



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

12 OCTOBER 2021

**PAUL BENNETT
GENERAL MANAGER**

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

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

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 28 September 2021, copies of which were circulated be taken as read and confirmed as a correct record of the proceedings of the Meeting.

4 **DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

5 **MAYORAL MINUTE**

Nil

6 **NOTICE OF MOTION**

Nil

OPEN COUNCIL REPORTS

7 **ENVIRONMENT AND PLANNING**

7.1 TAMWORTH REGIONAL HERITAGE ASSISTANCE FUND 2021/2022 AND TAMWORTH REGIONAL HERITAGE WORKING GROUP MEETING - 23 SEPTEMBER 2021

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Sam Lobsey, Manager - Development

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Heritage Assistance Fund 2021/2022 and Tamworth Regional Heritage Working Group Meeting - 23 September 2021”, Council:

- (i) *support the recommendations of the Tamworth Regional Heritage Working Group that offers financial assistance through the Heritage Assistance Fund to paint and/or repair, as required, to the owners of the following properties:*

- 1) **885 Nundle Road, Piallamore** **\$ 0.00**

2)	<i>130 Denison Street, West Tamworth</i>	<i>\$ 1,450.00</i>
3)	<i>102 Carthage Street, East Tamworth</i>	<i>\$ 2,500.00</i>
4)	<i>2 Tangaratta Street, Duri</i>	<i>\$ 3,000.00</i>
5)	<i>52 Fitzroy Street, Barraba</i>	<i>\$ 960.00</i>
6)	<i>104 Brisbane Street, East Tamworth</i>	<i>\$ 0.00</i>
7)	<i>55 Upper Street, East Tamworth</i>	<i>\$ 3,000.00</i>
8)	<i>42 Raglan Street, East Tamworth</i>	<i>\$ 1,000.00</i>
9)	<i>147 Marius Street, Tamworth</i>	<i>\$ 0.00</i>
10)	<i>112-130 Caroline Street, Bendemeer</i>	<i>\$ 0.00</i>
11)	<i>112-130 Caroline Street, Bendemeer</i>	<i>\$11,000.00</i>
12)	<i>153 Carthage Street, East Tamworth</i>	<i>\$ 0.00</i>
13)	<i>85-87 Queen Street, Barraba</i>	<i>\$ 2,500.00</i>
14)	<i>57 Stafford Street, Manilla</i>	<i>\$ 1,590.00</i>
15)	<i>69 Darling Street, Tamworth</i>	<i>\$ 4,000.00</i>
16)	<i>112 Fitzroy Street, Tamworth</i>	<i>\$ 3,000.00</i>
17)	<i>52 Upper Street, Tamworth</i>	<i>\$ 3,000.00</i>
18)	<i>14 Rawson Avenue, Tamworth</i>	<i>\$ 4,000.00</i>

(ii) reassign any funding not accepted above towards the below project (in addition to the \$11,000.00 already awarded):

- 112-130 Caroline Street, Bendemeer*

(iii) receive and note the Minutes of the Tamworth Regional Heritage Working Group meeting held 23 September 2021;

(iv) increase the funding allocated to the annual Heritage Assistance Fund for the coming financial year (2022/2023) by an agreed amount and confirm an annual CPI increase to the Heritage Assistance Fund in following years; and

(v) pursue a partnership with Transport for NSW in regards to achieving a fit for purpose building being an Artist in Residence concept at the site of the Tamworth Railway Station Masters House.

SUMMARY

The purpose of this report is to seek authorisation to issue \$41,000.00 in funding from the Tamworth Regional Heritage Assistance Fund 2021/2022. The funding allocation is up to \$41,000.00 which includes up to \$5,500.00 (excluding GST) provided by the NSW Heritage branch grant.

COMMENTARY

Applications under the 2021/2022 Tamworth Regional Heritage Assistance Program, were invited from 21 July 2021 to 16 September 2021 (inclusive). The launch of the funding program included a number of posts on social media together with advertisement in the Northern Daily Leader. Contact was also made with those members of the public who had previously applied for funding, those who had registered an interest in participating in the program and as well as specific industry groups who may have been interested in applying.

A total of 18 applications were received. This year's applications included a diverse range of projects from repairs and maintenance to existing residential properties, churches and hotels. Council's Heritage Working Group has reviewed and assessed each application and Council's Heritage Advisor has provided Council with recommendations in relation to each proposal.

Photographs of each of the properties are **ATTACHED** for the information of Councillors, refer **ANNEXURE 1**.

Projects offered financial assistance under Council's funding program (total of \$41,000.00). It should be noted that grant funding to be received is exclusive of GST.

The applications, together with the recommended offers of assistance, are detailed as follows:

Application 1

885 Nundle Road, Piallamore

Applicant: Meredith Abrams and Brendan Woods
Project Description: External painting and restoration
Heritage Listed: Yes
Total Cost of Work: \$10,175.00 (inclusive of GST)
Assessment/Heritage Advisor
Comments: This particular property received significant funding in 2020/21 and due to the high number of applications received this year it was agreed that this project would not receive additional funding on this occasion.
Funding Amount: \$0.00

Application 2

130 Denison Street, West Tamworth

Applicant: Leesa Bryant
Project Description: Repair and maintenance of paintwork to avoid further damage
Heritage Listed: No (however, in a Heritage precinct area)
Total Cost of Work: \$10,450.00 (inclusive of GST)
Assessment/Heritage Advisor
Comments: This building is contributory within the West Tamworth special character area as defined under the Tamworth DCP 2010. The proposed works including external repainting will provide for an improved street presentation and will assist with the conservation of the dwelling.
Funding Amount: \$1,450.00

Application 3

102 Carthage Street, East Tamworth

Applicant: St Johns Anglican Church

Project Description: Painting the interior of the Church including a general clean together with filling of cracks and holes

Heritage Listed: Yes

Total Cost of Work: \$8,690.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: The St John's Church Group is an important ecclesiastical group, enhanced by the landscaping of the grounds which contain mature native and exotic trees.

The proposed works will assist in major maintenance works supporting the ongoing use of the facility.

Funding Amount: \$2,500.00

Application 4

2 Tangaratta Street, Duri

Applicant: Ben Withers

Project Description: Replace roof of Church

Heritage Listed: Yes

Total Cost of Work: \$19,360.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This church is of local significance to the Catholic community of Duri, however is in poor repair. It is of aesthetic and social significance at a local level and important in the past development of the local parish within Duri. It is additionally a representative example of Federation Gothic Carpenter Style, architecture and design.

The proposed roof replacement will provide for the future care and maintenance of the structure.

The use of traditional materials is a requirement for assistance.

Funding Amount: \$3,000.00

Application 5

52 Fitzroy Street, Barraba

Applicant: Alison Gadd (Barraba Anglican Church)

Project Description: Replace window sills on the eight (8) windows around the Parish Hall

Heritage Listed: Yes

Total Cost of Work: \$2,112.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: The building is locally significant in terms of its usage as a church for spiritual, cultural and social reasons and is

representative of the importance of churches in rural communities. It is Important in the course and nature of local parish development. This Church is also representative of Federation Romanesque style church.
Major maintenance works are supported.

