



# 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

**14 JUNE 2022**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

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

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

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

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

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

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

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

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

## AGENDA

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

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 24 May 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**

#### **5.1 NOTICE OF MOTION – CR RUSSELL WEBB - REGIONAL UNLIMITED - THE AUNTY YVONNE KENT COMMEMORATIVE PORTRAIT PROJECT**

**1 ANNEXURES ATTACHED**

### **MOTION**

*That in relation to the Mayoral Minute ‘Regional Unlimited – The Aunty Yvonne Kent Commemorative Portrait Project’, Council accepts the offer to become the Platinum Sponsor of the project by providing a combined cash and in-kind contribution of \$25,000.*

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 14 June 2022.

### **SUPPORTING INFORMATION**

Regional Unlimited was formed following the 10X Tamworth Leadership Program that Council sponsored in August 2016. The program was held across three days and included the Mayor and General Manager along with numerous business and community leaders from all areas of industry, government and not-for profit entities. The essential idea behind this program is that 10X symbolizes the process of engaging a vision so large that the present way of thinking and acting cannot fulfil it. 10X thinking requires creative leaps beyond what already exists, including disrupting what is working now to achieve what is aspired to. One of the core assumptions in this approach is that individually and collectively, we have the vision within us that will exponentially accelerate our ability to generate powerful outcomes.

The program was delivered by Dr Gene Early and Deb Maes, and is a Network Model of Leadership that aims to bring a community together by breaking down the artificial silos that segregate people and groups. Network leadership is about working together to make sure that people in the network (i.e. community) are connected in a way that encourages the flow of resources, information and support to every part of the network. The aim is to engage people to co-design new structures that get resources flowing to projects, create opportunities for learning and peer support so that everyone is continually building skills and insights. By developing the leadership capacity more broadly within the Tamworth Region and modelling a 'Culture of Inclusion' we create a community where all its residents feel respected, valued and included.

The first project of RU, in partnership with Tamworth Regional Council (TRC), created the RU Volunteering 'Hub' to promote and coordinate community volunteering. This project was completed in May 2021, and has been handed over to TRC to continue operations out of the Lands Building in Fitzroy Street. Also in May 2021, RU commenced the second phase of the vision for Tamworth, initiating a gathering to reignite Community Based Leadership Development that had started in 2016.

A brochure outlining the next project that RU is undertaking – The Aunty Yvonne Kent Commemorative Portrait (AYKCP) is **ATTACHED**, refer **ANNEXURE 1**. This information provides additional detail regarding the support that is currently being sought from Council, i.e. becoming the Platinum Sponsor for the proposed project and the associated leadership development program that will be run in conjunction with the delivery of the portrait. The sponsorship package would be a combination of cash and in-kind support to the amount of \$25,000.

The cash contribution of \$20,000 would assist with catering for four community painting events, painting supplies, facilitation of the leadership development program, video production for the entire project, event marketing and promotion, and project administration. The in-kind contribution of \$5,000 would consist of room and equipment hire, and staff assistance with delivering a communication plan. The total budget for the project is \$54,971.

This project aligns closely with our Community Strategic Plan and Blueprint under the pillars of community leadership and cultural heritage, as well as supporting our Reconciliation Action Plan and current efforts to develop a Closing the Gap Strategy. In addition, the development of Community Leaders that are prepared to invest their own time to willingly engage with Council and assist in our interactions with the community to deliver the best possible outcomes is an extremely valuable outcome.

Cr Russell Webb

9 June 2022

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## **6 NOTICE OF MOTION**

Nil

## **OPEN COUNCIL REPORTS**

## **7 ENVIRONMENT AND PLANNING**

### **7.1 PROPOSED ROAD NAME - 'MUSCAT' CLOSE - WINDMILL HILL SUBDIVISION - LOCALITY OF NORTH TAMWORTH**

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Sam Lobsey, Manager - Development  
**Reference:** RN2022-0002

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Proposed Road Name - 'Muscat' Close - Windmill Hill Subdivision - Locality of North Tamworth”, Council:*

- (i) approve in principle the road name ‘Muscat’ Close;*
- (ii) advertise the proposed road name as required by the Roads Act 1993 Section 172, 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 name in the Government Gazette.*

### **SUMMARY**

The purpose of this report is to nominate a road name to replace the name ‘Fiano’ Close which was adopted by Council at its meeting held on 22 February 2022. The proposed road name was lodged with the Geographical Names Board; however, it was rejected by the Board for the following reason:

*“There are two similar sounding roads within a 4km radius, Fiona Street and Fiona Drive”.*

Council lodged an appeal with the Geographical Names Board; however, the Board upheld its decision not to approve the proposed road name ‘Fiano’ Close. It was therefore necessary for the developer to select another road name which was subsequently submitted to the Geographical Names Board for approval.

### **COMMENTARY**

#### **Windmill Hill Subdivision**

Proposed name: Muscat Close

Development Application (DA0238/2015) - Consent granted

Theme or origin of proposed name: continuation of Theme – Viticulture (encompassing wine and grape varieties)

Following the rejection of the road name ‘Fiano’ by the Geographical Names Board, Council submitted the alternative road name of ‘Muscat’ Close which was approved by the Board and

is now recommended to Council for approval prior to placing the name on public exhibition. Refer to **ATTACHED**, in **ANNEXURE 1**.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The proposed road name 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 name, Council will proceed to publish the adopted names in the Government Gazette. In the instance that one or more objections are received in respect to 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 Asses Management Planning

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## 7.2 PROPOSED ROAD NAME - 'VICTORY' PLACE - RUPARI HEIGHTS STAGED SUBDIVISION - LOCALITY OF NEMINGHA

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Sam Lobsey, Manager - Development  
**Reference:** RN2021-0007

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Proposed Road Name - 'Victory' Place - Rupari Heights Staged Subdivision - Locality of Nemingha”, Council:*

- (i) approve in principle the road name 'Victory' Place;*
- (ii) advertise the proposed road name as required by the Roads Act 1993 Section 172, 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 in objection to the proposed road name, proceed to publish the adopted name in the Government Gazette.*

### **SUMMARY**

The purpose of this report is to recommend to Council a road name selected by the developer for the next section of roadway within Stage 1 of Rupari Heights staged subdivision – Lot 243 DP 126627 Locality of North Tamworth.

### **COMMENTARY**

Proposed name: 'Victory' Place

Development Application (DA2019/0286) - Consent granted: 29 October 2019

Theme or origin of proposed names: Theme of Winners/Winning

Geographical Names Board Approval (RN2021-0007) 11 May 2022

The proposed road name 'Victory' Place which was approved by the Geographical Names Board and is now recommended to Council for approval prior to placing the name on public exhibition. Refer to **ATTACHED**, in **ANNEXURE 1**.

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

Nil

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

Nil

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

Nil

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

The proposed road name will be exhibited for public comment in accordance with the *Roads Act 1993* Section 162, *Roads (General) Regulation 2008*, part 2, Division 2.

Should no submissions be lodged in objection to the proposed road name, Council will proceed to publish the adopted names in the Government Gazette. In the instance that one or more objections are received in respect to 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 Regional for the Future – Sound asset management planning

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## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE GENERAL MEETING - 4 MAY 2022**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Murray Russell, Manager Operations and Construction  
**4 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Local Traffic Committee General Meeting - 4 May 2022”, Council:*

- (i) approve the installation of linemarking on the roads below:*
  - a. Duri-Dungowan Road, between the New England Highway and Loomberah Road;*
  - b. Loomberah Road, between Tounges Lane and Duri-Dungowan Road;*
  - c. Appleby Lane, between Manilla Road and Appleby-Gidley Road;*
  - d. Appleby Gidley Road, between Appleby Lane and Gidley-Siding Road;*
  - e. Gidley Siding Road, between Appleby-Gidley Road and Wallamore Road;*
  - f. Wallamore Road, between Gidley-Siding Road and Bowlers Lane; and*
  - g. Wallamore Road, any sections that require remarking from Bowlers Lane to Dampier Street.*
- (ii) approve the installation of the No Parking zone, and appropriate signage, at 77 Alice Street, near the intersection of Queen Street, Barraba;*
- (iii) approve the installation of linemarking and signage at the intersection of Avro Street and Plain Street as part of the proposed Black Spot upgrade, including the removal of approximately 26 parking spaces and installation of three parallel parks; and*
- (iv) approve the installation of additional parking, linemarking and signage for the Accessible Transport Hub, located in Bicentennial Park Tamworth, and adjacent to the un-named internal road.*

#### **SUMMARY**

The purpose of this report is to advise Council of four recommendations made by the Tamworth Regional Local Traffic Committee (the Committee) at the meeting held on 4 May 2022.

#### **COMMENTARY**

The minutes from the Committee meeting held 4 May 2022 are **ATTACHED**, refer **ANNEXURE 1**.

#### **12/2022 – Rural Cycling Safety Upgrade – Signage and Linemarking**

Tamworth Regional Council (Council) has received funding for rural cycling safety improvements under the Local Roads and Infrastructure Fund (LRCI) Round 2.

Early consultation with some of the key user groups identified a series of safety improvement priorities that could be applied across the regularly utilised rural cycling routes.

As the initial funding was not enough to complete all of the possible treatments, the top two priorities for the next round of funding were:

- 1) to apply appropriate linemarking to give drivers better spatial awareness within the travel lanes to assist in manouvering around cyclists; and
- 2) advisory awareness signage in the form of “Share the Road” (W6-214) compliant with NSW Bicycle guidelines.

The roads that have been identified as requiring linemarking are as follows:

- Duri-Dungowan Road, between the New England Highway and Loomberah Road;
- Loomberah Road, between Tounques Lane and Duri-Dungowan Road;
- Appleby Lane, between Manilla Road and Appleby-Gidley Road;
- Appleby Gidley Road, between Appleby Lane and Gidley-Siding Road;
- Gidley Siding Road, between Appleby-Gidley Road and Wallamore Road;
- Wallamore Road, between Gidley-Siding road and Bowlers Lane; and
- Wallamore Road, any sections that require remarking from Bowlers Lane to Dampier Street.

See **ATTACHED**, refer **ANNEXURE 2** for the indicative linemarking plans. Please note that standard treatments are centrelines and edgelines where the width of the seal permits edgelines observing 3.5 metre lanes (down to a minimum of 3.2 metres where edgeline would remain continuous).

Additionally a standard treatment of the “Share the Road” (W6-214) signage is to be applied at approximate 3 kilometre intervals for each route in both directions. See figure 1 below for the signage art.



*Figure 1: Share the Road signage*

**COMMITTEE RECOMMENDATION:** the Committee support the installation of linemarking on the roads below.

- Duri-Dungowan Road, between the New England Highway and Loomberah Road;
-

- Loomberah Road, between Tounges Lane and Duri-Dungowan Road;
- Appleby Lane, between Manilla Road and Appleby-Gidley Road;
- Appleby Gidley Road, between Appleby Lane and Gidley-Siding Road;
- Gidley Siding Road, between Appleby-Gidley Road and Wallamore Road;
- Wallamore Road, between Gidley-Siding road and Bowlers Lane; and
- Wallamore Road, any sections that require remarking from Bowlers Lane to Dampier Street.

### 13/2022 – No Parking Zone at 77 Alice Street, Barraba

Council has received a request regarding the "Beyond the Wall" mural that depicts Upper Horton's "Little Falls", located on the southern facing wall of the Treloar Building in Alice Street, Barraba.

The Barraba Public Art Committee (BPAC) have observed that visitor experience to this mural would be greatly improved if Council were able to create a No Parking zone in front of the artwork. BPAC suggest that it would make available space for unrestricted viewing and photography of the work. See Figure 2 below for the suggested No Parking zone on the corner of Alice Street and Queen Street, Barraba.

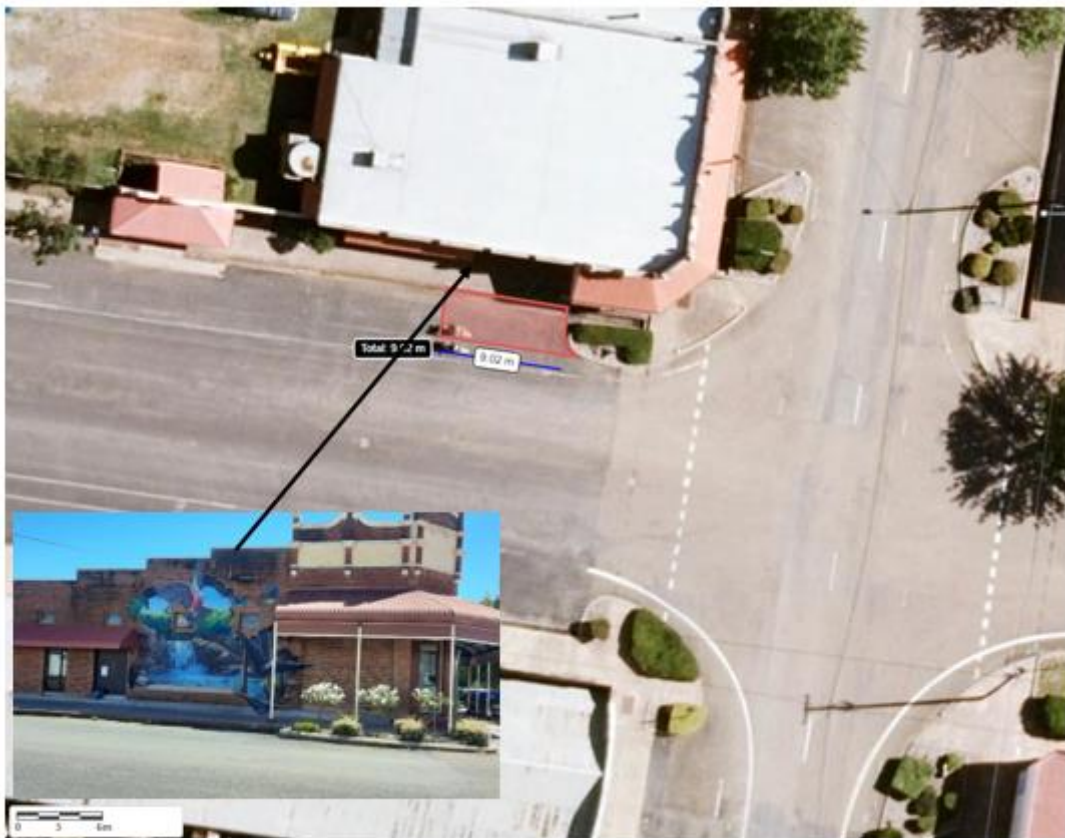


Figure 2: Suggested No Parking zone, 77 Alice Street Barraba

**COMMITTEE RECOMMENDATION:** the Committee support the installation of the No Parking zone and appropriate signage at 77 Alice Street, near the intersection of Queen Street, Barraba.



