realise and relate to the reduction of non-revenue water (losses) and the planning and delivery of medium to large infrastructure and improved customer service.

The business case identified the following benefits of implementing an AMR system:

Financial

- personnel assigned for meter reading can be diverted to other tasks including maintenance and management of the AMR system;
- tighter control over the billing cycle (all meters are read on the same day);
- ability to reduce the billing cycle (can go from 3 monthly to 1 monthly or pre-paid), may provide options for Council to improve the revenue stream;
- fine grained data from metering can be utilised in the strategic delivery of large cost infrastructure as an “on-time” delivery approach;
- special reads for change of ownership or tenancy can be done on demand; and
- automatic interface and transfer of meter reading data to the Council billing system removes the requirement for manual data entry into the billing system.

Water Loss

- the biggest benefit is providing means for early network and customer leak and water loss detection. This can provide a saving that may offset the ongoing costs of maintaining the AMR system, in some circumstances.

Maintenance

- safety is improved as manual reads of meters are no longer required and the associated driving/walking hazards are removed in fully automated systems (as opposed to those where the data is collected by walking or driving past the meter);
- AMR devices have the ability to provide near real-time advice for failing meters allowing Council to improve responsiveness to these large users. The added benefits include the ability to plan replacements limiting any negative impacts to critical customers;
- the data management software can provide monitoring of the meters, sensors and network providing early feedback of faults and issues to the maintenance team. Reports for the maintenance team can be generated automatically and data can be transferred to a maintenance system if used; and
- meter fleet performance can be monitored, allowing replacement programmes based on performance rather than a fixed kilolitre throughput.

T102/2022 GRIFFIN, RAWSON AND FLINDERS WATERMAIN CONSTRUCTION PROJECT

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

3 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to recommend the preferred tenders for the construction of three watermains in Tamworth. This report discusses the merits of tenders received and recommends a preferred project delivery method and Tenders.

Council undertakes an ongoing water main renewal program to ensure ongoing water supply service for customers. Water mains are identified for replacement due to a number of reasons, including age and failure history, which are identified through Council's water asset management system and/or hydraulic capacity upgrades required to cater for growth areas.

Traditionally, water mains have been replaced by reconstruction techniques that involve open excavation. Construction is undertaken in accordance with Council's Engineering Standards to ensure high quality assets to cater for all water pressures in the Tamworth network.

Standard water main reconstruction generally requires a greater level of design to identify underground assets. In addition, this style of construction has impacts on neighbouring residents and additional costs to repair road pavements, driveways etc back to a standard similar to pre-construction condition.

The water industry also uses alternative renewal options including relining or pipe-bursting. Council has performed numerous in-situ sewer rehabilitation projects, however, Council has only once before completed an in-situ water main renewal (the recently completed slip lining of a 500mm diameter water main along Armidale Road). The benefits of this technology include:

- reduced design requirements as the water main is replaced in the same location and alignment;
- shortened construction period; and
- reduced impacts on other infrastructure and neighbouring properties/residents.

Unlike in-situ sewer rehabilitation which is generally significantly cheaper than the alternative of reconstruction, in-situ water main rehabilitation is often more costly than standard reconstruction. The reasons for this are sewers are a gravity drainage system and are often constructed at greater depths than water mains. Water mains also have a greater cost for service reconnections.

Three water mains in Tamworth have been identified as requiring renewal due to capacity issues, internal condition and history of failures. These mains are located within Griffin Avenue, Rawson Avenue and Flinders Street.