Funding Amount: \$960.00

Application 6

104 Brisbane Street, East Tamworth

Applicant: Angela Brown
Project Description: External repair work (plumbing)
Heritage Listed: No
Total Cost of Work: \$10,660.69 (inclusive of GST)

Assessment/Heritage Advisor

Comments: Due to the large amount of applications received and the structure not being heritage listed it was agreed that no funding would be granted to this project.

Funding Amount: Nil

Application 7

55 Upper Street, East Tamworth

Applicant: Bruce and Lea Lobban
Project Description: Replacing roof to front of home
Heritage Listed: Yes
Total Cost of Work: \$10,950.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This dwelling is part of an important group of workers cottages. The reroofing of the dwelling will assist in the future conservation of the property.

Funding Amount: \$3,000.00

Application 8

42 Raglan Street, East Tamworth

Applicant: Holly Bouveng
Project Description: Painting the external façade and replace all guttering on main residence.
Heritage Listed: Yes
Total Cost of Work: \$20,713.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This is good example of a late Victorian country vernacular house. The works will provide for improved street presentation and maintenance of the dwelling.

Funding Amount: \$1,000.00

Application 9

147 Marius Street, Tamworth

Applicant: Daniel Whitten (Tamworth Hotel)

Project Description: Maintenance to rear of building

Heritage Listed: Yes

Total Cost of Work: \$14,159.20 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This particular property received funding in 2020/21 and due to the high number of applications received this year it was agreed that this project would not receive additional funding on this occasion.

Funding Amount: \$0.00

Application 10

Bendemeer Hotel, 112-130 Caroline Street, Bendemeer

Applicant: Leanne Summers

Project Description: Restore the main foyer, staircase and upstairs accommodation hallways

Heritage Listed: Yes

Total Cost of Work: \$13,300.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This particular property submitted two applications and as this project relates to interior works it was agreed that no funding would be offered on this occasion.

Funding Amount: \$0.00

Application 11

Bendemeer Hotel, 112-130 Caroline Street, Bendemeer

Applicant: Leanne Summers

Project Description: External repainting and restoration of exterior features

Heritage Listed: Yes

Total Cost of Work: \$68,970.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: The Bendemeer Hotel is important in the course of the cultural history of the area. Bendemeer would have been an

important stop for weary travellers, and to this day the hotel remains an important focus of activity for the community.

The proposed external repainting works will have a substantial and positive impact on the building's contribution to the town.

Funding Amount: \$11,000.00

Application 12

153 Carthage Street, East Tamworth

Applicant: Claire Flynn

Project Description: Repair and restoration of front Victorian verandah.

Heritage Listed: Yes

Total Cost of Work: \$26,021.80 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This particular property received significant funding in 2020/21 and due to the high number of applications received this year it was agreed that this project would not receive additional funding on this occasion.

Funding Amount: \$0.00

Application 13

85-87 Queen Street, Barraba

Applicant: Gary and Sandra Allen

Project Description: Minor repairs and painting front of building

Heritage Listed: Yes

Total Cost of Work: \$5,000.00 (GST not applicable)

Assessment/Heritage Advisor

Comments: This building is an integral component of the Barraba streetscape due to its architectural and design elements and is representative of the type of building of its time.

The proposed works in a sympathetic colour scheme will contribute to the street presentation of the building.

Funding Amount: \$2,500.00

Application 14

57 Strafford Street, Manilla

Applicant: Rodney Keys and Rebecca Harley

Project Description: Replacement of veranda boards and posts to be coordinated with repairs to foundations.

Heritage Listed: Yes

Total Cost of Work: \$3,500.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This building is significant as it forms a part of the community's heritage housing stock in Manilla and is an important feature in the Manilla streetscape. The proposed works are considered a high priority necessary for the conservation of the structure.

Funding Amount: \$1,590.00

Application 15

69 Darling Street, Tamworth

Applicant: Stephen Blanch
Project Description: Replace existing roof and gutters
Heritage Listed: Yes
Total Cost of Work: \$31,731.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This building forms part of a significant group in an unusual local architectural style.
The proposed works will provide for the ongoing conservation of building fabric.
The use of traditional materials is a requirement for funding assistance.

Funding Amount: \$4,000.00

Application 16

112 Fitzroy Street, Tamworth

Applicant: Clinton and Penny Clunas
Project Description: Internal and external painting and repairs to brickwork and timber
Heritage Listed: No
Total Cost of Work: \$27,072.00 (inclusive of GST)

Assessment/Heritage Advisor

Comments: This property is considered to be contributory within the East Tamworth special character precinct as defined under the Tamworth DCP 2010. The proposed works will maintain the street presentation of the dwelling.

Funding Amount: \$3,000.00

Application 17

52 Upper Street, Tamworth

Applicant: Thomas and Sarah Radford
Project Description: External painting and restoration

Heritage Listed: No
Total Cost of Work: \$10,450.00 (inclusive of GST)
Assessment/Heritage Advisor
Comments: This property is considered to be contributory within the East Tamworth special character precinct as defined under the Tamworth DCP 2010. The proposed works will maintain the street presentation of the dwelling.
Funding Amount: \$3,000.00

Application 18

14 Rawson Avenue, Tamworth

Applicant: Ria and Phillip McPherson
Project: Repoint mortar and replacement of barge boards
Heritage Listed: Yes
Total Cost of Work: \$23,760.83 (inclusive of GST)
Assessment/Heritage Advisor
Assessment/Heritage Advisor
Comments: This dwelling is part of a consistent group of turn of the century cottages. The proposed works will assist in the maintenance of significant building fabric.
The use and application of traditional materials and methods is required for funding assistance.
Funding Amount: \$4,000.00

Tamworth Regional Heritage Working Group (TRHWG) Meeting

The Minutes of the TRHWG meeting held on 23 September 2021, are **ATTACHED**, refer **ANNEXURE 2**.

The main purpose of the meeting was to review and assess the 2021/22 Tamworth Regional Heritage Assistance Fund applications. The recommendations from the Working Group are outlined in this report for Council's consideration. It is recommended that Council receive and note the Minutes of this particular meeting.

Future Heritage Assistance Fund Allocation

It was discussed during the meeting that the annual funding allocation provided by Council to the Heritage Assistance Fund has not been reviewed for some considerable time and that the cost of appropriate materials and skilled and experienced contractors has increased significantly in recent years.

Recognising the increasing community interest in the Region's heritage and the economic and tourism benefits that flow from the Region's heritage assets, the Working Group considered it timely that Council reviews the funding allocation by way of an increase to the 2022/2023 allocation and an annual CPI increase in future years.

Such an increase would be consistent with and assist in the achievement of the Council's Blueprint 100 objective to “*preserve and celebrate the character, heritage and culture of our city, towns and villages*”.

CONCLUSION

The Heritage Assistance Funding program, with the support of the NSW Heritage Branch, continues to provide funding to assist Council and the community to deliver excellent heritage and urban design outcomes not only for the owners, but in maintaining and conserving the Region's heritage assets, for the benefit of the community. The restoration and rehabilitation projects that will be undertaken during this year's funding program will be eligible for the Tamworth Regional Biennial Heritage Awards to be held in 2022.