### 14/2022 – Avro Street and Plain Street Intersection Upgrade

The intersection of Plain Street and Avro Street, Taminda has been identified as an intersection that requires safety improvement and has received Black Spot funding to install signage and linemarking treatments to the intersection.

See **ATTACHED**, refer **ANNEXURE 3** for the signage and linemarking plans.

As can be seen in the attachment, the proposed safety improvements result in the removal of approximately 26 car parking spaces for the intersection to be compliant with AustRoads and Australian Standards sight distance requirements (denoted by the yellow sight lines shown on the plans).

Transport for NSW (TfNSW) identified the following clarifications and response was provided by the designer on 6 May 2022:

- 1) has the implementation of median islands on Avro Street been considered to optimise sight distance? It is noted that this may allow cars to push closer to the hold line than from the kerb line and therefore have a greater sight distance.

Response: Both Plain Street and Avro Street are approved B-Double routes. A B-Double turning right from Plain Street into Avro Street would hit the median if it was provided in front of the hold line. A median would need to be at least 3 metres behind the hold line which doesn't provide the protection for a vehicle pulling out past the hold line. See Figure 3 below for the swept path;

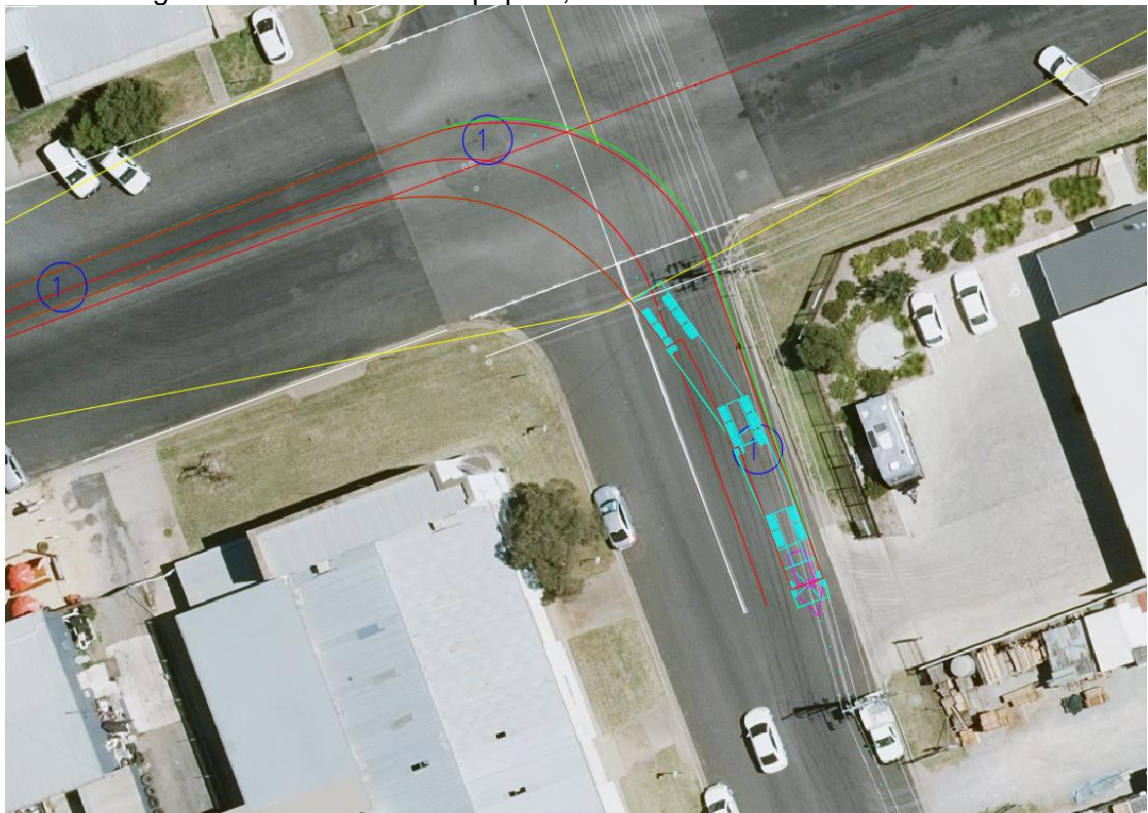


Figure 3: B-Double turning path



- 2) has the impact on parking been minimised while increasing the safety of this intersection?

Response: The yellow lines on the concept design plan are the Avro Street sight lines from the intersection. Only car parking spaces that encroach past the sight lines have been recommended to be lost. To minimise the number of lost car spaces, we have suggested some of the angled spaces could be changed to parallel parking on the southern side of Plain Street, east of the intersection. If we removed fewer car spaces, then the sight lines will become increasingly affected which compromises the safety and we note that the funding is for Black Spot funding where fixing the safety issue is our top priority. In summary, the net number of lost car spaces is 23 spaces and we have only recommended the spaces that effect sight distance are removed; and

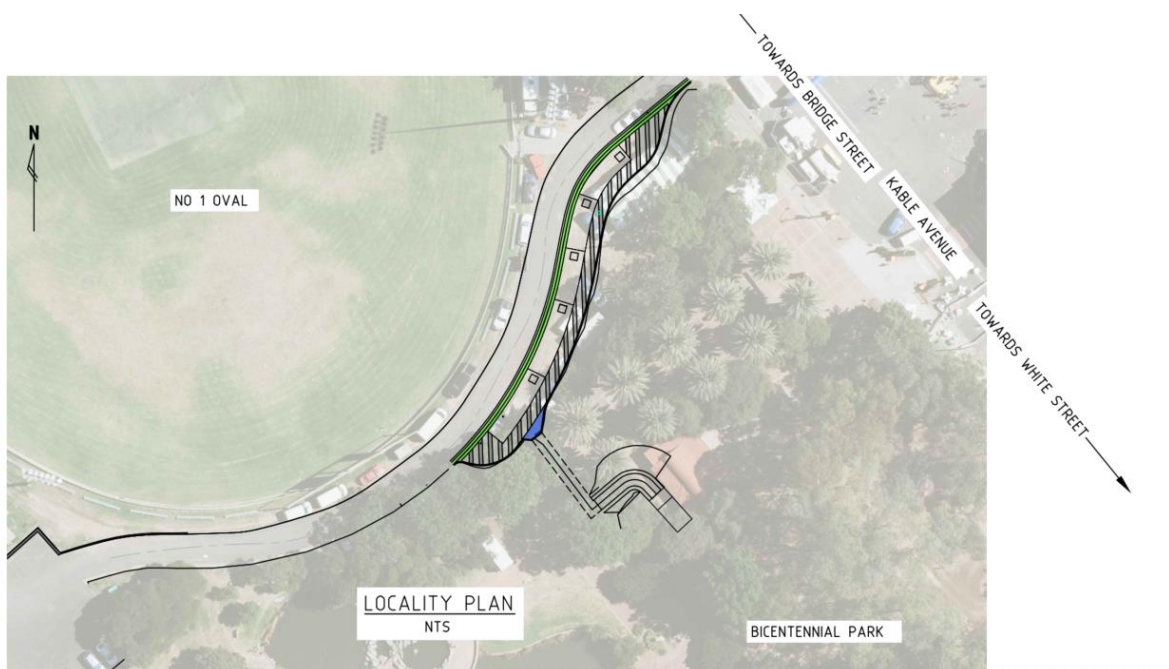
- 3) has there been any business consultation with the adjacent businesses who would be potentially losing on street parking spaces?

Response: Not yet, it was planned to discuss with affected business once the Committee approved the change and before construction commences.

**COMMITTEE RECOMMENDATION:** the Committee support the installation of linemarking and signage as outlined in the attached signage and linemarking plan, including the removal of approximately 26 parking spaces and installation of three parrallell parks.

#### 16/2022 – Formal – Accessible Transport Hub Tamworth

Construction will commence in May on the Accessible Transport Hub. Located in Bicentennial Park and adjacent to the un-named internal road, it will provide two 12 metre long parking spaces and three 8.5 metre long parking spaces for minibuses and accessible vehicles, as well as a pedestrian walkway, kerb, linemarking and signage. Figure 4 below shows the location of the Accessible Transport Hub. The signage and linemarking plan is **ATTACHED**, refer **ANNEXURE 4**.



*Figure 4: Location of the Accessible Transport Hub*

**COMMITTEE RECOMMENDATION:** the Committee support the installation of the additional parking, linemarking and signage for the Accessible Transport Hub, located in Bicentennial Park Tamworth, adjacent to the un-named internal road, as outlined in the attached signage and linemarking plan.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Item 12/2022 will be funded from the Rural Cycling Safety Upgrade Project Budget

Item 13/2022 will be funded from the infrastructure and works signage and linemarking budget

Item 14/2022 will be funded from the intersection safety upgrade project budget

Item 16/2022 will be funded from the Accessible Transport Hub Project budget

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

An Accessible Region – A23 Traffic Management and traffic safety planning.

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## 8.2 URBAN STREET TREE MANAGEMENT PLAN - ADVISORY GROUP - MINUTES 9 MAY 2022

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

1 ANNEXURES ATTACHED

### RECOMMENDATION

*That in relation to the report “Urban Street Tree Management Plan - Advisory Group - Minutes 9 May 2022”, Council:*

- (i) receive and note the minutes from the Urban Street Tree Management Plan – Advisory Group; and*
- (ii) endorse the street tree species selected for the Tamworth central business district.*

### SUMMARY

The purpose of this report is to present the minutes from the 9 May 2022 meeting, note the key outcomes of the meeting and endorse the tree species selected for the Tamworth central business district (CBD).

### COMMENTARY

The Urban Street Tree Management Plan – Advisory Group (the Advisory Group) exists to support Tamworth Regional Council (Council) with the greening and cooling of the region through the advancement of tree plantings across the Local Government area (LGA). In the past 18 months Council has overseen the establishment of more than 21,000 trees across the region, with many of these being undertaken in partnership with a variety of community groups.

On 9 May 2022 the Advisory Group met for its bi-monthly meeting. Minutes from this meeting are **ATTACHED**, refer **ANNEXURE 1**.

Key discussion items of the meeting included:

#### Sub Division Tree Planting

Council’s Development Engineering team provided a list of the sub divisions which still have the street tree component as a bond with Council.

#### 2022 Greening Strategy

The Autumn Greening Strategy is currently underway with the planting in Burgess Park, Electra Park, Kent Street and Duri Road completed by community groups. The remaining tree planting is being carried out by Council and is on track to be completed by the end of May 2022.

#### 2023 Greening Strategy

A draft Greening Strategy was discussed with members providing additional locations to be added to the list. The list will be further refined by the Advisory Group and Council staff before being finalised.

#### CBD Tree Planting

The Advisory Group discussed the proposed street tree species selected for the Tamworth CBD tree planting. Discussion around the species for Brisbane Street and for under powerlines occurred which resulted in a change of species.

The Table 1 below lists the three priority streets and for under powerlines for the Tamworth CBD streets.

*Table 1 – CBD Tree Planting*

<b>Street Name</b>	<b>Species Selected</b>
Brisbane Street	Spotted Gum ( <i>Corymbia maculata</i> )
Fitzroy Street	Chinese Elm ( <i>Ulmus parvifolia</i> )
White Street	Desert Ash ( <i>Fraxinus angustifolia</i> )
Under powerlines	Golden Rain Tree ( <i>Koelreuteria paniculata</i> )

Essential Energy MOU re Unsuitable Trees Under Powerlines

The Advisory Group was informed that Essential Energy has written to Council wanting to enter into a memorandum of understanding (MOU) regarding unsuitable trees under powerlines.

Members of the Advisory Group raised concerns about an MOU and the possible large-scale removal of trees. The Advisory Group will be kept up to date with all discussions relating to the MOU, as further conversations occur with Essential Energy.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(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

### 8.3 TAMWORTH GLOBAL GATEWAY PARK - ROAD DEDICATION FOR STAGE 3 INTERNAL ROADS AND STAGE 1 STUB ROAD

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Callum Fletcher, Senior Project Engineer  
**Reference:** Item 12.4 to Ordinary Council 11 February 2020 - Minute No 26/20  
Item 8.3 to Ordinary Council 11 August 2022 - Minute No 227/20  
Item 8.2 to Ordinary Council 24 May 2022 - Minute No 139/22  
2 ENCLOSURES ENCLOSED

#### **RECOMMENDATION**

*That in relation to the report “Tamworth Global Gateway Park - Road Dedication for Stage 3 Internal Roads and Stage 1 Stub Road”, Council:*

- (i) approve the dedication of a portion of Council-owned Lot 83 DP 1271568 for the purposes of road dedication for internal Tamworth Global Gateway Park Stage 3 roads and a stub road from Goddard Lane within Stage 1; and*
- (ii) authorise the affixing of the Seal of Council to plans and any other documents required to give effect to Council’s resolution.*

#### **SUMMARY**

This report seeks Council approval for the dedication of new roads within land owned by Council as part of the Tamworth Global Gateway Park. The road dedication includes the extent of Stage 3 that provides access to the first release of land from the Oxley Highway Roundabout at Country Road. In addition, a stub road from Goddard Lane into Stage 1 is also proposed to be dedicated as a road.

