



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

6 JUNE 2023

**PAUL BENNETT
GENERAL MANAGER**

Order of Business

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

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

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 23 May 2023, 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

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 EASEMENT CREATION FOR UNDERGROUND ELECTRICAL SUPPLY TO SPORT FIELD LIGHTING ON TAMWORTH RIVERSIDE 3 OVAL

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Amos Fenn, Project Officer
Paul Kelly, Manager - Sports and Recreation

Reference: Item 12.1 to Ordinary Council 14 June 2022 - Minute No 175/22
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Easement Creation for underground electrical supply to sport field lighting on Tamworth Riverside 3 Oval”, Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of an easement for electricity supply relating to the installation of new sports field lighting on Lot 35 and Lot 24 in Deposited Plan 95995; and*
- (ii) authorise the affixing of the Seal of Council to any plans, instruments or any other documents required to give effect to Council’s resolution.*

SUMMARY

The purpose of this report is to seek Council’s approval to grant an easement to the relevant electricity supply authority within the Riverside Sporting Complex for the installation of new lighting infrastructure.

COMMENTARY

Background

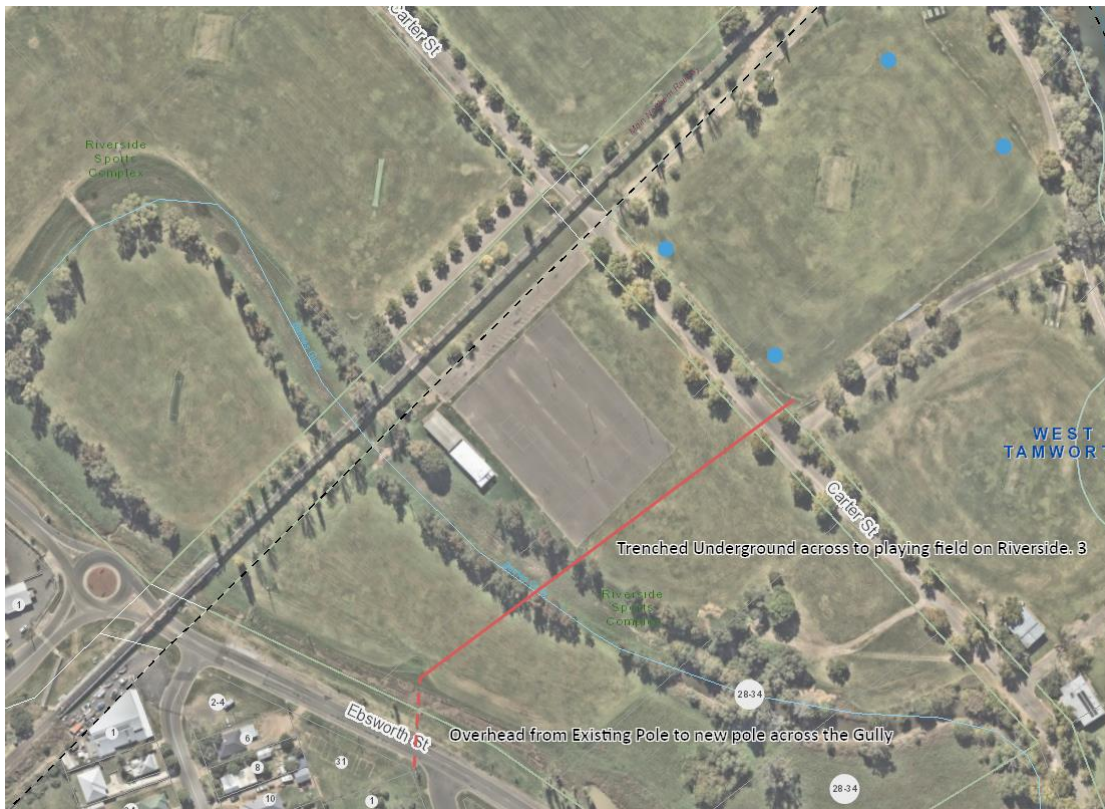
In October 2021 Tamworth Regional Council (Council) received funding from the NSW Government’s Regional Sport Facility Fund 2020/2021 for \$400,000 to install sport field lights at Riverside 3.

The scope of works for the proposed project is the installation of 4 x 30 metre metal light towers with five LED lights per tower. Associated transformer and main switchboard upgrades will also take place along with connection to a high voltage overhead power supply located on Ebsworth Street, then continue underground across to Riverside 3 oval.