(a) Policy Implications

Nil

(b) Financial Implications

The recommended funding allocations, as outlined in this report, are in accordance with the \$41,000.00 allocated under the 2021/2022 budget

(c) Legal Implications

Nil

(d) Community Consultation

Community consultation included promotion of the program via the media and direct contact with those members of the public who had registered an interest in participating in the program.

(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 INFRASTRUCTURE AND SERVICES

8.1 IPART'S FINAL DETERMINATION - WATER NSW'S AND THE WATER ADMINISTRATION MINISTERIAL CORPORATION'S BULK WATER CHARGES TO 30 JUNE 2025

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

Reference: Item 8.2 to Ordinary Council 13 April 2021 - Minute No 82/21

4 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “IPART's Final Determination - Water NSW's and the Water Administration Ministerial Corporation's Bulk Water Charges to 30 June 2025”, Council:

(i) receive and note the report; and

(ii) fund additional costs Council will incur to access bulk water across all Council's

supplies in the current financial year from the Water Reserve.

SUMMARY

The NSW Independent Pricing and Regulatory Tribunal (IPART) has released its final determination for the charges Water NSW and the Water Administration Ministerial Corporation (WAMC) will levy for bulk water across NSW for four years commencing 1 October 2021 through to 30 June 2025.

COMMENTARY

There are two Government entities or agencies responsible for the delivery of bulk water to customers in NSW:

- Water NSW owns and operates the dams and other assets that collect and store bulk water in NSW and provide services to bulk water customers; and
- WAMC is the entity responsible for water resource management in NSW. This includes developing plans for sharing water between users and the environment, administering water licences and allocations, and ensuring compliance with water laws and licences. WAMC is comprised of various divisions within the Department of Planning, Industry and Environment and the Natural Resource Access Regulator.

The charges levied by Water NSW and WAMC are regulated by IPART. Reviews are undertaken by IPART, usually on a four-year rotation, with the latest review for the period 1 July 2021 to 30 June 2025. IPART recommends the maximum charges that can be levied by the two entities and the NSW Government has the option of not applying the full increases, but to date has not elected to do so. Once IPART makes its final determination, Water NSW and WAMC will levy the charges, as determined by IPART, failing any intervention from Government, for four financial years beginning in 1 July 2021.

IPART bulk water pricing reviews usually follow a similar process. IPART announces the review, releases an issues paper and calls for submissions in relation to the issues paper. IPART then hands down a draft determination and calls for submissions on the draft determination. Following consideration of any submissions, IPART hands down its final determination.

The latest review into the charges levied by Water NSW and WAMC was announced in 28 July 2020, and an issues paper was released on 15 September 2020. IPART's draft determination was released on 16 March 2021, with public submissions closing on 16 April 2021. Following consideration of the draft determination by Council at its Meeting of 13 April 2021, a submission was made to IPART in relation to the draft determination.

Water NSW levies charges on water sourced from regulated rivers only, whilst WAMC levies charges from regulated and unregulated rivers and all groundwater.

Various towns and villages across the Council area access water for a variety of uses and from a variety of sources. A document that details the entitlements held by Council in both surface and groundwater, regulated and unregulated supplies, the amount used from each entitlement on average each year and the estimated amount Council will pay in 2020/2021, to one, or both, Water NSW and WAMC for access to that water, is **ATTACHED**, refer **ANNEXURE 1**.

IPART has now released its final determination. The release was delayed for IPART to seek more information in relation to charges levied for bulk water meters and, as a result, the new charges will come into effect from 1 October 2021.

In general, the charges in the final determination are less than those included in the draft determination. The table below shows the prices Council would have paid for each centre under the draft determination compared to under the final determination.

	2020/2021	Draft Determination	Final Determination	% increase from 2020-2021 – final determination
Tamworth	\$927,654	\$1,283,176	\$1,229,215	33%
Manilla	\$5,880	\$7,732	\$7,665	30%
Barraba	\$12,051	\$17,460	\$17,384	44%
Nundle	\$530	\$470	\$498	-6%
Bendemeer	\$336	\$244	\$245	-27%
Attunga	\$645	\$570	\$604	-6%
Kootingal	\$2,046	\$1,966	\$2,078	2%
Total	\$949,142		\$1,257,689	

A document with greater detail of the increases for each of the water supplies administered by Council is **ATTACHED**, refer **ANNEXURE 2**. The annexure also shows:

- prices for unregulated rivers and groundwater will generally fall under the final determination;
- prices for regulated rivers will increase substantially:
 - Barraba – 47% increase (44% increase across all sources);
 - Manilla – 47.7% increase (30% increase over all sources); and
 - Tamworth – 34% increase (33% increase over all sources).
- as for centres that do not take water from a regulated river:
 - Nundle – 6% decrease overall;
 - Bendemeer – 27% decrease overall; and
 - Attunga – 6% decrease.
- for Tamworth, Moonbi and Kootingal:
 - the charges for water sourced from Chaffey Dam in 2021/2022 will be \$1,205,725 – a 34% increase on the charges in 2020/2021 of \$900,078;
 - the cost of water sourced from Dungowan Dam will reduce by 17%;
 - the cost per megalitre of water sourced from Chaffey Dam in 2021/2022 – assuming the average annual consumption of 4,974ML, will be **\$242.41/ML**; and

- compare that price with the cost per megalitre of water sourced from Council's Dungowan Dam in 2021/2022, assuming the average annual consumption of 3,311ML, will be **\$5.27/ML**.

The following points are also highlighted for Council's consideration:

- almost all of the increases can be attributed to increases in Water NSW charges;
- the new Chaffey Dam pipeline is not included in the list of assets maintained by Water NSW in the Peel Valley in the current determination, and barring a request to IPART to undertake an interim reassessment, the cost to operate and maintain the Chaffey Dam Pipeline will be borne by Water NSW for the next 4 years;
- IPART has not changed the present fixed (80%) to usage (20%) split up in the Peel Valley;
- IPART continue to support users pay charges. A document detailing the comparison of costs paid by Council in the Peel, versus what the same volume of water would cost from other valleys in Western NSW is **ATTACHED**, refer **ANNEXURE 3**; and
- the increase in costs paid by Council for water from Chaffey Dam compared to inflation is detailed in the document **ATTACHED**, refer **ANNEXURE 4**.

Looking at Tamworth, Moonbi and Kootingal, if the final determination price rises are passed on in full then the cost to consumers in those areas can be calculated as follows:

Council's average income from annual water charges (service availability charges) over the last 5 years	\$6.78M
Fixed bulk water charges in 20-21 (Water NSW and WAMC) - Chaffey & Dungowan Dam	\$790,952
Fixed bulk water charges in 21-22 (Water NSW and WAMC) under the final determination - Chaffey & Dungowan Dam	\$1,064,256
Increase in fixed charges 21-22 to 20-21	\$273,304
% increase in annual fixed charges 21-22 to 20-21	4.03%
21-22 Service availability charges – 20 mm meter	\$289
4.03% increase in service availability charge	\$11.65
Council's average annual income from consumption charges over the last 5 years	\$12.26M
Usage charges for bulk water in 20-21 (Water NSW and WAMC) assuming average annual consumption from Chaffey & Dungowan Dam	\$130,240
Usage charges for bulk water in 21-22 (Water NSW and WAMC) assuming average annual consumption from Chaffey & Dungowan Dam under the final determination	\$158,933

Increase in usage charges 21-22 to 20-21	\$28,693
% increase in usage charges 21-22 to 20-21	0.23%
Average annual residential consumption last 5 years	267 KL
Cost of average residential consumption at 21-22 consumption charges	\$437.88
0.23% increase in cost of residential consumption	\$1.02
Total increase in residential charge (fixed and usage) under the 21-22 final determination	\$12.67

(a) Policy Implications

Nil

(b) Financial Implications

Based on IPART’s final determination, the annual cost to Council to provide water to its customers over the 6 water supply schemes will rise to \$1,257,689 (assuming average annual volumes are accessed from each source) from \$949,142 - an increase of 32.5% in the 2021/2022 financial year compared to the 2020/2021 financial year.