#### **COMMENTARY**

##### **Background**

The Tamworth Global Gateway Park (TGGP) is an area of land adjacent to the Tamworth Regional Airport and the Glen Artney Industrial Estate, being developed as industrial and commercial land by Council. The land is also the site of the proposed Tamworth Intermodal Freight Facility.

Stage 3 infrastructure construction of the TGGP involves the construction of public infrastructure internally within the south-eastern section of the development. This stage is the first parcel being constructed within the business park portion of the TGGP and is accessed from the Country Road Roundabout currently under construction on the Oxley Highway. Figure 1 illustrates this road within the surrounding area. A plan indicatively identifying the road infrastructure design for Stage 3 and the extent of road dedication required for this infrastructure is **ENCLOSED**, refer **ENCLOSURE 1**.



*Figure 1 – Stage 3 context within the TGGP*

A small stub road is also required to be dedicated as public road. This road has already been constructed and is located within Stage 1 and is accessed from Goddard Lane. Figure 2 illustrates this road within the surrounding area. A plan indicatively identifying the road infrastructure design for this stub road and the extent of road dedication required for this infrastructure is **ENCLOSED**, refer **ENCLOSURE 2**.





Figure 2 – Stage 1 stub road context within the TGGP

### Internal Roads Dedication

In order to construct public access roads within the proposed TGGP development, new public road reserves are required to be created through the dedication of a portion of the Council-owned land for public roads. These proposed road reserves are located within Lot 83 DP 1271568, which is the current residual lot for the TGGP, with approximately 9,400 square metres for Stage 3 and 2,600 square metres for the Stage 1 stub road, proposed to be dedicated as road reserve.

The road reserve widths have been adopted as 28 metres and the ring road has been adopted as 32 metres. These widths have been approved by the TGGP Project Control Group and provide an appropriate width for 2 x 3.5 metre travel lanes, 2 x 5.5 metre parking lanes and 2 x 5 metre road verges (2 x 7 metre for the ring road) suitable for service allocations, landscaping and footways.

All public roads within the TGGP are required to be designed ultimately for an A-Triple check vehicle to manoeuvre without mounting the kerbs or crossing into oncoming lanes.

Further dedication of land for the purposes of a public road will be required for the TGGP development as additional infrastructure is designed and scheduled for construction to allow additional lots to be brought to market.

#### (a) Policy Implications

Nil

**(b) Financial Implications**

Survey costs and fees associated with the road dedication and plan preparation will be funded from the current allocation for the Phase 1 infrastructure works as per Item 12.4 to the Ordinary Council Meeting of 11 February 2020 – Minute No 26/20.

**(c) Legal Implications**

The plan of road dedication will require the affixing of the Seal of Council.

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**

Blueprint 100 notes the TGGP (formerly the Glen Artney Enterprise Area) as a key growth area for employment. The document was on public exhibition from 2 March 2020 to 9 April 2020, in conjunction with print media, social media, and media releases, with community consultation sessions held in Tamworth, Manilla, Barraba, Nundle, and Kootingal.

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

A Prosperous Region – P11 Support and facilitate economic development and employment opportunities.

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## **8.4 TAMWORTH GLOBAL GATEWAY PARK - REALLOCATION OF FUNDING WITHIN GROWING LOCAL ECONOMY FUND PROJECTS**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Callum Fletcher, Senior Project Engineer  
**Reference:** Item 12.4 to Ordinary Council 11 February 2020 - Minute No 26/20

### **RECOMMENDATION**

*That in relation to the report “Tamworth Global Gateway Park - Reallocation of funding within Growing Local Economy Fund projects”, Council:*

- (i) approve the reallocation of Growing Local Economy Fund (GLE) budget and associated Council contribution from the Taminda Ring Road (Jewry Street Extension) project to the Trunk Stormwater Drainage project; and*
- (ii) approve the allocation of additional Council funding to complete construction of the Jewry Street Extension project.*

### **SUMMARY**

This report seeks approval to reallocate funding between two projects that form part of the Tamworth Global Gateway Park (TGGP) development. The two projects are the Trunk Drainage Project and the Taminda Ring Road (Jewry Street Extension) Project. These projects received funding from the State Government through the Growing Local Economies (GLE) funding program which Council was required to make a 10% contribution to the State funding. The report also seeks approval for Council to authorise possible additional funding expected to be required next financial year to complete these projects.

### **COMMENTARY**

#### **Background**

The Tamworth Global Gateway Park (TGGP) is an area of land adjacent to the Tamworth Regional Airport and the Glen Artney Industrial Estate, being developed as industrial and commercial land by Tamworth Regional Council (Council). The land is also the site of the proposed Tamworth Intermodal Freight Facility (Intermodal).

#### **Growing Local Economy Fund**

In 2019, Council was successful in securing \$20.246 million of NSW Government funding through the Growing Local Economy Fund (GLE), administered by Infrastructure NSW, to construct three projects required to activate the TGGP and the Intermodal. These projects and their GLE contribution amount were:

- Trunk Stormwater Drainage – \$10.303 million – Construction of trunk stormwater drainage to facilitate development of the TGGP, including the Intermodal;
- Country Road Roundabout – \$4.057 million – Construction of a 5-way roundabout at the intersection of the Oxley Highway and Country Road, providing access to the TGGP commercial precinct, as well as providing improved access to the Tamworth Regional Airport and establishing future provision for the southwest Tamworth freight link; and

- Taminda Ring Road (Jewry Street Extension) – \$5.886 million – Construction of an extension to the western end of Jewry Street to provide a heavy vehicle bypass of Taminda, providing a safe and efficient heavy vehicle route to the TGGP.

In addition to the GLE funding, the Australian Government provided a \$4.532 million contribution to the Country Road Roundabout project under their Heavy Vehicle Safety and Productivity Program (HVSP), and Council provided a \$2.753 million contribution for all projects funded from a combination of the Civil Construction Reserve, Regional Development Fund, and the Westdale Lane Reserve. Refer to Item 12.4 to Ordinary Council 11 February 2022, Minute No 26/20.

Figure 1 below shows the location of each of these projects relative to the TGGP.

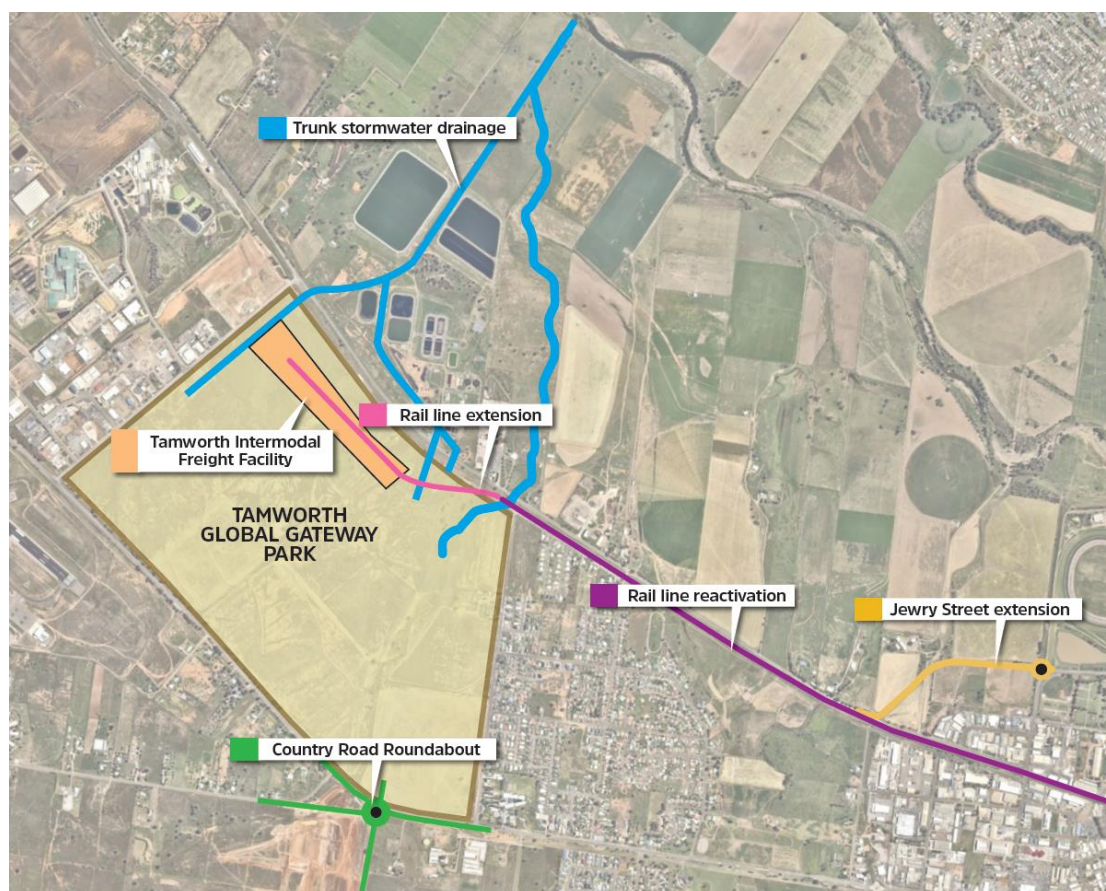


Figure 1: TGGP activation project overview, with GLE projects identified as Trunk stormwater drainage (blue), Jewry Street extension (orange), and Country Road Roundabout (green).

### Trunk Stormwater Drainage Project

Construction of the Trunk Stormwater Drainage project commenced in early February 2021 and is practically complete, with minor finalisation works anticipated to extend through to September 2022.

Based on current forecast expenditure to completion, the project is expected to exceed the initial budget allocation by approximately \$1.75 million. Several factors contributed to this increased expenditure, including:

- increased project scope (as approved by the TGGP Project Control Group) – The original scope utilised for the funding estimate was developed on concept designs for both the stormwater infrastructure and the development lot layout, prior to detailed designs being developed. This scope limited the upstream construction of the western-most trunk stormwater system to the southern side of the ring road. As part of the detailed design process, it was identified that the system would need to extend a further 180 metres to the south in order to adequately drain the entirety of the lots fronting Goddard Lane. This increased scope was estimated to cost approximately \$800,000, and has helped enable approximately \$5.5 million in sales of lots on Goddard Lane, south of the existing Essential Energy substation;
- wet weather – During construction of the trunk stormwater infrastructure, a significant number of rain days were experienced, including minor/moderate flood events in March and twice in April 2021. The construction of stormwater infrastructure is difficult during these rain periods given the infrastructure is inherently located within low-lying areas. The impact of this has been significant additional cost through program delays, diverting and pumping water and re-work. The total number of rain-affected days throughout construction was approximately 125 days (approximately 4 months);
- material cost increases – Several factors have increased construction material costs over the last two years, including Covid-19 lockdowns, freight / logistics disruption, construction market saturation, and natural disasters. These cost increases have impacted the project most significantly in relation to steel and timber prices. Reinforcement steel is required for all components of reinforced concrete stormwater infrastructure construction and the cost of this material has increased proportionally with raw steel prices. Timber is utilised in the construction of stormwater pits and is used to build temporary walls (formwork) to contain concrete while still wet. Similar to steel, the cost of formwork timber has increased proportionally with raw timber prices. The scarcity of these materials has also resulted in delays to the project. The trunk stormwater drainage project required approximately 500 tonnes of steel reinforcement for the concrete constructed on site ('in situ'), with the increase in steel cost in the 2021 calendar year resulting in additional cost to the project;
- rail infrastructure requirements – During detailed design, consultation and coordination was required with John Holland Rail in relation to the infrastructure construction within the rail corridor. A specialist design company with appropriate certification to design elements in the rail corridor were required to be engaged and their rates reflected the onerous nature of gaining approvals for works in the rail corridor. The design and construction requirements for the Trunk Drainage elements were in excess of the requirements noted within the project estimates utilised for the GLE funding. These requirements related to the structural design of the base slabs, reinforced concrete box culverts, pits, and structural backfill. Furthermore, the timing of the rail line reactivation project (managed by Transport for NSW) required the stormwater drainage infrastructure to be constructed to a timeline suiting the rail reactivation (and not in a logical sequence for stormwater projects, that is, from the downstream extremity to the upstream extremity) and this exacerbated the wet weather impacts on the Trunk Drainage Project;
- gas infrastructure – during detailed design and consultation with APA Group it was determined that construction of the stormwater drainage had to be completed under live gas mains. Extensive temporary works was required to achieve this, including cable-stay suspension of the gas main across the drainage excavations; and

- utility relocations – During detailed design, it was identified that part of the stormwater infrastructure construction required the relocation of critical infrastructure associated with APA Group’s Central Ranges Pipeline, a gas transmission line from Dubbo, as well as Telstra and watermain infrastructure. These relocations were not accurately identified within the project estimates utilised for the GLE funding.

### **Jewry Street Extension Project**

Detailed design for the Jewry Street Extension project has been underway since September 2020 and has been prolonged due to the extensive consultation with adjacent landowners around flood impacts of constructing the road within the Timbumburi Creek flood plain. Resolution of this consultation was only completed earlier this year, with the design now already progressed to a 90% stage and anticipated to be completed by the end of June. Construction is scheduled to be undertaken by Council’s Operations and Construction Division and commence on completion of the Country Road Roundabout project.

Construction estimates for the Jewry Street Extension project have been completed based on the 90% design drawings. These estimates place the forecast construction cost at approximately \$4.96 million. Allowing for survey, geotechnical investigation and pavement design, flood modelling, stormwater drainage and geometric design and project management, the estimated total project expenditure is \$5.38 million. This allows approximately \$1.16 million for contingency on this project based on the original budget allocation.