The outcome of the project will be to increase participation in sport by providing a facility that is compliant and relevant to the needs of the community. The project will allow the sporting field to be more multipurpose in nature and increase utilisation throughout the course of the year. The precinct where the proposed project is located also caters for marquee community events as well as providing a space for campers during the Tamworth Country Music Festival (TCMF).

In order to facilitate the installation of this infrastructure, Essential Energy requires the creation of an easement for underground high voltage power over Lot 35 and Lot 24 in Deposited Plan 95995 as shown below in Figure 1 and further detailed in the **ATTACHED**, refer **ANNEXURE 1**. Essential Energy will also require Council enter into their standard Deed in this regard.

Figure 1 – Approved Electrical Supply Design and proposed location of easement



The creation of this easement is essential to facilitate the execution and commissioning related to the tender T0125/2022 that was previously approved by Council at its Ordinary Meeting on 14 June 2022.

Easements for Service Infrastructure

The type and location of the proposed infrastructure is being selected based on the requirements to achieve a 'best-for-project' result. It is impractical to have overhead power line across current and future sports fields, therefore, underground power is the best project outcome. Having such underground power requires the electricity authority to have an easement over sections of the Lot to protect the integrity and operation of their infrastructure.

The required easement will encompass the following infrastructure:

- install new overhead high voltage cable and hardware from the existing pole on the corner of Ebsworth Street and Church Street to a new pole across Barnes Gully into the Riverside Sporting Complex;
- install high voltage underground cable, spare conduit, and hard and soft marker tape from the new pole near Ebsworth Street to a new substation pole on Carter Street to supply new switchboard; and
- install new pole mounted substation on the corner of Riverside 3.

Given the benefits to the community that the project will bring, and the minimal impact to Council, it is recommended that Council agree to the creation of the easement detailed in Figure 1 and Annexure 1.

(a) Policy Implications

Nil

(b) Financial Implications

Survey, legal and land registry costs and fees associated with the creation of easements will be funded from the existing project budget, with projected costs expected to be \$5,400 exclusive of GST.

Pursuing compensation from Essential Energy will not be required as the infrastructure within the easement is essential for Council to meet the current and future needs for the community within the Riverside Sporting Complex and therefore does not affect the current or future use and requirement of the land.

(c) Legal Implications

The Seal of Council is required to be affixed to the documents to effect Council's recommendation.

The *Local Government (General) Regulation 2021*, Clause 400(4), requires that the Seal of Council must not be affixed to a document unless the document relates to the business of Council and Council has resolved (by resolution specifically referring to the document) that the Seal be so affixed.

(d) Community Consultation

The need for additional and improved sport field lighting across the Local Government area is identified in the adopted Sports and Recreation Strategic Plan. When developing the Sports and Recreation Strategic Plan, Council undertook extensive community consultation to ensure the community and key stakeholders had the opportunity to contribute to the development of the plan. This ensured that the values and aspirations of the community and stakeholders were reflected in the plan. This consultation included online surveys, community workshops, stakeholder interviews and site tours which had a high rate of response.

(e) Delivery Program Objective/Strategy

Focus Area 2 – A liveable built environment

8.2 DRAFT REVISED DROUGHT MANAGEMENT PLAN 2023

DIRECTORATE: WATER AND WASTE

AUTHOR: Louise Ferrier, Sustainability Officer - Water

Reference: Item 8.5 to Ordinary Council 27 April 2021 - Minute No 101/21

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Revised Drought Management Plan 2023”, Council:

- (i) agree to proceed with Option 2 for the water restriction town entry signage;*
- (ii) place the revised Drought Management Plan 2023 on public exhibition for a period of no less than 28 days, to allow for final written feedback and comments from residents; and*
- (iii) following 28 days public display of the draft revised Drought Management Plan 2023 request the Director of Water and Waste collate the responses received and prepare a further report to Council detailing the responses and any proposed changes.*

SUMMARY

The last Drought Management Plan was adopted by Council at the 14 April 2016 Ordinary Council Meeting, and last amended at the Ordinary Council Meeting on 28 April 2020.

As recommended in the plan, a review should take place after a drought or every five years, whichever occurs first.

The review had been slightly delayed, due to waiting on a final decision on the future of the new Dungowan Dam project.

