



TAMWORTH REGIONAL COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that a **Meeting of Tamworth Regional Council** will be held in the **Council Chambers, 4th Floor Ray Walsh House, 437 Peel Street, Tamworth**, commencing at **6:30pm**.

ORDINARY COUNCIL AGENDA

26 JUNE 2018

**PAUL BENNETT
GENERAL MANAGER**

Order of Business

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE	5
2	COMMUNITY CONSULTATION.....	5
3	MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL.....	5
4	DISCLOSURE OF INTEREST	5
5	MAYORAL MINUTE	5
6	NOTICE OF MOTION	5
OPEN COUNCIL REPORTS		5
7	ENVIRONMENT AND PLANNING	5
7.1	REVIEW OF DETERMINATION OF UNDER SECTION 8.2 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 OF DEVELOPMENT APPLICATION No. 2017/0234 FOR A DEMOLITION OF EXISTING DWELLING AND STAGED CONSTRUCTION OF A MULTI DWELLING HOUSING DEVELOPMENT COMPRISING 21 UNITS AND A STRATA SUBDIVISION ON LOT 16 DP 585327, 6 AINSLIE PLACE, HILLVUE	5 4 ANNEXURES ATTACHED 2 CONFIDENTIAL ENCLOSURES ENCLOSED
8	INFRASTRUCTURE AND SERVICES	28
8.1	STATE EMERGENCY SERVICE - APPOINTMENT OF LOCAL CONTROLLER WITHIN THE TAMWORTH LOCAL GOVERNMENT AREA	28
8.2	TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - MAY 2018 FORMAL ITEMS	29 13 ANNEXURES ATTACHED
8.3	2018 LOCAL GOVERNMENT WATER MANAGEMENT CONFERENCE - ARMIDALE FROM 3 TO 5 SEPTEMBER 2018.....	37 1 ANNEXURES ATTACHED
8.4	CONNECTION OF PROPERTY CONNECTED TO COMMUNITY BORES TO RETICULATED WATER - CONSUMPTION CHARGING.....	39
8.5	DEVELOPMENT SERVICING PLANS FOR WATER SUPPLY AND SEWERAGE - OPTIONS AND SUBMISSIONS	42 1 ANNEXURES ATTACHED 1 CONFIDENTIAL ENCLOSURES ENCLOSED
9	GOVERNANCE, STRATEGY AND FINANCE.....	50
9.1	ADOPTION OF THE TAMWORTH REGIONAL COUNCIL DELIVERY PROGRAM AND ANNUAL OPERATIONAL PLAN 2018/19	50 4 ANNEXURES ATTACHED
9.2	SECTION 355 COMMITTEE MINUTES AND PLACE MANAGEMENT ACTIVITIES.....	54 1 ENCLOSURES ENCLOSED

9.3	ANNUAL OPERATIONAL PLAN 2017/18 BUDGET VARIATION REPORT - MAY 2018.....	56
		1 ANNEXURES ATTACHED
9.4	LG NSW ELECTION TO FILL A CASUAL VACANCY IN THE OFFICE OF THE VICE PRESIDENT (RURAL/REGIONAL COUNCILS)	58
9.5	AUDIT, RISK AND IMPROVEMENT COMMITTEE	58
		1 ENCLOSURES ENCLOSED
10	COMMUNITY SERVICES.....	59
11	REPORTS FROM DELEGATES	59
12	QUESTIONS ON NOTICE	59
13	REPORTS TO BE CONSIDERED IN CLOSED COUNCIL.....	59
13.1	E121/2018 - PROPOSAL TO LEASE PART 7-11 ANNE STREET, SOUTH TAMWORTH..	60
13.2	ACQUISITION FOR ROAD WIDENING - APPLEBY LANE	60
13.3	NEW WINTON ROAD UPGRADE	60

of the Water Management Act 2000, requires that “consideration is to be given to any guidelines issued for the time being for the purposes of this section by the Minister”. Pursuant to this Section, the Minister has issued the “2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater”. These Guidelines are based on the net present value approach adopted in the NSW Independent Pricing and Regulatory Tribunal’s Determination on 9 September 2000.