### **Funding Reallocation Proposal**

It is proposed to reallocate \$1.575 million of approved GLE funding and \$175,000 of Council’s contribution from the Jewry Street Extension project to fund the additional expenditure on the Trunk Stormwater Drainage project. It is then expected that additional Council funding would be required next financial year to complete the Jewry Street extension project, however transferring this existing funding now would allow the trunk stormwater drainage project budget to be balanced this financial year, significantly improving Council’s cashflow and ensure the full benefit (expenditure) of the GLE funding is achieved. Council’s contribution to the GLE projects was approved at the 11 February 2020 Ordinary Council meeting, refer Item 12.4 Minute No 26/20.

By transferring \$1.75 million, the contingency remaining on the Jewry Street Extension project will be removed and the project will require additional funding next financial year based on the latest construction estimates.

The benefit of reallocating the GLE funding (as opposed to funding the additional expenditure now utilising available Council funds), includes:

- GLE funding is paid monthly in arrears based on actual expenditure. This is limited to the maximum allocation for each project, being 90% of the original budget for both the Jewry St extension and trunk stormwater drainage projects. By allocating more GLE funds to the trunk stormwater drainage project now, as proposed herein, approximately \$1.5 million in additional GLE funding could be claimed at the end of June, significantly improving Council’s cash flow;
- the project estimate for the Jewry Street Extension project, based on 90% design drawings, is currently forecast to be below the project budget. Should the GLE funds not be reallocated and the project is delivered under budget, the unspent GLE funds would be returned to the NSW Government; and



- by reallocating the funds, Council has the ability to reduce their additional contribution. If the Jewry Street Extension project is delivered below budget, then this budget underrun would reduce the additional contribution required by Council to complete these projects, currently estimated at \$1.75 million.

GLE funding reallocation requires approval by Infrastructure NSW, the funding partner. Approval for this is currently being sought as a variation to the funding agreement. Should approval not be granted, no funding reallocation between GLE projects will be progressed and alternative funding options will need to be explored for the Trunk Stormwater Drainage project. If required, this will be the subject of a future Council report.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

\$1.75 million (\$1.575 million in GLE funding and \$175,000 from Council's Civil Construction Reserve) is proposed to be transferred from the Jewry Street Extension project to the Trunk Stormwater Drainage project. Both projects are part of the GLE funding deed associated with the TGGP with existing funding contributions already approved; refer to Item 12.4 to Ordinary Council 11 February 2020, Minute No 26/20.

Regardless of whether the transfer of GLE funding is approved by Infrastructure NSW or not, Council will be required to allocate up to \$1.75 million as an additional contribution to the GLE projects.

The funding source from this contribution is not required to be committed until the third or fourth quarter in the 2022-2023 financial year. The available sources are either from internal Council reserves or a loan, with Infrastructure NSW confirming that no additional funding can be provided under the GLE program. The funding source will depend on variables that are not expected to be known until the third quarter next financial year, namely:

- status of land sales and the transfer of funds into Council's Westdale Lane reserve from these sales;
- final construction cost of the Jewry Street Extension project;
- Final expenditure on the Trunk Stormwater Drainage project after close-out;
- Council's financial position; and
- debt servicing rates for internal/external loans.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Blueprint 100 notes the TGGP (formerly the Glen Artney Enterprise Area) as a key growth area for employment. The document was on public exhibition from 2 March 2020 to 9 April 2020, in conjunction with print media, social media, and media releases, with community consultation sessions held in Tamworth, Manilla, Barraba, Nundle, and Kootingal.

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

A Prosperous Region – P11 Support and facilitate economic development and employment opportunities.

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**8.5 AUDIT OF NON RESIDENTIAL SEWER CHARGING**

**DIRECTORATE:** WATER AND WASTE

**AUTHOR:** Daniel Coe, Manager - Water and Environmental Operations

**Reference:** Item 12.3 to Closed Council 14 July 2020 - Minute No 195/20

**RECOMMENDATION**

*That in relation to the report “Audit of Non Residential Sewer Charging”, Council:*

- (i) receive and note the report;*
- (ii) for properties identified as being undercharged in the 21-22 financial year, undertake the following:*
  - a. apply correct charges from 1 July 2022;*
  - b. advise any impacted customer of the audit outcomes and impacts on their property charges;*
- (iii) for properties identified as being overcharged in the 21-22 financial year, undertake the following:*
  - a. apply correct charges from 1 July 2022; and*
  - b. advise any impacted customer of the audit outcomes and impacts on their property charges.*

**SUMMARY**

The purpose of this report is to advise Council of a recently completed audit of sewer charging on all of Council’s non-residential properties connected to a Council sewer (approximately 2,600 properties). The audit was undertaken to ensure alignment of property charging against the NSW Government’s best practice sewerage pricing and Council’s associated policies. The report provides Council a summary of the audit findings and recommendations to manage identified discrepancies.

**COMMENTARY**

In June 2007, Council adopted changes, to commence on 1 July 2007, to the sewer charging regime which reflected the NSW Government’s best practice sewerage pricing. The new scheme replaced the traditional system of charging for commercial, institutional and industrial discharge, using additional unit and WC/urinal charges and introduced a new system that consisted of a tariff pricing structure for all non-residential properties, regardless of the property’s rateability status. The new charging regime included the following:

- 1) an annual sewer access charge based on the size of water supply service connected to the property, multiplied by a sewer discharge factor (SDF) and then multiplied by the appropriate charge;
- 2) a sewer usage charge levied per kilolitre of sewage discharged to the sewerage system. The volume of sewage discharged is calculated by the total incoming water,

as measured by the water meter supplying the property, multiplied by a SDF and then multiplied by the appropriate charge;

- 3) if the property also discharges trade waste, then appropriate trade waste charges will also be levied; and
- 4) the minimum amount levied would not be less than the annual sewer charge levied on domestic customers.

The sewer discharge factor (SDF) is the estimated percentage of water used by the property (as recorded by the connected water meter) that is discharged into the sewerage system. The sewer discharge factor varies depending on the business or activity that is undertaken on the property. The SDF plays a very large part in establishing the level of charges levied on a discharger and therefore needs to be as accurate as possible to ensure the correct charges are applied.

When the new charging system was introduced, Council nominated the SDF for each non-residential property based on the business activity being undertaken at the time. To provide a formal mechanism for applying sewer discharge factors to non-residential and non-rateable properties, including how to apply for a variation of an SDF, a Sewer Discharge Factor Policy for Non-residential and Non-rateable Properties (SDF Policy) was adopted by Council on 25 September 2007.

To minimise the impacts of the new charging regime on non-residential customers, Council at the time of introducing the new charging regime phased the non-residential charges in over a period of five years.

At its meeting of 14 July 2020, Council considered a report in relation to a request from Baiada Pty Ltd to have a variation to their Sewer Discharge Factor (SDF) at their Oakburn Rendering Plant applied retrospectively. Whilst Council's policy allows a review of an SDF, if the review finds the SDF should be changed and that change sees a change in sewer charges levied at the property, the policy details the new charges apply from when the application was lodged – there is no provision for a new charge to be levied retrospectively. At this meeting Council resolved the following:

*“That in relation to the report “Application to apply a reduction in Sewer Discharge Factor Retrospectively – Baiada’s Oakburn Rendering Facility”, Council defer the matter until after completion of the audit of sewer discharge factors for all business and commercial activities across the Council area so that the results can be considered by Council.”*

As per the resolution of Council, staff have completed a review of all business and commercial activities across the Council area discharging to sewer, to ensure correct charging in accordance with the NSW Government's best practice sewerage pricing and associated Council policies. The audit involved physical inspection of each property by Council staff to confirm the following:

- the physical size of the water meter and service size; and
- the business activity being undertaken on the property.

This information was compared to information contained within Council's property and rating system. The audit found that of the 2602 non-residential properties discharging to sewer, 2,298 were being charged correctly with 303 properties having incorrect charges.

Of the 303 properties found to have the incorrect charge being applied, 58 properties were identified as being overcharged and 245 identified as being undercharged. The size of the billing discrepancies varied due to the size of the water service supplying the property and

the calculated volume of sewage being discharged to sewer. The variations in billing discrepancies are summarised below.

### Overcharged Properties

Overcharged amount (\$/annum) per property	Sum of Overcharged Amount in 21-22	Number of Properties
Greater than \$10,000	\$45,146	4
Between \$5,000 and \$10,000	\$9,314	1
Between \$2,000 and \$3,000	\$2,271	1
Between \$1,000 and \$2,000	\$4,423	3
Between \$500 and \$1,000	\$4,281	6
Between \$0 and \$500	\$11,855	43
<b>TOTAL</b>	<b>\$77,291</b>	<b>58</b>

### Undercharged Properties

Undercharged amount (\$/annum) per property	Sum of Overcharged Amount in 21-22	Number of Properties
Between \$10,000 and \$20,00	\$90,773	7
Between \$5,000 and \$10,000	\$115,326	15
Between \$3,000 and \$5,000	\$7,905	2
Between \$2,000 and \$3,000	\$142,204	59
Between \$1,000 and \$2,000	\$77,466	62
Between \$500 and \$1,000	\$17,220	23
Between \$0 and \$500	\$19,459	77
<b>TOTAL</b>	<b>\$393,065</b>	<b>245</b>

During the audit, the main reason for the incorrect charge being applied was found to be the incorrect SDF being applied to the property. On review of how these discrepancies had occurred the following was identified:

- the SDF applied to a property was incorrect due to the property changing business activity since 2007 and Council's property and rating system not being updated to reflect this. This could have been due to development approvals not being translated in to the property and rating system, or properties changing use without notice being provided to Council; and



- errors were also identified where water meters had been replaced but the SDF had not been transferred within the property and rating system.

To minimise these errors moving forward, staff have reviewed the capture of new meter information and invoicing procedures and have finalised the introduction of an electronic system for capturing water meter replacement information. This will reduce the possibility of data errors in the future. It is also proposed to perform regular small scale random audits to help confirm correct charging in the future.

In respect to the discrepancies identified in the audit, it is considered Council has the following options.

#### **Undercharged properties:**

For properties identified as being undercharged, the primary concern for these customers is the financial impact that may occur when the charging regime is corrected, noting however these properties have been experiencing a lower charge for the service they receive for an extended period of time. In respect to these customers, it is considered Council has the following options:

- advise all impacted customers of the audit outcomes and impacts on their individual property and apply the correct charges from 1 July 2022; or
- advise all customers of the audit outcomes and impacts on their individual property and phase in the corrected charges. This could be achieved in a number of ways. Options for this include:
  - phase all charges, no matter the variance, in over a period of time for example three years;
  - phase in all charges of a particular variance size, for example, greater than \$1000 per year increase over a period of time; or
  - either of the above for privately owned properties with any government property implemented immediately.

Based on the benefit that the customer has been experiencing for a period of time it is recommended to proceed with option 1. Should any customer have financial difficulties with paying the corrected charges, Council's existing financial hardship policies could be applied on an as needs basis.

#### **Overcharged properties:**

For properties identified as being overcharged, the primary issue of concern is the question of should customers have overcharged amounts refunded and if so, the following questions are appropriate:

- for what period should refunds be applied;
- if a property has been sold, should any refund be applied to the current owner only or also to previous owners; and
- what legal requirements does Council have to provide refunds.

In regards to the legal requirements, legal advice has been received which states the following:

*"... any claim to recover water service charges levied by Council pursuant to s 501 of the Local Government Act 1993 (NSW) (LGA) is subject to the limitations period at s2(1) of the*

*Recovery of Imposts Act 1963 (NSW) (Imposts Act). The effect on that Act being that a person can only recover overcharged water service charges where a claim for recovery is made within 12 months from the date of payment.”*

It is recommended that Council advise all impacted customers of the audit outcomes and the associated impacts on their individual property and apply correct charges from 1 July 2022 without refunds being applied.

The primary reasons for this recommendation include the following:

- non-residential customers enjoyed a five-year phase in period when the charging regime commenced in 2007;
- current Council SDF Policy places responsibility on property owners to question charges and seek review; and
- some of the charging issues relate to property owners not advising Council of changes in business activity that impact on sewer charging.

Alternatively, Council could provide refunds to customers for the maximum period a customer could claim against Council in accordance with the legal advice received i.e., 12 months. Should Council elect to implement this option, an alternative recommendation is provided below:

*That in relation to the report “Audit of Non-Residential Sewer Charging” Council;*

- (i) receive and note the report;*
- (ii) For properties identified as being undercharged in the 21-22 financial year, undertake the following;*
  - a. apply correct charges from 1 July 2022; and*
  - b. advise any impacted customer of the audit outcomes and impacts on their property charges*
- (iii) For properties identified as being overcharged in the 21-22 financial year, undertake the following;*
  - a. apply correct charges from 1 July 2022;*
  - b. provide refunds where necessary or billing adjustments for impacted properties for the current financial year i.e. 2021/2022; and*
  - c. advise any impacted customer of the audit outcomes and impacts on their property charges.*

In relation to the deferred matter from Council’s meeting of 14 July 2020, regarding Baiada Pty Ltd’s request to have a variation to the SDF at their Oakburn Rendering Plant applied retrospectively, a further report has been prepared for Council’s consideration in closed Council due to commercial in confidence reasons.

**(a) Policy Implications**

Council has an existing Sewer Discharge Factor policy.

**(b) Financial Implications**

Correcting the charging identified as being incorrect through the audit process, and assuming Council applies the correct charges from 1 July 2022 in accordance with the

recommendation, without repaying over charged amounts, will result in an increase of \$315,774 in annual sewer revenue.

**(c) Legal Implications**

Legal advice was sought in relation to audit findings. This advice is summarised in the report.