The purpose of this report is to inform Council of the key proposed changes made to the draft revised Drought Management Plan 2023 and seek Council approval to place the draft document on public exhibition for a period of no less than 28 days.

COMMENTARY

The 2023 revision of the Drought Management Plan (DMP) has been prepared as a major update to Revision 1 2016 and is **ATTACHED**, refer **ANNEXURE 1**.

Following the end of the most recent drought when all centres had moved from water restrictions, and prior to commencing the review of the Plan, feedback was sought from residents connected to a town water supply across the Tamworth local government area. This was done via the ‘Pre Drought Management Plan Review Survey’, which saw 500 residents interviewed via a telephone survey. Given the number of responses and the cross section of the respondents surveyed the results of the survey are considered statistically significant. The findings from the survey were presented to Council at the Ordinary Meeting on 27 April 2021, and have been considered in the review of the Drought Management Plan 2023.

Since the last review of the Drought Management Plan, there has been significant investment in water security infrastructure as a result of the most recent drought. Changes as a result of this investment have been included in the revised Plan and now form part of the regions water security and efficiency measurements.

Key changes made to the revised plan are summarised as follows:

Introduction of Everyday Waterwise Guidelines and removal of Permanent Water Conservation Measures

It is proposed that the new plan will see Permanent Water Conservation Measures (PWCM) change to Everyday Waterwise Guidelines. These guidelines are similar to the previously adopted PWCM, but are easier to understand and follow. The Everyday Waterwise Guidelines better reflect the community's effort to date around water conservation, and reflect the communities' better education on this issue and confidence that the behaviour will continue for the years to come.

These waterwise conservation guidelines will help to ensure common sense water use practices continue to be adopted by the community. They include:

- only water the garden before 10am or after 4pm. This avoids watering during the hottest part of the day, when water wastage and evaporative is high;
- trigger nozzles to be used on all handheld hoses. Trigger nozzles provide more control over water flow and reduce wastage; and
- avoid hosing down hard surfaces, such as concrete, paths and driveways. Use a broom or leaf blower, or if water is required, use a high-pressure cleaner or a water efficient nozzle.

These guidelines will no longer be considered as part of Drought Management, and instead will form part of Demand Management. The Everyday Waterwise Guidelines will be integral in ensuring residents continue waterwise behaviour at all times, not just in times of drought.

Drought Management will now focus on the period in which water restrictions are in force, which is from Level 1 to Level 5 water restrictions.

New Water Infrastructure

Since the last drought, there has been significant investment in water infrastructure. Some of this infrastructure will be used in drought periods only, with new actions added under relevant action plans, or the water restrictions guide, to account for this.

New infrastructure includes:

- Chaffey pipeline;
- Calala Raw Water Storage Dam;
- Bulk Refill Stations; and
- Upgrade of the Manilla River Pumping Station at Manilla.

Level 3 Water Restrictions

Minor changes are proposed for Level 3 Water Restrictions, to bring them in line with feedback received from the community during the pre drought management plan review survey, and experience during the last drought.

The amendments include changing the outdoor watering rules from:

- 15 minutes of handheld hose watering per property within a 2-hour window and buckets restricted to 2-hours per day; to
- buckets for 2 hours OR one handheld hose for 15 minutes per day (within the same 2-hour window)

The reason for this change is to better manage possible water restriction breaches and to encourage residents to strive to reduce their consumption as much as possible under Level 3 restrictions. The aim is to enable residents to maintain their gardens (not lawns), albeit it at a base level, while still reducing their daily water consumption to well below typical levels.

This minor rule change also means no exemptions need to be created, as there will be two options to watering that cater for those who are unable to water using buckets.

To ensure residents and businesses adhere to the amendments to level 3 water restrictions, regular compliance patrols will be implemented and Automatic Meter Reading will be utilised to identify possible non-compliance.

Water Restriction Town Entry Signage

A new suite of water restriction town entry signage is also proposed as part of the Drought Management Plan Review. This signage will clearly reflect the key water restriction requirements under each level, and will be located at entry points of all towns and villages connected to a reticulated water supply.

Options for the proposed signage is **ATTACHED**, refer **ANNEXURE 2** for Councillor's consideration.

Option 1:

- Signage displays Everyday Waterwise Guidelines and Level 1 through to Level 5 water restrictions. When a trigger is reached, the dial will be moved to the appropriate water restriction level. Additional information in the form of a pictographs regarding the corresponding restriction level will sit below the main part of the signage.