It is proposed Council consider whether these increases in charges should be passed onto customers as part of its budget deliberations for the 2022/2023 financial year and the charges levied in the current financial year not be changed. If Council was to agree with this proposal then the additional cost of accessing bulk water in the current financial year will be funded from the Water Reserve.

(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

8.2 TAMWORTH GLOBAL GATEWAY PARK - PROJECT UPDATE

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Graeme McKenzie, Manager, Project Management and Engineering Services
Reference: Item 8.3 to Ordinary Council 15 December 2020 - Minute No 391/20
 Item 9.1 to Ordinary Council 8 September 2020 - Minute No 275/20

Item 8.1 to Ordinary Council 28 July 2020 - Minute No 204/20
Item 9.9 to Ordinary Council 26 May 2020 - Minute No 114/20
Item 9.5 to Ordinary Council 28 April 2020 - Minute No 110/20
Item 12.4 to Ordinary Council 11 February 2020 - Minute No 25/20

RECOMMENDATION

That in relation to the report “Tamworth Global Gateway Park - Project Update”, Council:

- (i) receive and note the update on the Tamworth Global Gateway Park project; and***
- (ii) authorise the General Manager to enter into a future contract for electrical infrastructure at the Intermodal rail slew subject to completion of a tender and confirmation of additional full funding being provided by Transport for NSW through the Rail Reactivation Project.***

SUMMARY

This report provides an update in relation to progress of the proposed industrial development known as the Tamworth Global Gateway Park (TGGP).

The report provides a short summary of the status of the infrastructure projects that make up TGGP. These include:

- rail line reactivation;
- Country Road roundabout;
- trunk drainage project;
- Goddard Lane roadworks (Stage 1);
- Intermodal access roads (Stage 2);
- Business Park Project (Stage 3); and
- Jewry Street extension.

The report also updates progress in relation to sales and marketing of the TGGP land.

COMMENTARY

Since the last report to Tamworth Regional Council in December 2020, there has been considerable effort and activity in relation to the overall TGGP project. This report provides an update to Council on progress and current anticipated timelines for delivery of each project.

Rail Line Reactivation Project

John Holland Rail (JHR) have continued to progress the reactivation of the rail line during 2021 despite the rain. Timelines for the actual delivery of some components of the work were pushed back during the year, but JHR have delivered an operational rail line by 26 September 2021. Minor tidy up works and commissioning of the level crossing controls are still to be undertaken but these do not impact the overall project.

JHR closed the Mahony Avenue pedestrian crossing on 9 September 2021, after having displayed signs at the actual crossing advising the public that the crossing would be closed from the end of August. In an attempt to inform the public of the closure and other options available for crossing the rail, additional signs have been installed in a number of locations

advising the public of the closure and to direct pedestrians to either the Stewart Avenue overpass or to the Denison Street level crossing. As part of the pedestrian level crossing closure, Transport for NSW (TfNSW) have also funded additional works to improve the local connectivity for pedestrians, including new footpaths in the Denison Street vicinity. These are still yet to be scheduled for construction.

As part of the State funded rail reactivation project, Council was required to deliver the following package of works:

Track and signal works on the Intermodal site

This component of the project has not commenced at this stage and will be incorporated into the construction of the Intermodal, which will be completed by Qube.

Roadwork associated with Gunnedah Road level crossing

JHR have completed preliminary work in the vicinity of the level crossing as part of the installation of boom gates, signalling and new track. Whilst this work was being undertaken, Council undertook deep lift asphalt road pavement works in the rail corridor. The remainder of Council's work package at this level crossing included the removal of the road crossing sections of the disused private rail sidings into the Boortmalt factory and the Shell fuel depot, and also the reconstruction of the existing road pavement in this immediate area. This roadwork will be undertaken by Council crews and is currently scheduled for late October 2021.

Roadwork associated with Dampier Street level crossing

JHR have completed preliminary work in the vicinity of the level crossing as part of the installation of boom gates, signalling and new track. The scope of the actual roadworks required will be less than was originally budgeted for. The major component of Council's work at this intersection is the installation of smart signage to alert motorists of the imminent closure of the level crossing and provide them with an opportunity to take an alternative route.

The smart signage components arrived in Tamworth in late August and will be erected and commissioned in conjunction with the commissioning of the level crossing signalling by JHR. Although they will be in place and operational, they won't need to function until the trains start running. At that stage, it is envisaged that a communications strategy will be required to educate the community on options available for the times when the level crossing is closed.

Roadwork associated with Evans Street level crossing

JHR have completed preliminary work in the vicinity of the level crossing as part of the installation of boom gates, signalling and new track. Council will complete final road improvements in Evans Street, south of the level crossing, and also intersection upgrade works at Wallamore Road and Evans Street.

Intersection upgrade at intersection of Wallamore Road and Evans Street

These intersection upgrade works were deemed necessary to increase safety on Wallamore Road when the level crossing is closed. The upgrade provides storage capacity for vehicles turning from Wallamore Road into Evans Street whilst maintaining through traffic on Wallamore Road. The intersection upgrade has largely been completed with a minor power relocation still to be undertaken as well as the installation of signage and linemarking.

During the design of the intersection upgrade there was a safety issue identified, which remains unresolved. The distance between the rail boom gate and Wallamore Road is approximately 10 metres, which creates a short stacking issue for vehicles when the level

crossing is closed. The recommended solution is to restrict longer vehicles (greater than 10 metres) from using the level crossing by limiting long vehicle access to Evans Street. This proposal will need to be considered separately by the Tamworth Regional Local Traffic Committee, with a subsequent report and recommendation coming back to Council for approval.

High voltage power relocation near new rail line to intersection to Intermodal

At the location where the future rail line leaves the existing rail corridor and crosses Goonan Street, prior to entering the TGGP land, the rail line needs to cross significant Essential Energy (EE) infrastructure. The delivery path for this component of the project was complex and involved multiple parties identified as follows:

- Council – Owners of the TGGP land;
- Qube Logistics – Will build and operate the Tamworth Intermodal Freight Facility;
- TfNSW – Representing NSW Government as the owners of the rail corridor for the activation of the rail line;
- JHR – Contracted to maintain the rail corridor for TfNSW;
- Lindsay Dynan – Engineering consultants undertaking the design for JHR for the rail line activation as well undertaking the design for Qube for the Intermodal site,
- Direct Engineering – ASP3 electrical designer commissioned by Lindsay Dynan, responsible for undertaking electrical design for components relating to the rail line activation and Intermodal site development;
- EE – Asset owner for the infrastructure to be adjusted and the consent authority for the design and construction; and
- Quanta Power Pty Ltd (Quanta) – Electrical company engaged by Council to undertake the work.