**(d) Community Consultation**

A communication plan advising impacted customers of audit outcomes will be developed and undertaken.

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

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

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**8.6 TAMWORTH COMMUNITY MEN’S SHED - SEWER CONNECTION FUNDING REQUEST**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Daniel Coe, Manager - Water and Environmental Operations**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

***That in relation to the report “Tamworth Community Men’s Shed - Sewer Connection Funding Request”, Council:***

- (i) agree to fund the new sewer connection and removal and remediation of the existing aerated wastewater treatment system for the Tamworth Men’s Shed Facility; and***
- (ii) provide the necessary funds of \$23,000 from the Wastewater reserve.***

**SUMMARY**

The purpose of this report is to seek direction from Council regarding a request from the Tamworth Men’s Shed for Council to fund connecting their facility, located within the Victoria Park Precinct, to Council’s Sewer.

**COMMENTARY**

During 2019/20, Council construction teams completed a 700m sewer extension to allow sewer connection of the new Astronomy and Science Centre located within the Victoria Park Precinct. This sewer main extension is shown below with the installed sewer highlighted yellow:



The Tamworth Community Men's Shed has provided correspondence to Council requesting Council consider funding the sewer connection of their shed located in the Victoria Park Precinct to the recently installed sewer main. This request is **ATTACHED**, refer **ANNEXURE 1**.

As detailed in the correspondence provided, the Tamworth Community Men's Shed is a not-for-profit organisation. The organisation currently has lease agreements in place for occupying their facility within Council's Victoria Park Precinct. The organisation has approved plans to expand their facility and have paid sewer headworks charges associated with the sewer connection for the development. Typically, any development would be required to pay both the headworks charges and associated infrastructure costs to complete any water or sewer connection. Given the not-for-profit status of the Tamworth Community Men's Shed and the existing support and lease arrangements Council has with the Tamworth Community Men's Shed, Council may wish to consider contributing to the requested sewer connection.

The sewer main extension installed as part of the Astronomy and Science Centre project was designed to allow additional connections such as the Men's Shed and Botanic Gardens in the future, if and as, required. Currently both of these facilities have on site sewerage treatment systems to manage sewer requirements. In regards to the Botanic Gardens site, future sewer connections will be considered following the review/finalisation of the Victoria Park Master Plan which is currently in progress.

To connect the Men's Shed facility to sewer requires diverting the sewer from the existing on-site aerated wastewater treatment system and installing approximately 40 metres of pipework to allow connection to the sewer main. In addition, a new connection point would need to be installed within the sewer main. It is proposed the connection to the sewer main would be completed by Council staff with the remainder of the work completed by a licenced plumber. The cost of this work is summarised below:

- sewer extension approximately 40 metres = \$10,490;
  - sewer connection to Council sewer main by Council staff = \$1,776; and
- Total = \$12,266.**

In addition to the above, the existing aerated wastewater treatment system would need to be removed and remediated. The details of this have not been included in the correspondence received by the Tamworth Community Men's Shed, however it is estimated this would cost in the order of \$5,000 to \$10,000 to complete.

In relation to the request by the Tamworth Community Men's Shed it is considered that Council has the following options:

- 1) contribute no funding to the Tamworth Community Men's Shed and allow the organisation to fund all works expected to cost up to \$23,000;
- 2) contribute part funding for the works for example provide contribution of \$12,266 for the new sewer connection but require the Tamworth Community Men's Shed to fund the removal and remediation of the existing aerated wastewater treatment system; or
- 3) fully fund the project i.e. provide funding for both the new sewer connection and the removal and remediation of the existing aerated wastewater treatment system.

Given the not-for-profit status of the Tamworth Community Men's Shed and existing lease arrangements Council has with the Tamworth Community Men's Shed, it is recommended that Council fully fund the sewer upgrade for the facility. In addition, the sewer connection and removal of the existing aerated wastewater treatment will provide potential environmental improvements for the site and allow for the future growth of the facility. Should Council agree with this recommendation it is proposed to fund the works from Council's wastewater reserve.

On completion of the new sewer connection, the property will be liable for ongoing annual sewer charges. It is proposed that these charges will be levied to the property owner (Council) and transferred to the tenant (Tamworth Community Men's Shed) in accordance with existing lease agreements.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Allocate \$23,000 from the sewer reserve to fund the new sewer connection and associated remediation works for the Tamworth Community Men's Shed.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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## **8.7 ORGANICS RECYCLING FACILITY - UPDATE ON PROGRESS**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Morne Hattingh, Manager - Waste and Resource Recovery  
**Reference:** Item 8.4 to Ordinary Council 22 March 2022 - Minute No 83/22

### **RECOMMENDATION**

*That in relation to the report “Organics Recycling Facility - Update on Progress”, Council:*

- (i) receive and note this report; and*
- (ii) write to the NSW Member for Tamworth - the Hon. Kevin Anderson MP, requesting his assistance in securing additional funding from the NSW State Government for the construction of the Organics Recycling Facility.*

### **SUMMARY**

The purpose of this report is to update Council on progress in relation to the proposed Organics Recycling Facility.

### **COMMENTARY**

Councillors would be aware that it is proposed to construct an Organics Recycling Facility (ORF) on land owned by Council at 284 Gidley Appleby Road. A summary of progress in relation to this matter is provided below:

#### **Grant Funding from the NSW Environmental Trust**

Council applied for a grant in response to the NSW Waste Less Recycle More Initiative Organics Infrastructure (Large and Small) Grants Program before the closing date of 30 August 2018 (the original application). As a result of the original application, a funding Deed between Council and the NSW Environmental Trust in the amount of \$3 Million was agreed, including a number of milestones linked to the delivery of the actual funds.

Council Officers met with the Environmental Trust (ET) on 15 September 2021 to advise that Council, despite calling tenders for the build and operation of the ORF, had decided not to award a contract for the construction and operation of the Facility. This meant Council would no longer be able to meet some of the milestones attached to the original funding deed. At the meeting, the NSW EPA and ET discussed the information required to assess whether a variation to the Deed may be possible. After the meeting, staff understood that the NSW EPA and ET would consider the additional information provided by Council to guide Council regarding a variation to the Deed. On 26 October 2021, Council formally wrote to the ET providing detailed justification why ET should consider extending the exiting Deed of agreement milestones. In addition, upon the request from ET for additional information, Council subsequently responded to proposed amended millstone date recommendations for ET to consider. Council continued to develop the ORF project from a detailed design perspective, and considered realistic timeframes to undertake preconstruction and then construction of the ORF. As a result on 22 November 2022 Council responded with a set of amended milestone dates for ET to consider.

On 8 March 2022 the NSW Environmental Trust formally respond to Council regarding correspondence they received on 22 November 2021. After reviewing the proposed project plan timeline and the proposed milestones, the ET requested that Council consider the Proposed Schedule of revised Milestones and payments as listed below:

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

The revised milestones recognise commissioning at the end of the construction phase so that licencing can be obtained and food and garden organics operations can commence.

Given the significant nature of the changes to the milestones and advice from the ET that no further variation to the milestones in the future would be considered, this matter was reported to Council on 22 March 2022. Following consideration of the report, Council resolved to submit a formal grant variation request seeking approval to adjust the proposed Milestones as per the table below:

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

The request was submitted on was submitted on the 23 March 2022.

On 17 May 2022, Council received notification advising Council's variation request had been formally approved by the ET. In addition, ET reported that Build Own Operate and Transfer (BOOT) contract conditions had not been removed from the schedule as per Council's request. The ET advised this is a standard item in the Deed of Agreement for all projects (whether a project is a BOOT project or not). As it is proposed the ORF will no longer be a BOOT project, evidence for this achievement item will not be expected in the relevant milestone report.

It is good news that the Environment Trust agreed to vary the terms of the funding deed and, in so doing, will continue to provide \$3 Million towards the cost of establishing the proposed Organics Recycling Facility.

However, the grant amount of \$3 Million was provided several years ago when the project cost was estimated at significantly less than currently. Based on present estimated cost of construction, the grant amount of \$3 Million is considered approximately 10-12% of the final construction cost of the ORF (including preconstruction activities).

Further, the current construction climate in regional NSW is showing significant increases in the cost of construction Council's recent tenders have all indicated costs are increasing rapidly due to a lack of contractors and supply change issues. Further increases in construction costs, without further financial support from the NSW Government, will adversely affect Council's financial ability to deliver this project. Given the NSW Government's NSW Waste and Sustainable Materials Strategy 2041 includes that organic material cannot be placed in landfill after 2030, it is considered the NSW Government needs to consider additional funding in this area to achieve it stated goals.

As a result, it is recommended Council request the support of the Member for Tamworth the Hon Kevin Anderson MP in requesting additional grant funding for the construction of Council's Organics Recycling Facility.

### Preconstruction and Construction Program

The ORF project program is aligned with the revised ET millstone dates. A high-level summary of key deliverables over the next three months is listed below:

Review and finalise 75% Detail Design works package	20 June 2022
ORF Construction Tender Period	29 June to 4 July 2022
Environmental Trust Milestone 2 (\$50,000)	1 <sup>st</sup> July 2022
Tender assessment and nominate 2 preferred tenderers	23 August 2022
Reprice, Tender assessment and Council reporting	19 September 2022
Council Workshop Tender Outcomes	8 September 2022
Council Tender Award Date	19 September 2022
ORF Construction Contract Award	30 September 2022
Environmental Trust Milestone 3 (\$550,000)	30 September 2022
Detail Design Finalised	9 <sup>th</sup> August 2022
Construction Start	15 September 2022

### Modification to the Development Application (DA)

Development Consent for DA2020-0138 was granted by the Northern Regional Planning Panel (NRPP) on 23 September 2020. The NRPP was the consent authority as the development met the description of Regionally Significant Development, pursuant to Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011 as it had a capital investment value of more than \$5 million and Tamworth Regional Council was the applicant and landowner.

The approved development would process up to 35,000 tonnes per year of food organics, garden organics and category 3 organic materials. The approved ORF will use a Tunnel Composting System technology within an enclosed facility to process the material into soil products suitable for landscaping and agricultural production.

Council prepared an application pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to modify Development Consent DA2020-0138 (issued by the Northern Regional Planning Panel reference number PPSNTH -11 for an Organic Recycling Facility (ORF) at 284 Gidley Appleby Road, Gidley NSW 2340.

The modification application seeks alterations and additions to the approved development plans and amendment to the consent conditions, including the following:

- alteration to the biofilter size;
- alterations to the maturation pad layout;
- alterations to the composting building roof height;
- addition of a training centre and a gatehouse and alterations to carpark, landscaping plan, site plan and building plans;
- alterations and additions to the equipment storage shed including a laboratory and an ancillary sewer connection to wastewater treatment area and drainage and stormwater plans; and



- modify conditions of consent concerning road works and associated approvals to amend the timing for implementation. The modification seeks to require the works and approvals be finalized before the issue of an Occupation Certificate (OC) instead of prior to Construction Certificate (CC).

The proposed alterations and additions to the approved layout of the ORF are considered of minimal environmental impact and are substantially the same development as the development for which the consent was originally granted. In addition, the modification application seeks to modify relevant conditions of consent that require road works or approvals before obtaining the CC for the ORF. It is proposed to postpone some of the road works and associated approvals to before the issue of an Occupation Certificate, to avoid construction being unnecessarily delayed.

Advice from Council's Liveable Communities Directorate is that Council is the approval authority for the modification. The modification request has been received by Council.

### **Owners Engineer/Project Manager**

Council has significant in-house technical expertise but requires the assistance of external resources to support its in-house capabilities for the delivery of the Organics Recycling Facility project. As a result, an external Project Manager or Owners Engineer (OE) has been engaged who will assist with the complete delivery of the Tamworth Organics Recycling Facility (ORF). GHD have been successful with their bid as OE and commenced works in late November 2022.

The OE will provide and lead a team of experts which serves as an independent advocate for Council. The OE plays a supporting but critical role by filling gaps and supplementing the Project team across all facets of the project. In addition, the OE will fill the experience gap by focusing on managing outcomes from key stakeholders involved in the project, avoiding design errors and assisting Council with keeping the project on schedule.

The OE engineer provides the following distinct support services to the project:

- provide project development support;
- assist in the development of project scope and key performance indicators;
- assist in the development of project structure;
- assist in the acquisition of appropriate technology and technical expertise;
- assist principal to procure the services of turnkey, EPC or study contractors;
- provide project management support;
- monitor the quality of project engineering and follow through corrective action where necessary;
- subsequently assist in the construction management of the project;
- monitor the project cost and schedule and follow through corrective action where necessary;
- assist in the start-up and commissioning of the project;
- review / prepare operating and maintenance procedures;
- carry out operational scenario and risk assessment; and
- carry out the training of principal personnel where deemed necessary by the principal.

### **Site electricity supply**

Electrical supply to the new facility has been previously identified as an issue.

As the project has not been designed in detail, the maximum demand has been prepared based on a review of selected tenders received on May 2021 in response to the original Council's original request for tender and application of power density values. The assessed maximum demand for the site based on the above assessment is approximately 1200 Amps requiring a 1MVA Pad Mount Substation to be constructed on site and to provide power to this substation the ORF requires a new Essential Energy power supply to be constructed to supply the site with adequate operational power. Essential Energy's preference is for existing overhead powerlines to be rebuilt with larger conductors, within the existing overhead powerline alignments. However, neighbouring property owners have expressed concern for proposals to rebuild powerlines within their property boundaries.

Following discussion with Essential Energy and advice from an electrical consultant, engaged by Council, it is now proposed to construct a new powerline, underground through the existing Gridley Appleby Road Road Reserve area on the western side of the road. An underground powerline will reduce the required clearances to existing vegetation located in the road reserve area.

Discussion with Essential Energy and other works continue in relation to this matter in an effort to finalise the location of the power upgrade required for the new facility as soon as possible.