Option 2:

- Two signage options
 - sign 1: displays Level 1 through to Level 5 water restrictions. When a trigger is reached, the dial will be moved to the corresponding restriction level. Additional information in the form of a pictograph regarding the corresponding restriction level will sit below the main part of the signage.
 - sign 2: when water restrictions are not in effect, a sign displaying Everyday Waterwise Guidelines will replace the Sign 1 sign and will remain in place until such time as a centre moves to water restrictions, then Sign 2 will be removed and sign 1 will be uncovered.

The size of the sign in Option 1 will be the largest and may be difficult to read when travelling at speed. Also, it is considered ideal to separate water restrictions from Everyday Waterwise Guidelines and therefore Option 2 is recommended.

Pre-Drought Planning

Significant work has taken place since the conclusion of the last drought period around pre-drought planning. These efforts have been included in this revision of the Drought Management Plan, and include summaries of the following:

System Operating Rules

Practices from the last drought will continue into the next, including liaising with WaterNSW and DPE Water prior to the commencement of each water year to discuss allocations for town water supplies for the water year ahead.

In relation to the Chaffey Pipeline, it is understood work continues on the issuing of a permanent license for the operation of this pipeline. It is further understood that any permanent license issued will restrict usage of the pipeline to times when the storage in Chaffey Dam is less than 20 percent. The revised Drought Management Plan reflects this restriction on operation of the pipeline.

Regional Drought Resilience Planning

Tamworth Regional Council, along with Walcha Council, participated in the Regional Drought Resilience Planning Program pilot throughout 2022. This pilot was co-funded by the Commonwealth and NSW Governments, and saw key community stakeholders from both local government areas engaged during the creation of the Pilot Plan.

The long-term objective of the Regional Drought Resilience Plan (RDRP) is to ensure the region is better prepared for drought, which also improves the resilience of the region enabling it to better respond from an environmental, economic and social perspective, post drought.

While still in a pilot phase, the document compliments Council's Drought Management Plan and plays a role within Council's Environmental Sustainability Strategy. However, implementation of the Plan relies on Government funding.

Long term water security plans

The Tamworth, Moonbi-Kootingal water security was subject to much publicity during the last drought, with Chaffey Dam falling to 12% and emergency water restrictions applied for the second time in 15 years.

While governments continue to discuss commitments to long-term water security Council has commenced the preparation of a long-term Water Security Plan.

This plan is being prepared, and will outline a staged approach – including both supply and demand side components – to improving town water security and drought resilience for centres across the Council area.

Water Restrictions Guide

Changes to rules impacting customers connected to a town water supply, are displayed within the DMP under the Water Restrictions Guide included as an appendix in the DMP.

Some amendments included in this review of the DMP include:

Heat of the Day

To reduce confusion around watering hours, it is proposed the definition of heat of the day is simplified to a set time frame, whether in winter or summer.

Not during the heat of the day means not between 10am and 4pm.

Under level 1 water restrictions, reference is made to hand-held hoses (with trigger nozzles) not being used during the heat of the day. This can be enforced by Council Officers.

Water Management Plans – Special Watering Hours or 6-week New Turf Watering

Removing the need to apply for Water Management Plans under Everyday Waterwise Guidelines (formerly Permanent Water Conservation Measures)

Water Management Plans are only necessary under Level 1 and Level 2 water restrictions for residents and businesses.

Water Management Plans for all residents and businesses will be suspended under Level 3 Water Restrictions, with the exception of the irrigation of sports areas only, if a 50% of reduction can be demonstrated – current plans will still be reviewed

TRC Open Spaces Management Plan

Since the last review of the Drought Management Plan, Council's Sport and Recreation team has created the Open Spaces Management Plan which has changed the classification of public parks, gardens and facilities from Categories to Hierarchies. The water restrictions guide has been amended to reflect this new plan, which will align with the requirements of the Drought Management Plan. These changes will be incorporated in the Open Spaces Management Plan to achieve consistency with the Demand and Drought Management Plan. Consequently, at Level 2 a 30% reduction in potable water use at Open Spaces will be targeted, at level 3 a 50% reduction in potable water use will be required, and at level 4 and 5 only groundwater will be available for use.

Pools

Some amendments have been made to the categorisation of swimming pools, including identifying that private swimming pools include all residential and institution (schools) pools.