The State Government is funding the rail reactivation project, which includes the delivery of this sub project. The overall rail reactivation project is being managed by TfNSW. Direct Engineering/Lindsay Dynan/JHR are responsible for the design of the electrical works in accordance with both JHR technical requirements and EE design and operational requirements. Council are responsible for engaging an electrical contractor for the delivery of the works.

The powerline design has been problematic with a number of iterations. The response times from EE have also been very long due to workload and capacity constraints within the organisation. A significant change in the work scope also occurred following late identification by EE of an operational constraint on the high voltage power lines involved that required a major change to the design and the method of undertaking the work.

At this stage, the solution to this issue is being worked through with TfNSW to settle on the best path forward to deliver the works and source the additional funding required to undertake the work, in accordance with the EE requirements. It is anticipated that Council will be required to sign a contract for these works following a tender period that will close after Council enters caretaker mode prior to the upcoming local government elections. Staff investigations indicate the value of the contract to be in the range of \$500,000 to \$1 million.

This report seeks approval from Council to authorise the General Manager to enter into a future contract for electrical infrastructure at the Intermodal rail slew, subject to completion of a formal tender and confirmation of the additional funding being provided by TfNSW.

Gas main protection slab near rail line to Intermodal

The scope of works proposed originally was to construct a protection slab over the gas main where the new rail line crosses existing gas infrastructure, to protect their asset from the high loads generated by the rail loading. The gas authority, APA, has accepted that the protection slab is not necessary given that there is in excess of one metre of structural earth fill to be added to the existing cover over the main. Minor works in relation to APA requirements are expected to be completed by Council teams in October.

Country Road Roundabout

The Country Road roundabout project has been progressing but with delays primarily caused by setbacks in relocating the high voltage power lines at the site, extensive wet weather and unsuitable road pavement subgrade.

The delays to the relocation of the high voltage lines were caused by a combination of design and redesign issues, material procurement of the long lead electrical items and being able to lock in appropriate electrical outages to complete the work. The impact of the electrical delays has caused a time extension of the project. Recently a variation for some changes to pole types required by EE have also generated a financial variation that is still being resolved.

Delays caused by rain were a result of the unseasonal frequency of the rainfall events during our winter.

The issues with the subgrade material have been extensive, caused by a combination of the natural in situ clays and additional moisture from the prolonged wet weather. The impacts of the rain and the subgrade were twofold. The rain has caused lost time on the wet days and also the additional days waiting for things to dry out. The wet subgrade has been treated by some bridging and stabilisation, but mostly the unsuitable material has been removed and replaced with a more competent material, which takes longer and generates additional costs.

The current construction program shows the roundabout operational at the beginning of April 2022. The project management team are currently estimating a project overrun for completion of the roundabout. Should this be the case, it will be confirmed at a later Council Meeting through a separate report.

Trunk Drainage Project

The delivery of this project is well advanced. The project consists of four culverts referred to as culverts 2 to 5 (inclusive), that extend under Wallamore Road, through the rail corridor and through the Goonan Street road reserve. Culvert 2 extends considerably through the TGGP development to provide the stormwater drainage solution for the early stages of the development.

The project has been progressively delivered to meet the requirements of the various stakeholders and align with constraints driven by procurement of culvert units, design and the necessary approvals. For instance, stormwater construction is usually planned to be delivered working from the bottom of the catchment up, so there is always a drainage solution available for the current workspace. The various constraints resulted in non-standard scheduling of the work, which complicated the delivery process and was worsened by the particularly wet construction period we have experienced.

The project team is continuing to identify opportunities to expedite completion and minimise any overrun. Should there be an overrun on this project it will be confirmed at a later Council Meeting through a separate report.

Goddard Lane (Stage 1)

Construction of the Goddard Lane widening project is coming to an end, with all civil components expected to be completed by the end of October.

Electrical infrastructure for this project has been installed. Currently there is a delay with EE for the connection into their high voltage network. There are four connections to be undertaken and EE are restricting the timing available for the contractor to reduce the risk of significant outages affecting the remainder of the Glen Artney Industrial Estate.

The lots fronting Goddard Lane should have all services available by the end of November 2021.

Intermodal Access Road (Stage 2)

This component of the TGGP is currently being delivered by a private contractor and civil work is expected to be completed by the end of November, which will align with completion of the electrical services for the site, including the energisation of the electrical network.

This project was partly funded by the Federal Government with a \$2.2 million contribution. Council has applied to the Federal Government for a variation to increase the scope of the project, whilst not exceeding the original funding. Council has recently received confirmation from the Federal Government that this variation had been approved. The variation included inter-allotment drainage to lots on the southern boundary of the Intermodal and the extension of the Intermodal Access Road to construct a cul-de-sac for Stage 4 of the TGGP development.

Both the Goddard Lane and Intermodal Access Road projects have been delivered well below original budget levels and have allowed the following works to be funded from the remaining available budget:

- Council's 50% contribution to the variation described above;
- TGGP buffer landscaping;
- entrance statement signs and structures;
- Country Road roundabout sculptures; and
- extension of the second Goddard Lane access – to facilitate sales of adjacent lots.

Business Park Project (Stage 3)

This component of the TGGP will be the first release area in the Business Park, with access off the Country Road roundabout.

A separate report in Closed Council makes recommendations to appoint a contractor to undertake the work for this initial stage of the Business Park. Pending the outcome of that report, it is anticipated that the contractor will commence work on Stage 3 in November 2021 and will complete construction around the time of the anticipated completion of the Country Road roundabout.

Jewry Street Extension

This project has also been delayed, primarily due to the iterations around flooding investigations related to co-ordinating this project with the Taminda Planning Proposal.

Now that the planning proposal is not proceeding, the design of the Jewry Street Extension is being progressed using an at ground level solution for the road across the Timbumburi Creek floodway.

Currently the flood modelling is being finalised to confirm no adverse impacts from the road extension on the adjoining property. Once this is confirmed, the civil design for the road will be finalised to allow construction to proceed in early 2022.

Marketing and Sales

Stage 1 sales enquiry has been particularly strong. Currently 83% of Stage 1 lots are either under contract or on hold pending Council reports. Contracts were exchanged in the last week of September for one of the Stage 1 lots. Projected sales income for 83% of lots (72% by area) is \$8.9 million.

Stage 2 enquiry is also sound with several lots currently on hold. There has also been a strong enquiry from a large group looking to relocate from Sydney and potentially purchasing 100,000 square metres of land adjacent to the Intermodal site, recognising the logistical value for their business with close proximity to rail.

(a) Policy Implications

Nil

(b) Financial Implications

The TGGP represents a significant investment by Council aimed at generating economic growth, jobs and business activity in industrial development. Marketing and sales have so far been very promising, but needs to continue to ensure that Council achieves its business plan targets.

(c) Legal Implications

Nil

(d) Community Consultation

The TGGP Project Control Group are coordinating media releases with Council's communications team and the TGGP project progresses.