### **Detailed Design**

Consultant GHD has been engaged to prepare detailed designs and prepare a set of tender documents for a construction tender to deliver the ORF project. This work is a collaborative effort with input from various external advisers/ legal, environmental etc and Council staff. The engagement includes:

- the majority of detail design works for the ORF project;
- design and construction documentation for the processing shed and biofilter and associated works contained within the designated building; and
- an extended commissioning period of 12 months for the ORF facility post construction.

### **ORF - Environmental Baseline Data Report**

Talis Consultants Pty Ltd (Talis) has been engaged to complete baseline environmental monitoring at the ORF.

The objective is to establish baseline environmental conditions at the Site to underpin the required site Environmental Protection Licence and Development Approval Conditions.

The scope of works comprised:

- review of available data, including original EPA conditions of consent;
- supervision of the installation of five new groundwater wells on-site;
- sampling of the 5 newly installed monitoring bores;
- sampling of seven surface water locations, including 4 dams on-site and 3 off-site locations;

- submission of the samples to a nata accredited laboratory for analytical testing for a suite of chemical of potential concern (COPC) based on the future land use and general water quality parameters; and
- preparation of this detailed baseline environmental data report.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Expenditure on this project continues to be incurred on preconstruction activities. Financial modelling for income in the waste area has been completed, which includes the estimated cost of the ORF. Draft Fees and charges in the waste area have been set for the 2022/2023 financial year to raise sufficient income to fund all works identified including the new ORF. The final fees and charges levied in the waste area in the 2022/2023 financial year will be subject to a final decision by Council at its meeting of 28 June 2022.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The Modification to the Development Consent for the ORF may be placed on public display as required.

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

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

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## **8.8 RATIONALISATION OF OPENING HOURS AT RURAL WASTE FACILITIES**

**DIRECTORATE: WATER AND WASTE**

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

**6 CONFIDENTIAL ENCLOSURES ENCLOSED**

### **RECOMMENDATION**

*That in relation to the report “Rationalisation of Opening Hours at Rural Waste Facilities”, Council agree to:*

- (i) introduce the new opening hours as detailed in the report effective 1 July 2022; and*
- (ii) complete a community education campaign on the changes to opening hours at each facility as applicable.*

### **SUMMARY**

A review has been undertaken of the opening hours of Council’s rural waste facilities. This review has indicated there would be some advantages to rationalising opening hours. This report seeks direction from Council in relation to this matter.

### **COMMENTARY**

As Councillors would be aware, Council operates 11 Waste Facilities as follows:

#### **Landfills:**

- Tamworth’s Forest Road Landfill;
- Barraba; and
- Manilla.

#### **Small Vehicle Transfer Stations:**

- Bendemeer;
- Dungowan;
- Duri;
- Kootingal;
- Niangala;
- Nundle;
- Somerton; and
- Watsons Creek.

A review has been undertaken of the opening hours of each of these facilities, with the exception of the Forest Road Landfill. Key findings of the review include:

- no consistent level of service – e.g. opening hours between all waste facilities are different; and
- available staff resourcing requires two FTE to open waste facilities on some days, although they are on the same route. Altering facility opening and closing times could allow the same service to be provided by 1 FTE, resulting in a cost saving to Council.

The present opening times for the regional facilities, with the exception of Niangala and Watsons Creek, which are unmanned facilities, are shown below:

	Mon		Tues		Wed		Thurs		Fri		Sat		Sun		No of hrs/w k.
	A M	P M	A M	P M	A M	P M	A M	P M	A M	P M	A M	P M	A M	P M	
<b>Barraba</b>	9-12							1-4	9-12		9-12		9-12	1-4	18
<b>Bendemeer</b>						1-4						1-4			6
<b>Dungowan</b>					9-12									1-4	6
<b>Duri</b>					9-12									1-4	6
<b>Kootingal</b>			9-12							1-4		1-4	1-4		12
<b>Manilla</b>					9-12	1-4				1-4		1-4		1-4	15
<b>Nundle</b>						1-4	9-12						9-12		9
<b>Somerton</b>								1-4					9-12		6

It is proposed to alter the opening and closing times of the facilities to:

- provide the same number of opening hours - 12 hours per week at the Nundle, Barraba and Manilla facilities – Council’s largest facilities in terms of visitations;
  - this will see a reduction in opening hours at Barraba from 18 hrs per week to 12, at Manilla from 15 hrs per week to 12 and an increase at Nundle from 9 hrs per week to 12;
- provide the same number of opening hours, 6 hours per week, at all other facilities. This is no change to the present arrangement;
- change start and finish times so that 1 staff member can go to a facility in the morning and then open a different facility in the afternoon, rather than having to send 2 staff;
- all facilities have at least one weekday opening and one weekend opening;

The proposed new opening times are shown below:

	Mon		Tues		Wed		Thurs		Fri		Sat		Sun		No of hrs/ wk.
	AM	P M	AM	P M	AM	P M	AM	P M	AM	P M	AM	P M	AM	P M	
<b>Barraba</b>	8.3 0- 11. 30								8.3 0- 11. 30		8.3 0- 11. 30			1- 4	12
<b>Bende meer</b>						1- 4					8.3 0- 11. 30				6
<b>Dungo wan</b>					8.3 0- 11. 30									1- 4	6
<b>Duri</b>					8.3 0- 11. 30									1- 4	6
<b>Kooting al</b>			8.3 0- 11. 30							1- 4		1- 4	1-4		12
<b>Manilla</b>					8.3 0- 11. 30					1- 4		1- 4	8.3 0- 11. 30		12
<b>Nundle</b>						1- 4	8.3 0- 11. 30					1- 4	8.3 0- 11. 30		12
<b>Somert on</b>								1- 4					8.3 0- 11. 30		6

C7even was engaged to prepare a community consultation plan for the proposal and, in accordance with the agreed plan, the proposed opening times were placed on public display from 13 April to 11 May 2022. 89 submissions from 83 users were received during the public



exhibition period. 31 were from residents in Barraba, 6 from Bendemeer, 1 from Dungowan, 46 from Manilla, 3 from Nundle, and 2 from Somerton. All of the public submissions received are **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**. The submissions have been grouped into like topics. The number of submissions in relation to that topic and a staff comment is provided in the table below:

<b>Topic</b>	<b>No.</b>	<b>%age of all submissions</b>	<b>Staff comment</b>
Concerns regarding illegal dumping/incorrect disposal of rubbish	9	<b>10%</b>	Increased risk of illegal dumping would only occur where facilities have had opening hours reduced – Barraba and Manilla. Council has staff and practises in place to deal with any reports of illegal dumping
Time constraints/travel time for residents with families and work commitments	42	<b>47%</b>	The change to opening hours will require a change to the way residents deal with disposing of their waste and green waste
Inequitable treatment of towns/villages in comparison to Tamworth	30	<b>33%</b>	Given the number of visits at each of the rural facilities compared to the Forest Road Landfill it is reasonable to expect some difference in opening hours across the waste facilities.  Several respondents mentioned green waste recycling bins. This service will be rolled out to Manilla and Barraba once the Organics Recycling Facility has been established
Supportive of change	8	<b>9%</b>	Not all of the supportive comments came from Nundle area where hours were increased, some came from areas where hours were reduced.
<b>Total</b>	<b>89</b>		

It should be noted that should Council agree to the proposed changes to opening hours then this will free up resources to enable Council to consider the introduction of a fee for service bulky household goods collection service. A separate report is provided in the Council business paper to the 14 June Meeting concerning this initiative. Notwithstanding the objections to the proposed changes to opening hours it is considered changing the hours of opening is justified and therefore Council should proceed with the proposed changes.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The proposed changes will allow the services to continue to be provided at a reduced cost directly related to reducing the number of resources required to open the facilities.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

An extensive communication strategy was put in place in relation to this matter.

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

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

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## **8.9 INTRODUCTION OF A MODIFIED BULKY HOUSEHOLD WASTE COLLECTION SERVICE**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Morne Hattingh, Manager - Waste and Resource Recovery  
**Reference:** Item 14.2 to Ordinary Council 22 May 2018 - Minute No 182/18

### **RECOMMENDATION**

*That in relation to the report “Introduction of a Modified Bulky Household Waste Collection Service”, Council:*

- (i) place on public display for a period of not less than 28 days:
  - a. a proposal to offer a fee for service Bulky Household Waste Collection Service in accordance with the points detailed in the report;*
  - b. the suggested charges per collection as detailed in the report including the 50% reduction in charges for pensioners and those with a disability card;**
- (ii) the commencement of the public display period be delayed until mid-July 2022; and*
- (iii) request the Director Water and Waste submit a further report at the completion of the public display period with details of the submissions received to inform Council’s final decision in relation to this matter.*

### **SUMMARY**

The purpose of this report is to seek direction from Council in relation to the possible introduction of a modified Bulky Household Waste Collection Service.

### **COMMENTARY**

In 2009, Council entered into a waste collection contract with Cleanaway Pty Ltd for the provision of waste collection services for an initial period of 10 years. The services provided included the provision of 2 bulky household waste collections per year to residential property owners in Tamworth, Moonbi, Kootingal, Barraba, Manilla and Nundle.

At Council’s Ordinary Meeting of 22 May 2018, Council resolved to exercise the allowed option to extend the Contract for 12 months to expire on 30 June 2020. In May 2021, Council extended the service contract for a further 12 months to allow sufficient time to test the market and consider the level of service provision for Councils new kerbside service. Both extensions included the entire portfolio of services.

At Councillor workshops held on 14 May 2019 and 9 July 2019, the delivery of the bulky household waste collection service (BHWC) was discussed and Council agreed to discontinue the BHWC service in the new tender for waste services.

The main reasons for this decision included:

- the current kerbside BHWC yields a very poor rate of resource recovery with almost all of the items collected going to landfill;
- waste is often placed on the kerbside weeks prior to the scheduled date of the collection, creating:

- a significant volume of additional work for Compliance and Waste Operations staff where items are treated as illegally dumped waste and warning letters need to be issued and investigations undertaken;
- a very unappealing visual impression of the region as the streets are lined with waste;
- an ongoing issue where items are sometimes left at the kerbside year-round with the expectation there will be a collection at some point;
- exploitation of allowed volume;
- review of missed service claims is time consuming in relation to receiving the report to reviewing and in the event of a missed service having the issue resolved;
- delays can occur due to weather or volumes presented;
- the cost of the service for the number of properties who utilise the service; and
- unacceptable items being presented for collection.

As a result, tenders for the new Kerbside Collection contract tendered in early 2020 did not include the delivery of a BHWC service.

Originally it was intended that the provision of free waste vouchers, which would allow property owners to take any waste to a Council waste facility for disposal, free of charge, would compensate for the loss of the BHWC service.

Since the discontinuation of the BHWC service, the community has had to adapt to the free voucher. Of the 21,766 vouchers sent out each quarter, the redemption rate is approximately 14%. This is slightly lower than the old verge side BHWC pick up participation rate of 23% (June 2020, with 6,162 participants of 21,785 eligible services). Council has also received numerous comments and requests for the reinstatement of the BHWC service. The reasons heard from the community in regards to why a BHWC service should be reconsidered include:

- some pensioners and community members cannot utilise their free voucher due to not having access to a vehicle or trailer;
- people living with a disability find it hard to load and unload BHWC material. Placing waste on a verge is easier;
- some residents reported their vouchers had been removed/stolen from their post boxes;
- although the verge side BHWC service allowed for two cubic metres of waste disposal only, voucher users reported larger households placed more waste on the verge anyway, as opposed to what can fit into a standard box trailer; and
- neighbouring Councils still provide the service to the community (Armidale, Walcha, Gunnedah, Moree Plains, Liverpool Plains, Inverell and Glenn Innes).

Following the Council election for a new Tamworth Regional Council, the new Council has expressed an interest in reintroducing the BWHC service in some form and asked staff to investigate options.

Options investigated are detailed below:

#### **Option 1 – Do nothing**

Council could continue with the voucher system and not reintroduce the BHWC service.

The cost of printing 25,479 vouchers and postage four times per year is budgeted at approximately \$47,000 per year. This excludes the staff resourcing cost to administer the postal database and other administration functions. Given the take up of the vouchers, staff are developing a digital voucher system which will allow the voucher to be generated through the existing weighbridge software package already owned by Council. This would do away with the need to mail out vouchers twice per year.

The advantages of this option include:

- the overall cost is the least of any option considered and cost will fall further when the system becomes electronic; and
- waste that can be recycled is diverted from landfill.

The disadvantages include:

- does not address those people who do not have access to a trailer; and
- does not address people with a disability who find it difficult to load and deliver waste to a waste facility.

### **Option 2 – Reinstate the old BHWC service**

Council could negotiate with the current supplier of the kerbside collection service and, assuming agreement could be reached, reinstate the BHWC service as per the previous contract.

Recent discussions with Cleanaway, Council's current kerbside collection contractor, with regards to the possible reinstatement of a BHWC service resulted in the following key outcomes:

- should Cleanaway consider varying the current collection contract to include a BHWC service, they will need to acquire/ rent trucks for the service. The current Contract precludes the requirement for having a standby fleet resource capable of performing a BHWC service;
- Cleanaway will need to use labour hire to provide a BHWC service. They are no longer resourced to draw upon internal resources to perform the service;
- the bank guarantees held by Council, for the provision of kerbside services exclude a BHWC service. As a result, Council could not seek compensation from Cleanaway if Cleanaway fails to perform a scheduled BHWC service;
- Cleanaway's preferred method of a BHWC is the same system as before – all waste placed on the verge, collections twice per year minimum; and
- the financial considerations for the provision of a BHWC service were in the range of \$180,000 per service, excluding disposal cost.

The advantages of this option include:

- addresses issues associated with not having access to suitable vehicles or trailers and people with disability restrictions; and
- Cleanaway will resource the service from an administrative perspective.