(d) Community Consultation

Council has placed the draft Development Servicing Plans on exhibition for 30 days as required by the Development Services Guidelines, and made all prescribed notifications required by these Guidelines.

Council held two Information Sessions to explain the draft DSPs.

Council sought, received and considered written submissions.

As the increase to the cross-subsidy from the community is minimal compared to the existing cross-subsidy, and as the Developer Charges equal or are less than the Charges included in the exhibited draft DSPs, re-exhibition for the adoption of Option 8a is not considered necessary.

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 ADOPTION OF THE TAMWORTH REGIONAL COUNCIL DELIVERY PROGRAM AND ANNUAL OPERATIONAL PLAN 2018/19 – FILE NO SF7918

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Rick Sanderson, Manager Financial Services

Reference: Item 9.1 to Ordinary Council 8 May 2018 - Minute No 156/18

4 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Adoption of the Tamworth Regional Council Delivery Program and Annual Operational Plan 2018/19”, Council make the following determinations:

- (i) in accordance with Section 404 and 405 of the Local Government Act 1993, Council adopt the Tamworth Regional Council Delivery Program and Annual Operational Plan 2018/19, as described in ANNEXURE 1, ANNEXURE 2 and ANNEXURE 3, noting amendments made to the exhibited draft, refer ANNEXURE 4;*
 - (ii) in accordance with Part 9, Division 5, clause 211(2) of the Local Government (General) Regulation 2005, Council approve expenditure and vote funds as detailed in the Tamworth Regional Council Delivery Program and Annual Operational Plan 2018/19, subject to the amendments as outlined in ANNEXURE 4 of this report;*
 - (iii) Council authorise the affixing of the Seal of the Council to all Loan Documents relating to 2018/19 loan funding as detailed in the Tamworth Regional Council Delivery Program and Annual Operational Plan 2018/19 and Budget as*
-

ATTACHED, refer ANNEXURE 1 and 2;

- (iv) that in relation to ordinary rates, Council adopt the 2.3% annual maximum rate peg, as approved by the Independent Pricing and Regulatory Tribunal, and in accordance with Section 494 of the Local Government Act 1993, Council make and levy the ordinary rates for the year 1 July 2018 to 30 June 2019, as ATTACHED, refer ANNEXURE 2, noting amendments made to the exhibited draft, refer ANNEXURE 4;**
- (v) that in relation to water supply charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges in ANNEXURE 2 for Water Supply Services in 2018/19;**
- (vi) that in relation to sewerage service charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges in ANNEXURE 2 for Sewerage Services in 2018/19;**
- (vii) that in relation to waste management charges, in accordance with Section 496 and Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the annual charges in ANNEXURE 2 for Waste Management Services in 2018/19;**
- (viii) that in relation to stormwater management service charges, in accordance with Section 496A of the Local Government Act 1993, Council make and impose the charges in ANNEXURE 2 for Stormwater Management Services in 2018/19, to fund works identified in the Tamworth Urban Area Stormwater Management Plan;**
- (ix) that in relation to interest on overdue rates and charges, Council make and impose the maximum charge for interest of 7.50% on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566 (3) of the Local Government Act 1993; and**
- (x) that in relation to the exhibited fees and charges in ANNEXURE 3, fees and charges for services provided by Council as detailed in ANNEXURE 3 of the Tamworth Regional Council Delivery Program and Annual Operational Plan 2018/19 be adopted in accordance with Section 502 of the Local Government Act 1993, and other relevant legislation as described in the annexure; noting that charges in relation to the Water Supply Authorities Act (Section 64 Water and Sewer) were subject to a separate exhibition and will be adopted under a separate report, refer item 8.6.**

SUMMARY

At its Ordinary Meeting held 8 May 2018, Council resolved to place the following Integrated Planning and Reporting (IPR) draft documents on public exhibition in accordance with Section 405 of the Local Government Act 1993, for the 2018/19 year:

- Delivery Program 2017-2021 and Annual Operational Plan 2018/19;
- Revenue Policy 2018/19; and
- Fees and Charges 2018/19.