It is recommended that the Draft Revised Drought Management Plan be endorsed for public exhibition for a period of 28 days

(a) Policy Implications

These projects and activities are implemented from stated outcomes of Council's *Environmental Sustainability Strategy and Action Plan 2022 – 2026* and the *Drought and Demand Management Plans 2016*.

(b) Financial Implications

Activities are funded from existing budget allocations.

(c) Legal Implications

Nil

(d) Community Consultation

Should Council agree the revised Demand Management Plan will be placed on public display for a period of no less than 28 days. Any submissions received will be collated and provided to Council prior to their consideration to adopt the final plan at an Ordinary Council Meeting immediately following collation of these public responses.

(e) Delivery Program Objective/Strategy

Focus Area 1 – Our Water Security

8.3 DRAFT REVISED DEMAND MANAGEMENT PLAN 2023

DIRECTORATE: WATER AND WASTE
AUTHOR: Louise Ferrier, Sustainability Officer - Water
Reference: Item 8.2 Ordinary Council 17 December 2019 - Minute No 455/19
Item 8.13 to Ordinary Council 11 February 2022 - Minute No 16/20

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Draft Revised Demand Management Plan 2023”, Council:

- (i) place the revised Demand Management Plan 2023 on public exhibition for a period of no less than 28 days, to allow for final written feedback and comments from residents and businesses; and*
- (ii) following a 28 day public display of the draft revised Demand Management Plan 2023, request the Director of Water and Waste collate the responses received and prepare a further report to Council detailing the responses and any proposed changes.*

SUMMARY

The purpose of this report is to inform Council of the key proposed changes made to the 2016 Demand Management Plan during the formulation of the draft Demand Management Plan 2023 and ask Council to place the document on public exhibition for a period of no less than 28 days, to allow for final written feedback and comments from residents and businesses.

COMMENTARY

The 2023 revision of the Demand Management Plan (DMP) has been prepared as a major update to the 2016 plan, and is **ATTACHED**, refer **ANNEXURE 1**.

The DMP is integral in helping maintain a downwards trend for water consumption. Prior to the first formal DMP in 2007, the average household in the Council area consumed around 350kL per annum. Over the past 15 years, there has been a significant reduction in the average household consumption of over 20%. There have also been significant reductions achieved in the non-residential sector including at Council facilities and within parks and gardens.

The 2023 revision of the DMP reflects what is considered to be a maturing of demand management across the Tamworth Region, whereby residents and businesses continue to achieve water efficiency, even when not in times of drought or high levels of water restrictions.

Changes in the 2023 iteration of the Plan include:

Everyday Waterwise Guidelines

The 2023 DMP proposes the introduction of Everyday Waterwise Guidelines. In previous versions of the Plan these were referred to as Permanent Water Conservation Measures.

Everyday Waterwise Guidelines will be a key driver of Councils demand management moving forward, and encourage the community to adopt a common-sense approach to water use.

The guidelines are easy to understand and follow, supporting the community in their efforts to remain waterwise at all times, not just in times of drought. It is hoped that by removing the Everyday Waterwise Guidelines from sitting under water restrictions – which appear in the Drought Management Plan 2023 – the focus will be on demand management. The intent of this amendment is not to relax water conservation efforts when water supplies are healthy, but rather to make water efficiency habitual, as opposed to a set of stringent rules.

It is proposed that the Everyday Waterwise Guidelines are adopted as follows:

1. **only water the garden before 10 am or after 4 pm.** This avoids watering during the hottest part of the day, when water wastage and evaporation is high;
2. **trigger nozzles to be used on all handheld hoses.** Trigger nozzles provide more control over water flow and reduce wastage; and
3. **avoid hosing down hard surfaces, such as concrete, paths and driveways.** Use a broom or leaf blower, or if water is required, use a high-pressure cleaner or water efficient nozzle.

Maturing of the Community Awareness Program

Since the last drought, a number of key documents have been created that directly influence what and how demand management is achieved. Additions to this version of the DMP also help form key actions in the Environmental Sustainability Strategy and Action Plan 2022 – 2026, and include:

- seasonal media advertising campaigns;
- development of a primary school education program;
- increasing focus on non-residential water efficiency;
- evaporative air conditioner water efficiency education; and
- improving accuracy of water consumption data through the use of the Automatic Meter reader system.

The community awareness program has seen average residential water usage continue on a downward trend. This is indicated in Table 1 below, with the orange bars indicating periods of drought and high levels of water restrictions.