(e) Delivery Program Objective/Strategy

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

8.3 NSW GOVERNMENT NON-URBAN WATER METERING POLICY

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “NSW Government Non-Urban Water Metering Policy”, Council:

- (i) receive and note the report;***
 - (ii) request a Policy exemption from the NSW Government for water supply systems that have existing water meters connected to Council’s Supervisory Control and Data Acquisition (SCADA) system;***
 - (iii) allocate \$65,000 from the wastewater reserve to upgrade metering at 13***
-

- groundwater sites, located on sewer asset/operational land, and;*
- (iv) allocate \$75,000 from the water reserve to upgrade metering at 15 sites used for irrigation of parks, gardens and sporting fields.*

SUMMARY

The NSW Government has recently updated the NSW Non-Urban Water Metering Policy. This report provides Council details on the requirements of Council and associated costs for achieving compliance with this policy.

COMMENTARY

The NSW Government has recently updated the NSW Non-Urban Water Metering Policy. The updated policy is **ATTACHED**, refer **ANNEXURE 1**. The new framework is a commitment under the NSW Government's Water Reform Action Plan, released in December 2017, in response to the independent investigation into NSW water management and compliance, conducted by Ken Matthews, AO (the Matthews Report) and the Murray–Darling Basin Water Compliance Review (the MDB Compliance Review).

The purpose of the new metering framework is to improve the standard and coverage of non-urban water meters in NSW.

The Regulation sets out the requirements that must be complied with by all holders of approvals, licences and entitlements who are subject to the metering condition. It also prescribes which holders are excepted from the metering condition, based on thresholds.

The objectives of the new metering framework are to ensure that:

- the vast majority of licensed water take is accurately metered;
- meters are accurate, tamper proof and auditable;
- undue costs on smaller water users are minimised; and
- metering requirements are practical and can be implemented effectively.

The policy applies to all surface water pumps above 100mm diameter and groundwater bores above 200mm diameter. It also applies to all groundwater bores, irrespective of diameter within 'at risk groundwater sources' which includes the Peel Alluvium aquifer. The policy also specifies the standards for meters that are required to be installed to comply with the policy. In summary, a water user who installs a new meter, or is required to replace a meter, needs to:

- ensure the meter is pattern approved;
- have the meter installed and validated by a duly qualified person;
- have the meter fitted with a combined data logger and telemetry unit that complies with the Data Logging and Telemetry Specifications 2020, tamper-evident seals, and where required, connected via telemetry to the NSW Government's data acquisition service; and
- submit the completed validation certificate to the Minister within 28 days of receiving it from the duly qualified person.

There are two stages to the policy implementation. This first stage relates to surface water meters above 500mm in diameter. The inspection and validation of these meters was due by

1 December 2020. For Council, this stage applied to large water supply pipelines associated with the Tamworth water supply, i.e. Dungowan Pipeline and Peel River intake. These water supplies have existing magnetic flow meters and these meters were inspected and certified by a duly qualified person prior to 1 December 2020.

The second stage of the policy implementation applies to all surface water pumps above 100mm diameter and groundwater bores above 200mm diameter. It also applies to all groundwater bores, irrespective of diameter within 'at risk groundwater sources' which includes the Peel Alluvium aquifer. Council is required to comply by the regulation by 1 December 2021.

A review of Council's water access licences was recently completed to identify impacted surface and groundwater sites. As part of this review, sites were accessed as active or inactive. Those deemed to be inactive or currently not in use do not require any work at this time to comply with the policy.

The review identified that Council has 45 active sites that require upgrade to comply with the policy. These sites can be further categorised as per the following:

- 15 sites are connected to Council's potable water supplies. All of these sites have existing magnetic flow meters that are not listed on the policy approved list. The existing meters installed are more accurate than those on the approved list and these meters are connected to Councils Supervisory Control and Data Acquisition (SCADA) systems. Councils SCADA systems could be used to transmit data to the NSW regulator Data Acquisition Service. In addition, the installation of additional pattern approved flowmeters would be complex at these sites requiring additional civil work such as flow meter pit installation. The total project cost to upgrade all these sites would be in the order of \$250,000. Given that Council has a more accurate metering system already in place that collates the relevant data and this data could be transferred to the regulator, it is proposed to request an exemption for these sites from the NSW Governments Natural Resources Access Regulator (NRAR);
- 15 groundwater sites are on sewer asset/operational land that is not connected to water supplies or SCADA systems. These sites are currently mechanically metered and physically read and will require meter upgrades to comply with policy requirements. Of these sites, two are leased and the lessee is responsible for upgrading the site to comply with the policy. For these sites, letters have been sent to the lessees for their action and compliance. It is estimated the cost to upgrade each of these sites on average to comply with the policy would be \$5,000 per site or a total cost of \$65,000. It is proposed to fund these works from Council's Wastewater Reserve; and
- 15 groundwater sites are associated with the Sport and Recreation Division and are used for groundwater irrigation of parks, gardens and sporting fields. These sites are currently mechanically metered and physically read and will require meter upgrades to comply with policy requirements. The estimated cost to upgrade each of these sites on average to comply with the policy will be \$5,000 per site or a total cost of \$75,000. It is proposed to fund these works from Council's Water Reserve, in accordance with the agreement between Water & Waste and Regional Services, that Water & Waste will act as the licence holder and fund all initial capital costs to set up the bores for park/field irrigation, in order to reduce the ongoing use of treated water on sports fields irrigation.

All of the above works will be undertaken by the Water Operations Division. To minimise installation and ongoing maintenance and inspection costs, electrical staff within the Division have been trained to be ‘duly qualified persons’ as required under the Policy.

(a) Policy Implications

Nil

(b) Financial Implications

\$140,000 is required to be allocated from the to upgrade metering at 28 groundwater sites, located on sewer asset/operational land and also sites used for irrigation of parks, gardens and sporting fields.

No funding is available in the current budget to fund this work. Assuming Council agrees the work is required then it is recommended funding will have to be provided from the Water and Wastewater Reserves.

(c) Legal Implications

Council is required to upgrade sites to comply with the NSW Non-Urban Water Metering Policy.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 PUBLIC INTEREST DISCLOSURES AND CODE OF CONDUCT COMPLAINTS

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

RECOMMENDATION

That in relation to the report “Public Interest Disclosures and Code of Conduct Complaints”, Council receive and note the report.

SUMMARY

The purpose of this report is to advise Council of any Public Interest Disclosures and Code of Conduct complaints made to Council from 1 July 2020 to 30 June 2021.

COMMENTARY

Public Interest Disclosures

Council is required under the Public Interest Disclosures Regulation 2011, to provide information in relation to Public Interest Disclosures in the Annual Report each year and to the NSW Ombudsman every six months. The following information is required to be published in Council's Annual Report in relation to Public Interest Disclosures:

	1 July 2020 – 30 June 2021
Number of public officials who made PIDs	0
Number of PIDs received	0
Of PIDs received, number primarily about:	0
• Corrupt Conduct	0
• Maladministration	0
• Serious and substantial waste	0
• Government information contravention	0
• Local government pecuniary interest contravention	0
Number of PIDs finalised	0

Tamworth Regional Council has established an internal reporting policy that is available to all staff on the Council intranet. The Internal Reporting Policy has also been emailed to all staff to ensure they are made aware of Public Interest Disclosures and training is provided in-house to staff throughout the year. Public Interest Disclosures training is provided to new staff members at induction.