Following the completion of the exhibition period and consideration of submissions received, the purpose of this report is to recommend to Council that the Tamworth Regional Council Delivery Program 2017-2021, and Annual Operational Plan 2018/19, including Council's 2018/19 Revenue Policy and Fees and Charges be adopted.

COMMENTARY

Before the beginning of each financial year Council must adopt an Operational Plan that details the activities to be engaged in by Council during the year as part of the delivery program covering that year. To facilitate the activities Council must also approve and vote funds for expenditure, and adopt the rates, fees and charges to be applied.

The Operational Plan for 2018/19, provides the detail for the second year of the Delivery Program for 2017-2021, which sets the objectives for the four year term for the current Council.

These documents have been prepared in line with the current Community Strategic Plan and the Resourcing Strategy. As the Resourcing Strategy demonstrates, Council should continue to apply rate peg limits to rates and charges to maintain current service levels and financial sustainability.

The budget tables included in the Plan provide a break down of the source and application of funds by key service functions. This is supported by a highly detailed budget which will be used by management to implement and monitor the plan. Budget progress will be reported by the Quarterly Budget Review Statements following the September, December and March quarters. Budget variations requiring council approval will be reported monthly. Performance reports will also be provided on progress against the actions included in the Delivery Program for the year.

The final versions of these documents are as follows:

- Tamworth Regional Council Delivery Program and Annual Operational Plan 2018/19, **ATTACHED**, refer **ANNEXURE 1**;
- Tamworth Regional Council Revenue Policy 2018/19, **ATTACHED**, refer **ANNEXURE 2**;
- Tamworth Regional Council Fees and Charges 2018/19, **ATTACHED**, refer **ANNEXURE 3**; and
- Summary of Changes from Draft - a complete list of changes and variances from the draft to the final AOP, including any financial amendments from the initial draft, **ATTACHED**, refer **ANNEXURE 4**.

Modifications to the Schedule of Fees and Charges and budget adjustments requested to reflect operational decisions made since the original drafting of actions and the budget in March 2018 are also listed in the draft **ATTACHED**, refer **ANNEXURE 4**.

2018/19 Revenue Policy

Council's 2018/19 Revenue Policy **ATTACHED**, refer **ANNEXURE 2**, conforms to the legislative requirements of section 405 of the *Local Government Act 1993*. It is recommended that Council adopt rates and charges based on the 2.3% maximum rate peg, as approved by the NSW Independent Regulatory and Pricing Tribunal, and in accordance with Section 494 of the *Local Government Act 1993*.

To ensure the actual rate levy did not exceed the notional yield limit calculated for the intended rate peg increase, it was determined that ad valorem amounts for some of the ordinary rates should be reduced from the amounts included in the draft exhibition.

2018/19 Fees and Charges

It is recommended that the Fees and charges for the services provided by the Council, as detailed in the Fees and Charges 2018/19 as **ATTACHED**, refer **ANNEXURE 3**, be adopted in accordance with Section 502 of the *Local Government Act 1993*, noting the amendments

as presented in **ANNEXURE 4**.

To properly facilitate the requirements of best practice water and sewer pricing, a separate process was conducted for the review of Section 64 developer water and sewer contributions per the various developer service plans. The charges adopted by a separate report to this meeting will be incorporated into the 2018/19 Fees and Charges.

The draft plan was put on public exhibition from 9 May 2018 to 7 June 2018.

Council conducted pop-up engagement sessions throughout the region which involved councillors, communications staff and specialist staff being on hand to discuss issues with the general public. Submissions were received by a variety of mechanisms including verbal representation, survey forms, website feedback, email and letter.

Based on the feedback received, in relation to projects, Roads and Transport remains the highest priority for the region followed by Parks/Playgrounds, Tourism/Events, Footpaths/Cycleways and Sports and Recreation.

In regards to general issues, Water Security was the highest priority for residents.