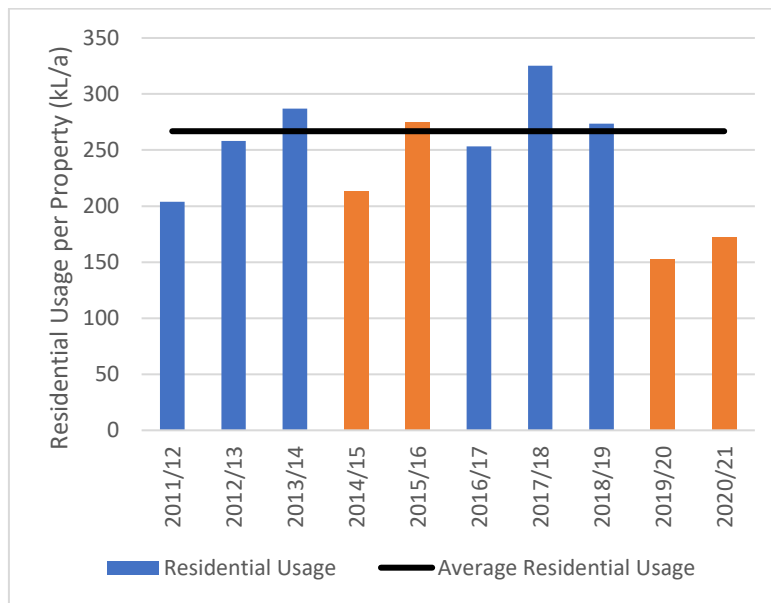


Table 1 – average annual residential usage per property – Tamworth water supply (10 years)

Over the next 30 years the population is predicted to increase significantly across the local government area, and in turn so will the average annual demand.

The community awareness program to date has helped result in the 20% reduction in household usage since the program began in 2007. The continuation and ongoing development are needed to maintain the savings association with this reduction in residential usage.

Relaxing the program is likely to result in a gradual increase in residential usage over time, as inefficient water habits are once again adopted.

Water recycling and potable substitution

Council has implemented water recycling and potable water substitution where possible and appropriate, and this will continue through the life of this iteration of the DMP to further contribute to potable water savings.

These include:

- use of recycled backwash water from the Calala Water Treatment Plant and rainwater from roof runoff at the AELEC for operations at the AELEC and nearby sporting venues;
- use of groundwater at various parks, reserves and playing fields;
- use of recycled effluent at the Westdale Wastewater Treatment plant for on-site wash down and grounds maintenance; and

- lot scale water recycling such as rainwater tanks and greywater reuse systems are covered by BASIX for new developments and included in the Tamworth Regional Council Development Control Plan 2010.

Additionally, the DMP 2023 highlights that Council continues to investigate commercial and industrial water recycling projects, including the proposed Tamworth Water Purification Facility.

Water Efficiency Assessments

An important component of demand management is the regular assessment of water consumption for large water users across the local government area. This has been included again in the 2023 version of the Plan.

One of the region's largest water users is Council, and actions under the Environmental Sustainability Strategy which is referenced in the Demand Management Plan, commit that regular reviews and updates of its own water efficiency practices will be undertaken.

Water Rebates

During the last drought, a decision was made at the Council meeting of 17 December 2019 to extend the list of water saving rebates for residential / commercial / business customers. Further, at its meeting of 11 February 2020 Council agreed to introduce a number of rebates for commercial and business customers only.

The list of rebates available has increased from nine to twenty-two for residential / commercial / business rebates and a further seven rebates for commercial / businesses only.

The rebate scheme continues to play an important role in demand management, in particular the evaporative air conditioner servicing and maintenance.

The next review of the water saving rebate scheme will take place in February 2027.

Water Loss Management

Water loss management continues to improve across the local government area, with this iteration of the DMP reflecting the ways in which Council is investing in infrastructure to better detect and reduce leaks, as well as giving customers autonomy when it comes to managing their water usage.

Smart Water Meters

Smart Water Meters are being installed in properties across the LGA throughout 2023. These devices are fitted with radio transmitters to provide accurate near real-time water usage readings. This will improve the accuracy of water bills, help detect possible leaks, promote better water management, improve customer service and improve compliance with water restrictions.

Once installed, customers will be able to access near real time data of their water consumption.