Code of Conduct Complaints

Tamworth Regional Council received no Councillor Code of Conduct complaints during the 2020/21 reporting year.

(a) Policy Implications

This report conforms to Council's Code of Conduct and Public Interest Disclosures Policy.

(b) Financial Implications

Nil

(c) Legal Implications

Section 4 (1) of the Public Interest Disclosures Regulation 2011, requires each public authority to provide information in the Annual Report each year and every six months to the NSW Ombudsman.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

9.2 DISCLOSURES OF INTEREST RETURNS

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

RECOMMENDATION

That in relation to the report “Disclosures of Interest Returns”, Council:

- (i) note that Councillors and designated persons have completed and lodged Disclosure of Interest Returns prior to the first Council Meeting after 30 September 2021; and*
- (ii) advise the Office of Local Government accordingly.*

SUMMARY

The purpose of this report is to satisfy the requirements of the Model Code of Conduct and Section 440AAB of the *Local Government Act 1993*, and table Disclosure of Interest Returns from Councillors and designated persons completed and lodged.

COMMENTARY

Section 440AAB requires returns lodged with the General Manager under Section 440AAB must be tabled at a Meeting of the Council, being:

- (2) Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged.*

Councillors and designated persons have complied with the Model Code of Conduct and Section 440AAB provision of the Act in relation to disclosure of interests.

The Register of Disclosure of Interest is available for perusal by any Councillor or member of the public.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Model Code of Conduct and Section 440AAB of the *Local Government Act 1993*.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

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

10 COMMUNITY SERVICES

10.1 2021/2022 ANNUAL DONATIONS PROGRAM

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Gina Vereker, Director Planning and Compliance

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “2021/2022 Annual Donations Program”, Council:

- (i) approve donations to the total value of \$45,444.23; and*
- (ii) endorse the roll-over of the balance of funds totalling \$11,295.77, to the 2022-2023 Annual Donations Program.*

SUMMARY

The purpose of this report is to seek Council’s determination of donations to community groups for the 2021/2022 Annual Donations Program, under Section 356 of the Local Government Act 1993.

COMMENTARY

The Annual Donations Program Assessment Panel consisted of Councillors Helen Tickle, Juanita Wilson and Jim Maxwell.

In accordance with Council’s policy for the Annual Donations Program, submissions were sought between 17 August 2021 and 14 September 2021. Advertising was carried out on Council’s website and social media pages. In addition, a media release was distributed to all local media outlets.

The Annual Donations Assessment Panel met on 21 September 2021, to assess the applications received. The Panel discussed the content of all applications and made recommendations based on the information supplied with each submission.

The recommendations in this report reflect the outcomes of that meeting. The available budget for distribution was \$61,000.00. This amount includes advertising costs, as well as community and school donations.

This year twenty-one (21) applications were received totalling \$95,313.78.78. Requested amounts ranged from \$500.00 up to \$10,000.00. The applications represent a diversity of interest from community groups across the Tamworth Regional Council local government area.

The panel recommended donations to the value \$45,444.23 to the following organisations in the amounts listed below:

Barraba PA & H Association Inc	\$7,000.00
Co Care Inc	\$500.00
Country Women's Association	\$4,650.00
Manilla Historical Society	\$1,511.35
Manilla Show Society Incorporated	\$7,000.00
Nundle CWA Art Exhibition	\$1,500.00
Tamworth and District Riding for the Disabled	\$3,598.00
Tamworth Birdwatchers Incorporated	\$1,705.88
Tamworth Historical Society	\$3,080.00
Tamworth Legacy	\$5,000.00
Tamworth Musical Society Inc	\$5,000.00
Tamworth Regional Craft Centre Incorporated	\$999.00
Tamworth Regional U3A Inc	\$900.00
Tamworth Veterans Week of Golf Committee	\$1,000.00
Zonta Tamworth	\$2,000.00

A summary of all submissions received, including the Assessment Panel recommendations is **ATTACHED**, refer **ANNEXURE 1**.

(a) Policy Implications

The current Annual Donations Policy provides for recurrent funding to the below groups. The Policy also limits these groups from applying for the Annual Donations Program:

Barraba Shire Band	\$3,000.00
City of Tamworth Eisteddfod Society	\$12,000.00
Manilla Pipe Band	\$2,000.00
St Peter's Anglican Church Committee	\$2,000.00
Tamworth & District Highland Society Pipe Band	\$7,000.00
Tamworth Homeless Connect	\$4,840.00
Tamworth Regional Conservatorium of Music	\$29,000.00
Tamworth RSL	\$1,810.00
Tamworth RSL Brass Band	\$5,000.00

The Annual Donations Policy also allows for an annual contribution of \$60.00 to schools in the Tamworth Regional Council local government area to purchase academic prizes or library resources.

(b) Financial Implications

The Tamworth Regional Council Annual Operational Plan for 2021/2022 provides an amount of \$61,000.00 for the Annual Donations Program.

The Annual Donations Assessment Panel recommends that Council approve an allocation of \$45,444.23 to community groups in the Tamworth Regional Council area.

In addition to the community group allocations are donations to 71 schools and pre-schools totalling \$4,260.00.

Noting the difficulties created by the COVID-19 pandemic and the resultant (and regular) changes to health restrictions and subject to Council's approval of the supported projects, it is recommended that the balance of funds totalling \$11,295.77, be rolled over to the 2022/2023 Annual Donations Program. This will enable an increased funding pool during the next financial year and allow those organisations that did not apply this year an increased access to funding in 2022/2023.

(c) Legal Implications

Nil

(d) Community Consultation

The Annual Donations program was advertised extensively by way of newspaper and social media advertising. Applications were received from a wide range of community groups across the Tamworth Regional Council local government area.

(e) Delivery Program Objective/Strategy

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

10.2 CRIME PREVENTION WORKING GROUP (CPWG) MEETING - 6 AUGUST 2021 - MINUTES

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Gino Tiberi, Crime Prevention Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Crime Prevention Working Group (CPWG) Meeting - 6 August 2021 - Minutes", Council receive and note the Minutes of the Crime Prevention Working Group Meeting held 6 August 2021.

SUMMARY

The purpose of this report is to present the minutes of the Crime Prevention Working Group (CPWG) meeting held 6 August 2021, and provide Council with an overview of the meeting outcomes.

COMMENTARY

The following is a summary of the main items discussed at the CPWG meeting held on 6 August 2021, as reported in the **ATTACHED** minutes, refer **ANNEXURE 1**.