Other issues of importance raised were Tree Management, Youth Services in towns and villages, footpath connectivity especially for aged and disabled and longer-term planning for growth areas within the region. Council also received feedback requesting we continue to promote healthy and active living.

The adoption of the Tamworth Regional Council DP/AOP, Revenue Policy and Fees and Charges 2018/19 will provide Council with an outline of the activities and services that it plans to provide over the next financial year. Copies will be made available on Council's website and sent to the Office of Local Government.

(a) Policy Implications

As detailed in **ANNEXURES 1, 2, 3 and 4**.

(b) Financial Implications

As detailed in **ANNEXURES 1, 2, 3 and 4**.

(c) Legal Implications

When adopted, Council's Integrated Planning and Reporting documents for 2018 to 2019, and 2017 to 2021, will meet relevant statutory requirements of the Local Government Act 1993.

(d) Community Consultation

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

The draft Tamworth Regional Council Delivery Plan 2017-2021, Annual Operational Plan 2018/19, Revenue Policy 2018/19 and Fees and Charges 2018/19 were publicly exhibited between 9 May 2018 and 7 June 2018. During the exhibition period Council placed ads (public notices) in the Northern Daily Leader, Barraba Gazette and Manilla Express in accordance with statutory requirements. Hard copies of the document were made available for viewing/collection at all Council Offices and Libraries as well as the Tamworth Community Centre. The draft documents listed above were also placed on Council's website during the exhibition period, along with an electronic feedback form specific to each document to simplify the process. Staff and Councillors also attended a number of public exhibitions at various locations and events across the region during

the period.

During the exhibition period, Council was involved in the receipt of issues and comments that were raised regarding services delivered by Tamworth Regional Council. The issues received were documented in Council's customer service system and distributed to the business for resolution.

The feedback received on the above mentioned documents during the exhibition period resulted in minor changes to wording and clearer definitions to explain the plan, fees and charges.

A complete listing of changes and variances from the draft to the final DPAOP, Revenue Policy and Fees and Charges 2018/19 is **ATTACHED**, refer **ANNEXURE 4**.

9.2 SECTION 355 COMMITTEE MINUTES AND PLACE MANAGEMENT ACTIVITIES – FILE NO SF2256

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Jodie Archer, Community Working Group Officer

1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Section 355 Committee Minutes and Place Management Activities”, Council:

(i) receive and note the Minutes of the following Committees:

<i>Nundle Building and Infrastructure Committee</i>	<i>28 August 2017;</i>
<i>Loomberah Hall Committee</i>	<i>22 February 2018;</i>
<i>Manilla Matters Committee</i>	<i>14 March 2018;</i>
<i>Barraba Showground Management Committee</i>	<i>11 April 2018;</i>
<i>Kootingal Recreational Reserve</i>	<i>18 April 2018;</i>
<i>Victoria Park Co-ordination Committee</i>	<i>19 April 2018;</i>
<i>Nundle History & Heritage Research Committee</i>	<i>2 May 2018;</i>
<i>Bendemeer Town Hall Committee</i>	<i>7 May 2018;</i>
<i>Manilla Matters Committee</i>	<i>9 May 2018;</i>
<i>Duri Progress Association</i>	<i>15 May 2018;</i>
<i>Kootingal Recreational Reserve</i>	<i>16 May 2018; and</i>
<i>Hanging Rock Community Hall Committee</i>	<i>9 June 2018;</i>

(ii) receive and note the key outcomes and achievements from the Minutes received and notable outcomes of Place Management activities; and

(iii) approve the allocation of a suitable Council Roller to the Piallamore Recreation Reserve Committee on a long term loan basis as described in the report subject to:

- the Piallamore Recreation Reserve Committee being responsible for the garaging, security and normal maintenance and running costs, whilst this item of Council plant is on loan to this community group;***
- at times mutually convenient to both the Piallamore Recreation Reserve Committee and Council, Council's Fleet Staff carries out an inspection of this item of plant twice a calendar year for safety reasons and/or***