Water Leak Reduction Pilot Program

Leak reduction forms an integral part of the Demand Management Plan, as leaks are often the largest contributor to water loss experienced by a water utility. Currently Council manages a loss of water by their water loss management program including:

- metering of all properties and connections;
- a residential water meter replacement program;
- preparation of an annual Water Loss Management Progress Report; and
- inspections of key assets for the detection and repair of system leaks.

This iteration of the DMP introduces Council's participation in the NSW Regional Leakage Reduction Program. This program is co-funded by Council and the NSW Government. Water system efficiency, water conservation and demand management can delay the timing and reduce the scale of investment in new supply infrastructure. An added priority of the pilot program is that leakage reduction is a cost-effective way of improving water security.

Future Initiatives

While Council has been focussed on improving demand management with a dedicated resource since 2007, there is movement in the water efficiency space through the Department of Planning and Environments NSW Water Efficiency Framework and Program. This state-wide focused research and resources will enhance Tamworth's future development of demand management.

In the interim, Council will continue to work towards planning for the following water conservation and efficiency measures where possible, appropriate and economically feasible:

- increased use of purified recycled water (effluent reuse) to substitute for potable water, including the use of purified recycled water for industrial water users;
- stormwater recycling;
- expansion of water efficiency measures associated with evaporative coolers;
- further incentives for households to invest in water efficiency measures (e.g. different types of water rebates);
- further incentives for businesses and large users to invest in water efficiency measures;
- demonstration projects to assist with community education (e.g., sustainable house and garden);

- using smart meter data and digital analytics to better design programs that maximise water savings and minimise cost; and
- other innovations and emergency technologies

Should Council agree, the revised Demand Management Plan 2023 will be placed on public display for a period of no less than 28 days. Any submissions received will be collated and provided to Council prior to their consideration to adopt the final plan at an Ordinary Council Meeting immediately following collation of these public responses.

(a) Policy Implications

These projects and activities are implemented from stated outcomes of Council's Environmental Sustainability Strategy and Action Plan 2022–2026 and the Drought and Demand Management Plans 2016.

(b) Financial Implications

Activities are funded from existing budget allocations.

(c) Legal Implications

Nil

(d) Community Consultation

Should Council agree the revised Demand Management Plan will be placed on public display for a period of no less than 28 days. Any submissions received will be collated and provided to Council prior to their consideration to adopt the final plan at an Ordinary Council Meeting immediately following collation of these public responses.

(e) Delivery Program Objective/Strategy

Focus Area 1 – Our Water Security.

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 DRAFT BANNING NOTICE POLICY

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

1 ANNEXURES ATTACHED
1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Draft Banning Notice Policy”, Council:

- (i) authorise the Draft Banning Notice Policy to be placed on public exhibition for a period of 28 Days; and*
- (ii) request a further report to Council to consider any feedback received throughout the public exhibition period and present the final Banning Notice Policy for formal adoption.*

SUMMARY

Council’s Risk and Safety Team have created a Draft Banning Notice Policy (the Draft Policy) and Draft Banning Notice Procedure to formalise a process that ensures Council meets its duty of care to staff and the community.

The purpose of this report is to present the Draft Policy to Council and seek approval to place it on public exhibition for 28 days so the community can review and offer feedback before a Final Banning Notice Policy is presented to Council for adoption.

COMMENTARY

Council has, from time to time, the need to ban members of the public from entering offices or facilities or contacting Council via various communication methods. This has been done ad-hoc and, in some locations, in isolation without following a procedure or communication with the Risk and Safety Team.

Council also has obligations under the Work Health and Safety Act to ensure the provision of a safe workplace for all staff and by extension, other parties who are lawfully on the premises.

To create a more consistent and informed approach, the Risk and Safety Team have developed a Draft Banning Notice Policy, now **ATTACHED**, refer **ANNEXURE 1**.

To guide the implementation of the Policy, a Banning Notice Procedure has also been developed, **ENCLOSED**, refer **ENCLOSURE 1**. The Procedure is a simple guide that steps staff through the actions to take from an event occurring to investigation methods/responsibilities to a ban being issued.

Anyone banned from a Council office or facility will be issued with a letter informing them of the ban and the locations or communication methods it applies to. A copy of this letter is to be provided to the Manager, Risk and Safety who will determine what areas of Council need to be made aware of the ban and communicate the ban to them. Risk and Safety will also maintain a register of ban letters issued.