The disadvantages include:

- almost all waste collected would be landfilled;

- the highest cost option estimated at ~ \$360,000 per annum;
- issues associated with original BHWC service would remain;
- require a kerbside contract variation, which could lead to increased cost;

### **Option 3 – On Call Skip Service**

The proposed BHWC On-Call Skip Service consists of Council purchasing fifty skip bins (3 cubic metre bins) and to 'hire' the bins out on a 7-day cycle to eligible properties. The bins could be dropped off by one of the two local skip companies. Both skip service companies expressed an interest in this type of service.

The advantages include:

- provides an aesthetically pleasing service; and
- provides local employment opportunities.

The disadvantages:

- almost all waste collected would be landfilled;
- cost outlay to purchase 50 skips;
- additional skips may be required if the service takes off;
- contracts to be negotiated with local skip companies;
- additional staff administration required to manage calls and bookings;
- skip companies have requested a minimum two-year term;
- the cost of skip delivery and skip collections will need to be paid by council;
- skip bins could be used for demolition / building renovations instead;
- second most expensive service to deliver, at a budget estimate of ~\$280,000;
- property damage from skip bin placements; and
- service is reliant on availability of skip trucks to perform collections, prioritising TRC service may be an issue.

### **Options 4 – On Call Verge Side Service**

The On-Call BHWC Verge Side service is very similar to Option 3, with the exception of not using a skip bin for storing the waste material. Instead, waste may be placed on the property verge. Residents will be able to make online bookings or receive an assisted booking service.

Council staff will attend to scheduled properties using a vehicle and 9x5 Caged trailer to collect the material from the verge.

The advantages:

- aids in resource recovery of BHWC material;
  - material can be inspected on the verge prior to loading;
  - the volume of material placed on the verge could be better managed;
  - the service can be adjusted based on available budget and access to resources;
-



- the second cheapest service provision cost of all options presented to council; and
- the service can be transitioned to a subcontractor model/community service model with ease, once cost and service frequencies have been determined.

The disadvantages:

- additional staff administration required to manage calls and bookings;
- minor risk of property damage caused by staff loading the trailer;
- any significant resources issues faced by the waste division will see labour redirected to core waste services; and
- neighbouring properties near a scheduled service could add waste to their neighbour's stockpile.

### **Option 5 – Trailer Library**

The trailer library concept was developed initially by Byron Bay Council. Residents will be able to drive to Forest Road Landfill and collect one of two available trailers for hire.

The residents will complete a safety induction and provide a deposit for the trailer hire. Trailers will be connected to the vehicle by TRC staff. Residents will have 4 hours to return the trailer to Forest Road Landfill.

The advantages include:

- besides the trailer induction, the service is basically a self-service function; and
- cheapest service to implement.

The disadvantages:

- additional staff administration required to manage calls and bookings;
- minor risk of property damage caused by staff loading the trailer;
- residents could damage or steal the trailer;
- waste streams could exceed permitted quantities;
- banned material types could be hidden in the load;
- some cars do not allow connection to trailers;
- some residents can't tow or reverse a trailer; and
- difficult to control prescheduled hired time slots, causing follow up bookings to be delayed.

### **Options 6 – Charity Collection service**

It could be possible for registered charity to offer a service similar to that suggested in Option 4.

The advantages of this option include:

- fees for service goes to a charity; and
- other than providing a booking service no cost involved for Council.

The disadvantages of this option include:

- charity not able to resource the service sufficiently; and
- as per option 4.

One of the issues associated with this option which deters any charity from offering a BHWC service is the number for unknowns involved in setting up the service including:

- how many people will use the service;
- how many individual services will be required in what period;
- the material type and quantity of the waste placed out for disposal;
- how long it will take to collect the waste; and
- a reasonable fee that could be charged for delivering the service.

To address some of the issues mentioned in option 6, staff suggested Council provide a modified BHWC service as per Option 4 above for approximately 1 year using Council resources. During that time, data will be collected which will provide answers to the questions in relation to a charity providing the service in the future. Then, in 12 approximately months, Council can make a decision on the future of the service and whether or not Council provides the service or makes it available to a charity.

Following further discussion with Councillors, including a Councillor workshop on 17 May 2022, Council agreed with this suggestion.

As a result, a new service is proposed which includes free vouchers of 4 per year to all property across the Council area will continue and an on call BHWC service including the following;

- will be provided by Council staff;
- will be an on-call service where residents will book a collection, either on line or over the phone;
- because of resourcing constraints 2,496 pickups will be offered per annum – i.e., 8 per day and 40 per week;
- will be on a ‘first come first received’ basis;
- will be offered to all domestic property owners/tenants who have an existing waste collection service;
- limited to property that can be safely serviced – e.g. the verge should be easily accessible and line of site of the vehicle parked on the side of the road whilst material is loaded;
- maximum load that will be collected per service is 2 cubic meters;
- waste must be sorted to allow recycling;
- waste is to be placed on the verge 7 days before pick up; and
- a free waste voucher must be surrendered at the time of pick up.

For Council to provide this proposed level of service, the following resourcing provisions would be required:

<b>Year 1</b>	
Digitalisation Of Voucher System Develop BHCW Self Service Check Out System QR Code Scanner Upgrades for All Waste Sites	\$32,000
Administration	\$35,000
BHCW Service - Community Education Campaign	\$10,000
Two New Caged Box Trailers	\$4,800
BHCW Printed Collateral	\$5,000
Waste Disposal Cost	\$50,000
2 Landfill Operators – Resourced from Rural Sites Rationalisation of Opening Hours	\$0
<b>TOTAL</b>	<b>\$136,800</b>

A key consideration is whether a charge should be levied for the pickup and if so, how much is considered reasonable. There is considerable cost to the provision of the service and it is considered those people who utilise the service should pay the majority of the cost associated with that provision.

As a guide the direct cost per hour to provide the pick-up with 2 staff and plant is approximately \$62/hour. Resourcing has been based on each pick up – travel to the site, pick-up and delivery to the waste facility will take 1 hour.

Further complicating estimates of income and cost is that it is unknown how many pickups will be required in a 12-month period. Notwithstanding this uncertainty the following costs per pick up are suggested. The higher figure for regional centres and regional remotes reflects the added time required to travel to the site from Forest Road Landfill.

<b>Areas</b>	<b>Location</b>	<b>Charge</b>
Urban Residential Property	Tamworth, Kootingal & Moonbi	\$25 per collection + Voucher
Regional Centre Residential Property	Barraba, Manilla, Nundle	\$35 per collection + Voucher
Regional Remote Residential Property	Regional remote areas receiving a waste collection service (generally property is on a route between areas receiving a service)	\$45 per collection + Voucher

Assuming Council wishes to charge a fee then Council may also consider waiving or reducing the collection fee. Previously Council has allowed pensioners and those who can present a disability card some concessions in relation to the use of hoses during sewer water restrictions etc. If Council would like to offer the similar concession, then it is suggested a 50% discount on the cost could be provided for pensioners and those with a disability card.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

As per the body of the report. The charges proposed will not cover the cost of the service provision, which should Council wish to proceed will require funding from the waste reserve.

It should also be noted the service can only be provided with at the costs shown if in house resources are released from current waste related activities as would occur if Council agrees with the recommendation to rationalise opening hours of regional waste facilities as reported to Council elsewhere in the 14 June Council Business Paper. If Council does not support the rationalisation of opening hours, then additional staff would have to be employed to provide the BHWC service at additional cost.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

If Council agrees with the recommendation, the proposed modified Bulky Household Waste Collection service, including any fees payable will be placed on public display for a period of not less than 28 days, seeking public comment on the proposal.

Given the level of public consultation presently underway, it is suggested the commencement of the advertising period for this proposal be delayed until mid-July 2022 to allow finer details of the proposed service to be worked out and to ensure as many members of the public as possible are aware of the proposal and given the opportunity to comment.

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

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

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

### **9.1 LETTER OF CONGRATULATIONS FROM THE MAYOR OF SANNOHE, JAPAN**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** John Sommerlad, Commercial Director - Airport, Aviation, Events and Projects

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Letter of Congratulations from The Mayor of Sannohe, Japan”, Council receive and note the report.*

#### **SUMMARY**

The purpose of this report is to draw to the attention of Council receipt of a letter from the Mayor of Sannohe, Japan congratulating Tamworth on the 50<sup>th</sup> Tamworth Country Music Festival. Sannohe and Tamworth have a long-standing Sister City relationship.

#### **COMMENTARY**

The Mayor of Sannohe, Kazuhiko Matsuo, had intended to travel to Tamworth in April to deliver a personal message of congratulations from the Council and citizens of Sannohe for achieving the milestone of the 50<sup>th</sup> Tamworth Country Music Festival. Mayor Matsuo’s visit had to be postponed due to rising Omicron variant COVID-19 infections in his community. He advised this situation meant it was not a good time for him to leave his community.

While unable to attend in person, Mayor Matsuo wrote a letter of congratulations to the community of Tamworth via the Mayor of Tamworth Regional Council. In his letter Mayor Matsuo referenced what he described as a remarkable feat of staging 50 Festivals and the “extraordinary effort and devotion” of the organisers and the people of Tamworth.

**ATTACHED, refer ANNEXURE 1**

Sannohe is located in the Aomori Prefecture and has a population of approximately 10,000 people. Its primary industry is agriculture.

The Sister City relationship between Tamworth and Sannohe was formally established on 5 July 2001. An informal relationship dates back to 1983 when the former Tamworth City Council began hosting annual visits by the Sakura Princesses who were crowned as part of a Sannohe festival. Sannohe’s relationship with Tamworth, however, dates back further with its origins beginning through Rotary International.

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

Nil

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

Nil

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

Nil

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

Nil

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

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

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**9.2 SISTER CITY PROTOCOL WITH SANNOHE, JAPAN**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** John Sommerlad, Commercial Director - Airport, Aviation, Events and Projects

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Sister City Protocol with Sannohe, Japan”, Council:*

- (i) approve the renewal of the Draft Sister City Protocol for a further five years; and*
- (ii) authorise the Mayor to sign the document.*

**SUMMARY**

The purpose of this report is to seek Council’s approval to renew its Sister City Protocol with the town of Sannohe in Japan. The formal Sister City relationship with Sannohe has existed for 20 years, although Sannohe’s ties with Tamworth stretch over a longer period.

**COMMENTARY**

The current Sister City Protocol between Sannohe and Tamworth, while current, does include a clause that the protocol be reviewed in September 2020. This was to occur post the election of new councils in Tamworth and Sannohe. Due to the COVID-19 pandemic the NSW Local Government elections were postponed. International, national, state and local focus also changed to deal with the ramifications of the pandemic. International borders were closed and travel was restricted. For these reasons, the protocol was not reviewed. In recent months there has been ongoing dialogue between Tamworth Regional Council and Sannohe Town Council about the protocol renewal. Sannohe Town Council and its community advised a strong desire to continue the relationship.

The Mayor of Sannohe Town Council, Kazuhiko Matsuo, and a delegation visited Tamworth in November 2019 and also expressed a willingness to continue the relationship. Mr Matsuo also intended to visit Tamworth in April to congratulate the city on the staging of the 50<sup>th</sup> Tamworth Country Music Festival. His visit was cancelled due the ongoing impact of COVID-19 in his community.

A draft protocol has been prepared following dialogue between both Council representatives and it is presented in this report for Council’s consideration. The draft has been approved by Sannohe Town Council. There are no substantial changes to the previous protocol, although there have been some minor modifications. The draft was prepared by Tamworth and has been written in a way that all Tamworth’s Sister City Protocols will be similar. **ATTACHED**, refer **ANNEXURE 1**

The protocol encourages community engagement from within each community. It also includes a schedule of official visits which in part will be paid for from the Sister Cities Budget.

Tamworth has historically had five sister city relationships. These are with Gore, New Zealand; Sannohe, Japan; Nashville, United States of America; and Chaoyang District

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(Beijing), China. A long-established relationship with Tamworth Borough Council, Staffordshire, England has been dormant for many years.

The new protocol, if adopted, will expire in 2026. Once approved the draft document will be graphically designed to ensure its presentation is in keeping with the nature of the agreement. This has been agreed by both parties.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Funds are allocated in Council's budget to cover Sister City activities. The current budget contains funds of \$16,600 to cover any expenses associated with any of the Sister City protocols.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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### 9.3 SISTER CITY PROTOCOL WITH NASHVILLE, UNITED STATES OF AMERICA

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** John Sommerlad, Commercial Director - Airport, Aviation, Events and Projects

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Sister City Protocol with Nashville, United States of America”, Council:*

- (i) approve the renewal of the Draft Sister City Protocol for a further eight years; and*
- (ii) authorise the Mayor to sign the document.*

#### **SUMMARY**

The purpose of this report is to seek Council’s approval to renew its Sister City Protocol with the city of Nashville in the state of Tennessee, United States of America. The formal Sister City Protocol has existed since 2013. Tamworth, Australia’s Country Music Capital, and Nashville, the world’s most recognised music city, have enjoyed a progressive and beneficial relationship since the formal relationship began.

#### **COMMENTARY**

The formal Sister City Protocol between Tamworth and Nashville was signed in Nashville at a ceremony in the rotunda at the Country Music Hall of Fame and Museum in June 2013. The rotunda contains the plaques of artists who have been elevated to the Hall of Fame and represents the American country music industry’s highest honour. The signing ceremony was only the third time the rotunda had been allowed to be used for any ceremony other than the induction of hall of fame members, reflecting the importance of the two cities relationship.

The protocol expired in May 2021 and contained a clause for both parties to review the relationship and with a desire to continue their association. Due to the COVID-19 pandemic and the postponement of the NSW Local Government elections, along with international border closures, the execution of a new protocol was put on hold. In recent months there has been ongoing dialogue between Tamworth Regional Council through the author of this report and the Executive Director of Sister Cities of Nashville, Sarah Lingo.