- Access to the Tamworth Regional Youth Centre by children under the age of 12 years:
The CPWG again discussed the issue of children under the age of 12 years being excluded from the Tamworth Regional Youth Centre. It was acknowledged there are existing challenges which must be taken into consideration such as, a lack of available resources which are often compounded by the inherent governance requirements attached to this vulnerable age group. The group did however, reaffirm its commitment to find effective and tangible solutions in order to address the issue.
The group was advised that a number of strategies were already being considered which may provide the desired outcomes. These strategies include the development of a comprehensive Youth Strategy and the introduction of smaller targeted programs aimed specifically at the under 12 age group.
- Tamworth and District Liquor Accord (TDLA):
As previously reported, the TDLA has implemented a strategy designed to reduce anti-social and criminal activity in licensed premises. An amendment to the TDLA constitution has been made to include an Outlaw Motor Cycle Gang (OMCG) specific multi-venue barring policy. Under the policy, all licensees will consent to exclude from their premises persons confirmed by Police as current members of OMCG's.
The policy amendment has received strong support from licensees, police and venue patrons. Even though the strategy is in its infancy, there has already been positive signs to suggest that it is providing a safer environment for venues and their patrons. It was also noted that the policy amendment may have been the catalyst for a significant increase in previously non-affiliated venues seeking membership in the Accord.
- Police crime report and focus:
Oxley Police District advised that while encouraged by low crime rates across most key crime categories, incidence of property theft remained a concern. Increases were recorded in the crime categories of breaking and entering dwellings as well as the stealing of motor vehicles. Targeted police operations have resulted in a number of significant arrests which has assisted in curbing those offences.
Young offenders are typically associated with property theft offences and are a major driver for the recorded increase in property theft offences. Along with enforcement operations, diversion programs for young offenders are constantly being explored. Additionally, programs to educate the general public on personal and property security are also underway.
CCTV remains a valuable investigative tool for police and has assisted in the identification of numerous offenders. New South Wales Police have established a secure and confidential CCTV register which aims to record the locations of CCTV installations across the state. Police are calling on local businesses and home owners to support this initiative by registering their CCTV on the New South Wales Police Force website.
- Youth Justice:
Apart from delivering legally mandated processes, Youth Justice have continued to implement programs focussed on intervention, diversion and supervision. These

diversionary and restorative programs aim to prevent juvenile crime and rehabilitate young offenders, rather than relying on the traditional criminal justice system.

- **Graffiti:**

A graffiti statistics report was tabled outlining results between 1 May and 31 July 2021. Throughout the period, six incidents were recorded costing Council \$680. During the same period in 2020, five incidents were recorded costing Council \$618 to remove.

- **Terms of Reference:**

A review of the CPWG Terms of Reference revealed amendments were required to better reflect composition of the contributors. The group agreed it would be prudent for any updates to the existing Terms of Reference to be referred to Council for endorsement after the upcoming elections.

- **Aboriginal Cultural Officer (ACO):**

At the previous CPWG meeting, the group discussed the potential benefit of having an ACO employed at Council and recommended that consideration be given to appointing an ACO for the Tamworth region. Investigations are being undertaken to finalise a draft position description and research potential external funding sources with the intention of reporting the outcomes back to Council.

- **Community Safety Brochure:**

At the CPWG meeting held on 14 May 2021, the group proposed a joint project between Council and police with the aim of providing personal and property security advice to members of our community. As part of a broader strategy, a safety brochure was produced and on 6 August 2021, it commenced distribution in conjunction with the issue of water rate notices throughout the Tamworth region. The safety brochure will continue to be mailed with the relevant water notices until all residential properties have been reached.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Spirit of Community – C31 Create safe environments to live, work and play.

10.3 TAMWORTH REGION INCLUSIVE CULTURE ADVISORY COMMITTEE (TRICAC) MEETING - 22 SEPTEMBER 2021 - MINUTES

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Kay Delahunt, Manager - Cultural and Community Services
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Region Inclusive Culture Advisory Committee (TRICAC) Meeting - 22 September 2021 - Minutes”, Council:

- (i) receive and note the Minutes; and*
- (ii) endorse the concept of holding a “Colour Run” event on 19 March 2022 in recognition of Harmony Day.*

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 22 September 2021 and to provide Council with an overview of the meeting outcomes.

COMMENTARY

A TRICAC Committee meeting was held on 22 September 2021. The minutes of the meeting are **ATTACHED**, refer **ANNEXURE 1**.

The meeting of 22 September 2021, was centred around hearing from guest, Leonie Allwell who provided a summary of her experiences and to receive an update regarding the inclusive community.

As part of the meeting discussions also took place in regard to special events proposed to acknowledge “Harmony Day” in March 2022 and also incorporate “Holi” day. The Committee made one recommendation at this meeting being that the Committee supports the concept of holding a “Colour Run” in recognition of Harmony Day.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Special guests Leonie Allwell, representative of “Refracted” and Meredith Abrams representing the Business Chamber attended.

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.

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.

12.1 TENDER Q024/2022 - TAMWORTH GLOBAL GATEWAY PARK - SOFT LANDSCAPING INSTALLATION AND MAINTENANCE

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Callum Fletcher, Senior Project Engineer
Reference: Item 12.4 to Ordinary Council 13 July 2021 - Minutes No 201/21

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to seek Tamworth Regional Council's acceptance of tender Q024/2022 to award a lump sum contract for the soft landscaping installation and maintenance associated with the buffer zones and development of Stage 1-3 of the Tamworth Global Gateway Park.

12.2 TENDER T136/2021 - TAMWORTH GLOBAL GATEWAY PARK - STAGE 3 - BUSINESS PARK STAGE 1

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Callum Fletcher, Senior Project Engineer
Reference: Item 12.4 to Ordinary Council 13 July 2021 - Minute No 201/21

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to seek Tamworth Regional Council's acceptance of tender T136/2021 to award a lump sum contract for the construction of development Stage 3 of the Tamworth Global Gateway Park.

12.3 TENDER REGPRO332122 - LINEMARKING

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Infrastructure and Works - Regional Services

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to recommend to Tamworth Regional Council acceptance of a tender for the delivery of linemarking within the Council area, as and when required, for a period of two years with an optional one year extension at Council's discretion.

12.4 DEED OF VARIATION - OUT OF SCHOOL HOURS CARE LICENCE - TAMWORTH PUBLIC SCHOOL

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Kay Delahunt, Manager - Cultural and Community Services
Reference: Item 2.3 to Ordinary Council 12 November 2019 - Minute No 414/19

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

This report outlines the fee structure that will come into effect with the Deed of Variation - Out of School Hours Licence – for Tamworth Public School.

12.5 WESTDALE WASTEWATER TREATMENT PLANT INLET WORKS SCREEN PROCUREMENT

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager - Water and Environmental Operations
2 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to recommend to Council a procurement approach for the renewal and refurbishment of the Westdale Wastewater Treatment Plant inlet works screens.

12.6 INTERMODAL UPDATE

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Graeme McKenzie, Manager, Strategy, Assets and Design
Reference: Item 8.3 to Ordinary Council 15 December 2020 - Minute No 391/20

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

SUMMARY

The report presents an update in relation to the status of the Intermodal, proposed to be built by Qube Logistics (Qube) at the Tamworth Global Gateway Park (TGGP).

The report outlines information regarding the contract negotiations between Tamworth Regional Council and Qube related to the construction and operation of the Intermodal. Given the impact of the current external tender process, which is yet to be formally resolved and is outside the control of Council and Qube, this report presents two scenarios for the delivery of the Intermodal with the related risks and finance implications associated with each scenario.