(a) Policy Implications

The final Banning Notice Policy will be included in Council's General Policy Register which is publicly available on Councils' website. General Policies require formal adoption by the Council.

(b) Financial Implications

Nil

(c) Legal Implications

The relevant legislation in this regard is the Inclosed Lands Protection Act 1901, as well as Council's obligations under the Work Health and Safety Act 2011. A policy and resulting procedure will assist with Council's obligations in relation to the relevant legislation.

(d) Community Consultation

Public exhibition of the Draft Policy is recommended for a period of 28 days.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership

10 COMMUNITY SERVICES

Nil

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

RECOMMENDATION

That the confidential reports as listed be considered in a Meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993.

PROPOSED ACQUISITION OF AN ELECTRICAL EASEMENT - COOPER STREET BARRABA

DIRECTORATE: WATER AND WASTE
AUTHOR: Benjamin Sharpham, Water Engineer - Roatation
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 Cooper Street Sewer Pump Station (SPS) in Barraba was initially constructed in the mid 1950's. The pump station is the major SPS in Barraba collecting and transferring over 80 percent of the sewage flows in Barraba. The pump station is in excess of eight metres deep and consists of two pumps and associated electrical, civil, electrical and building infrastructure. The pump station has had minor renewals completed during its operational life but requires significant refurbishment to ensure ongoing operation and improve operational safety. The project will involve:

- removal of the existing building infrastructure which is no longer required for the planned upgrade;
- replacement of all electrical and control equipment;
- upgrade of site safety equipment; and
- renewal and refurbishment of civil, pipe and mechanical infrastructure.

In total the project is estimated to cost \$1,150,000 and has budget allocated in both the 2022/2023 and the proposed 2023/2024 delivery plan.

The purpose of this report is to seek Council approval for the acquisition of an electrical easement to renew electrical infrastructure to supply power to the Cooper Street Sewer Pump Station.

PROPOSED LEASE OF COUNCIL LAND

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Kirrilee Ringland, Manager - Property and Legal Services
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 advise Council of an approach made in relation to a proposed lease of Council owned property in Manilla being Lot 7 Deposited Plan 1016767 to a volunteer organisation and seek Council's direction in this regard.

CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA WATER SUPPLY PIPELINE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Kirrilee Ringland, Manager - Property and Legal Services
Reference: Item 13.1 to Ordinary Council 12 March 2013 - Minute No 75/13;
Item 14.1 to Ordinary Council dated 24 May 2016 - Minute No 146/16.

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

The purpose of this report is to seek Council's authorisation to enter into a Deed of Novation, which is required to complete a complex transaction regarding the land matters surrounding the Barraba Split Rock Pipeline development.

2023 TAMWORTH NAIDOC DEBUTANTE BALL COMMITTEE FEE WAIVER REQUEST

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Katey Allwell, Team Leader - Inclusive Community

2 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

The Tamworth NAIDOC Debutante Ball committee are once again hosting the 2023 NAIDOC Debutante Ball, on Saturday, 8 July 2023.

Building on the success of the 2022 event, the Tamworth NAIDOC Debutante Ball Committee require the use of the Tamworth Regional Entertainment and Conference Centre (TRECC), to meet the fast-growing needs and scale of this event. Given the importance of NAIDOC week for the local Aboriginal community, and the social benefits associated with this event, Tamworth Regional Council is asked to consider financially supporting the event.

The Tamworth NAIDOC Debutante Ball committee (the committee) will again host the 2023 NAIDOC Debutante Ball on Saturday, 8 July 2023.

The Committee was founded in 2022, as a sub-committee of the Tamworth NAIDOC Committee, with the aim of seeing young, local Aboriginal men and women mark their coming of age, and make their debut to the Tamworth community.

In preparation for the ball, the debutantes participate in a cultural empowerment and leadership program in alignment with the annual NAIDOC theme. This year the program will centre around the theme “For Our Elders”.

The Committee has received an individual Expression of Interest (EOI) from 38 young Aboriginal men and women to participate in the 2023 debutante event. To ensure participants are afforded the opportunity to celebrate this momentous occasion in front of their family, friends, and the wider Aboriginal community, the committee needs a venue that caters for over 600 people.

The Committee has identified the Tamworth Regional Entertainment and Conference Centre (TRECC) as the most suitable venue, and is seeking a fee waiver for the TRECC venue hire and audio-visual production fees.