Sister Cities of Nashville is a not-for-profit organisation made up of community representatives and is also funded by the Metro Government of Nashville and Davidson County. Nashville Mayor John Cooper is the Honorary Chair and Vice Mayor Jim Shulman are both members of the Board of Directors.

A draft protocol has been prepared following dialogue between Council’s representative and the Executive Director of Sister Cities of Nashville and is for eight years, expiring in December 2029. It contains a clause for both parties to review the protocol in March 2029. The draft is presented in this report for the consideration of Council **ATTACHED**, refer **ANNEXURE 1**. The draft has been approved by Sister Cities of Nashville which has expressed a strong desire to continue the relationship. There are no substantial changes to the previous protocol, although there have been some modifications. The draft has been prepared by Tamworth and has been written in a way that all Tamworth’s Sister City Protocols will be similar. If approved it will be signed by the current President of the Board of Sister Cities of Nashville, Mr Barry Kolar.

Tamworth has received substantial benefit from the relationship. In particular, it has been able to have access to senior people engaged in government and business to learn about Nashville's success as an economic powerhouse. It has been described as the "red hot city of the south" due to its economic development success and ability to attract major businesses and industries to the city. One of its recent most notable success stories is it has become home to the new Amazon Operations Centre. This enterprise has so far employed more than 2,500 employees and is on its way to create more than 5000 new corporate and technology jobs.

Throughout its first eight years, the protocol has also paved the way for high school student visits. A group of Nashville high school students have visited Tamworth in June every second year as well as a group of three students from The Harpeth Hall School who have come to Tamworth each January to work at the Tamworth Country Music Festival as interns.

The Sister Cities of Nashville's Director of Student Exchanges, Claire Coleman, has contacted Council with a request to restart the school student visits in 2023.

The protocol encourages community engagement from within each community. It also includes a schedule of official visits which in part will be paid for from the Sister Cities Budget.

Tamworth has five sister city relationships. These are with Gore, New Zealand; Sannohe, Japan; Nashville, United States of America; and Chaoyang District (Beijing), China. A long-established relationship with Tamworth Borough Council, Staffordshire, England has been dormant for many years.

The new protocol, if adopted, will expire in 2029. Once approved the draft document will be graphically designed to ensure its presentation is in keeping with the nature of the agreement. This has been agreed by both parties.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Funds are allocated in Council's budget to cover Sister City activities. The current budget contains funds of \$16,600 to cover any expenses associated with any of the Sister City protocols.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

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

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#### 9.4 COUNCILLOR ANNUAL FEES FOR THE 2022/2023 FINANCIAL YEAR

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

##### **RECOMMENDATION**

*That in relation to the report “Councillor Annual Fees for the 2022/2023 Financial Year”, Council fix and determine the annual fee payable to Councillors and Mayor of Tamworth Regional Council for the 2022/2023 financial year effective from 1 July 2022, at the maximum allowable amount for a Regional Centre Council.*

##### **SUMMARY**

The purpose of this report is to advise Council on the Local Government Remuneration Tribunal’s decision on the range of fees payable to Councillors and Mayors for 2022/2023.

##### **COMMENTARY**

The Local Government Remuneration Tribunal handed down its 2022 report on 20 April 2022, and determined that there be a 2% increase in the fees payable to Councillors and Mayors in the next financial year given the current economic and social circumstances. The full 2022 Annual Review is **ATTACHED**, refer **ANNEXURE 1**.

Tamworth Regional Council was previously categorised as Regional Centre. The Tribunal must determine the categories of Councils and Mayoral offices at least once every three years under section 239 of the Local Government Act with the last review being undertaken in 2020. Following a review, this year the categories have not changed.

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2022, are determined as follows:

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils – Non-metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

**(a) Policy Implications**

It is a policy decision of the Council to fix and determine the annual fee payable to a Councillor and the Mayor with the restriction that the respective fees must not exceed the maximum amount as determined by the Local Government Remuneration Tribunal.

**(b) Financial Implications**

When prepared, the 2022/23 budget (currently out on public display) factored in a 2% increase for the annual fee payable to the Councillors and Mayor. The 2% increase amounts to \$5,690.00. If this budget is adopted the financial implications of this increase will be nil.

**(c) Legal Implications**

Section 248 of the Local Government Act 1993, provides that a Council must pay each Councillor an annual fee in accordance with appropriate determination made by the Local Government Remuneration Tribunal.

**(d) Community Consultation**

Nil

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

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

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## **10 COMMUNITY SERVICES**

### **10.1 2022/2023 REGIONAL EVENTS MARKETING SUPPORT PROGRAM**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Kate Baker, Co-Ordinator Economic and Destination Development

1 CONFIDENTIAL ENCLOSURES ENCLOSED

#### **RECOMMENDATION**

*That in relation to the report “2022/2023 Regional Events Marketing Support Program”, Council support the recommendation in the enclosed report to provide in-kind and monetary support from the annual Regional Events Marketing Support Program budget.*

#### **SUMMARY**

The purpose of this report is to seek authorisation to allocate \$22,500 from the 2022/2023 Regional Events Marketing Support Program budget to support pre-qualified local regional events.

#### **COMMENTARY**

Applications under the 2022/2023 Regional Events Marketing Support Program, were invited from 7 February to 7 March 2022 inclusive. Promotion of the funding program included a media launch, direct email to database of previous applicants, email to Section 355 committees, e-news, radio interviews, social posts and Northern Daily Leader Column. This year’s applications included a number of new events, which is a key priority of the funding program.

Tamworth Regional Council’s Regional Events Marketing Support Program provides financial and/or in-kind marketing support for marketing activity for events and festivals held within the Tamworth region. Applicants are required to complete a Regional Events Marketing Support

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Program application in full, including all supporting documentation as listed in the checklist on the application form.

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

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

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

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

All applications are assessed against the economic assessment model to determine the economic benefit based on external impact from a median to upper limit. Based on this assessment the applications including the recommended offer of marketing support are detailed in the attached closed report. Due to the commercial nature of a number of applications a closed attachment is provided which details information on the event.

The total economic benefit for all applications for the 2022/2023 Regional Events Marketing Support Program equate to \$9,670,087, with \$3,859,435 generated by estimated external visitation.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Funding from existing Event Support Marketing Program budget allocation.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

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

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

A Prosperous Region P1.1 a strong and diverse economic base and P2.1 Promote region as a great place to visit a great place to live.

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## 10.2 TAMWORTH REGION INCLUSIVE CULTURE ADVISORY COMMITTEE - MINUTES OF MEETING - 13 APRIL 2022

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Kay Delahunt, Manager - Cultural and Community Services  
**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Tamworth Region Inclusive Culture Advisory Committee - Minutes of Meeting - 13 April 2022”, Council receive and note the Minutes.*

### **SUMMARY**

The purpose of this report is to present to Council the Minutes of the Tamworth Region Inclusive Culture Advisory Committee (TRICAC) meeting held on 13 April 2022 and to provide Council with an overview of the meeting outcomes.

### **COMMENTARY**

A meeting of the TRICAC was held on 13 April 2022. The minutes of the meeting are **ATTACHED**, refer **ANNEXURE 1**.

Councillor Coates chaired the meeting which was themed around protocols for interacting with homeless persons. Protocols from other organisations were discussed and guests from Homes North and Tamworth Family Support Services provided valuable insights into homelessness and social inclusion.

The meeting was provided with the NSW Government Protocol Implementation Guidelines and a draft Homeless Persons Protocol (based on the Northern Beaches Homeless Persons Protocol). The draft proposed protocol was discussed briefly and held over to be discussed at the next meeting.

Council’s Co-ordinator Library Services, Shiralee Franks, gave an overview of training that is subscribed to by Central Northern Regional Library called the “Librarian’s Guide to Homelessness” and is conducted by Ryan Dowd. Ryan is the executive director of a large shelter for the homeless near Chicago.

The training gives advice and tools on how to deal with possible problematic behaviours in a homeless shelter. These skills can be transferred to deal with problematic behaviours in libraries.

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

Nil

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

Nil

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

Nil

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

Guests from Homes North and Tamworth Family Support Services addressed the meeting.

The TRICAC includes six community members who represent a broad range of cultural groups. The Committee provides strategic advice to Council in relation to “inclusive culture” within the region and makes recommendations regarding priority areas for development.

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

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

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**10.3 TAMWORTH REGIONAL YOUTH COUNCIL - MINUTES OF THE ORDINARY MEETING HELD ON 26 MAY 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 on 26 May 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 26 May 2022, and provide Council with an overview of the outcomes.

**COMMENTARY**

An Ordinary Meeting of the Tamworth Regional Youth Council was held on Thursday, 26 May 2022. The Minutes of the meeting are **ATTACHED**, refer **ANNEXURE 1**.

The main topics considered at the meeting are summarised below:

- Council’s Manager of Strategy and Performance, Anna Russell presented an overview of the draft *Our Community Plan* which is on public exhibition until Tuesday 7 June, 2022. Young people are an important part of planning for the Tamworth region’s future, and they were encouraged to view the plan and make comment.
- Tamworth Region Youth Mayor Calli Nagle reported back to the Youth Council about a meeting on Thursday, 5 May 2022, where a number of members of the Youth Council met with the Minister for the Arts, Aboriginal Affairs and Regional Youth, The Hon. Ben Franklin and Member for Tamworth, The Hon. Kevin Anderson, MP. It was an open conversation where representatives of youth in the Tamworth region could express and discuss their concerns for regional youth. Topics covered included disability access for youth and the need to support the LGBTQI+ community.
- Youth Mayor Calli Nagle made an address representing Tamworth Regional Youth Council as part of the Council’s Flag Raising Ceremony on Friday, 27 May 2022 to mark the beginning of National Reconciliation Week.

**(a) Policy Implications**

Nil

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**(b) Financial Implications**

**(c) Legal Implications**

Nil

**(d) Community Consultation**

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

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

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

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**11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL**

**RECOMMENDATION**

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

## **TENDER T125/2022 DESIGN AND CONSTRUCTION OF SPORT FIELD LIGHTING RIVERSIDE 3**

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

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (a),(c)&(d) of the local Government Act 1993 on the grounds that the matter and information is personnel matters concerning particular individuals other than Councillors..., 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 seek Council's approval to award Tender T125-2022– Design and Construction of Sports Field Lighting Riverside 3 Tamworth.

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 four 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 high voltage overhead power supply located on Ebsworth Street.

The design of the light poles and LED lights will be undertaken with consideration to universal and environmentally sustainable designs and efficient operations. The lighting will meet Australian Lighting Standards and be managed through a simple but effective mobile phone network, with the inclusion of double ended LED lamps which are sustainable and future proof. The placing of the lighting poles will be around the perimeter of the field and will leave access points open at Carter Street and Solander Drive.

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 also allow the sporting field to be more multipurpose in nature and utilised over 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).

### **LEASE EXTENSION 284 GIDLEY APPLEBY ROAD**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Bruce Logan, Director Water and Waste  
**Reference:** Item 8.2 to Ordinary Council 10 August 2021 - Minute No 233/21  
Item 12.2 to Ordinary Council 26 October 2021 - Minute No 315/21

**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**

The current lease of the Council owned property at 284 Gidley Appleby Road expired on 31 May 2022. The lease conditions allow for the exercise of an option for a further 6 months at Council's sole discretion. The purpose of this report is to seek direction from Council on the exercise of that option.

### **TENDER T095/2022 SUPPLY AND DELIVERY OF READY MIXED CONCRETE**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Sebastian Lees, Technical Officer Plant and Supply

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

#### **SUMMARY**

Tamworth Regional Council (Council) invited panel tenders for the Supply and Delivery of Ready Mixed Concrete, for works within the Council Local Government area which will be carried out by Council's operational staff. The tendering period is for two years commencing 1 July 2022, with the option for an extension of up to 12 months.



### **T132/2022 - RANGARI ROAD CONSTRUCTION TENDER**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Mark Gardiner, Manager Project Planning and Delivery  
**Reference:** Item 12.4 to Closed Council Meeting of 8 February 2022 -  
Minute No. 35/22

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 approval to award a contract for the construction of the Rangari Road Upgrade Project as per the recommendation by the tender evaluation panel.

### **APPLICATION TO APPLY A REDUCTION IN SEWER DISCHARGE FACTOR RETROSPECTIVELY – BAIADA’S OAKBURN RENDERING FACILITY**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager - Water and Environmental Operations  
**Reference:** Item 12.3 to Closed Council 14 July 2020 - Minute No 195/20

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 seek Council direction in relation to a request from Baiada Pty Ltd to have a variation to their Sewer Discharge Factor (SDF) at their Oakburn Rendering Plant applied retrospectively, which is not in accordance with Council’s Policy.

**TENDER T147-2022 GROUNDS MAINTENANCE FOR WATER AND WASTE FACILITIES FOR TAMWORTH REGIONAL COUNCIL**

**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) 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**

Grounds maintenance, by external contractor, for all of Council's Water, Wastewater and Waste Operational Facilities has been occurring since 2016 (80 sites). Prior to this, a three-year contract was in place for the maintenance, by external contractor, of Tamworth and Attunga Water and Wastewater Facilities (27 sites). This contract was originally established with the aim of improving efficiencies and allowing Council's specialist operators to focus on their core role of water, wastewater and waste operations rather than grounds maintenance. The current contract has been in place for the past three years and will expire at the end of the current (2021/2022) financial year. The contract introduction has been considered successful in terms of both budgetary savings and also facility presentation, as the contractor is required to complete maintenance on a scheduled frequency, rather than the as time permits basis that was occurring when operational staff were performing the work. To allow the continuation of services a tender was advertised to allow Council consideration prior to the end of the financial year.

The purpose of this report is to recommend to Council the award of the contract to perform grounds maintenance at Council's Water, Wastewater and Waste Operational Facilities.