

TAMWORTH REGIONAL COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **Meeting of Tamworth Regional Council** will be held in the **Council Chambers, Lands Building, Nemingha Room, 25-27 Fitzroy Street, Tamworth**, commencing at **6.30pm**.

ORDINARY COUNCIL AGENDA

11 MARCH 2025

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, 25 February 2025, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

4 DISCLOSURE OF INTEREST

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 PROPOSED ROAD NAMES FOR APPROVED GNOO GNOO ESTATE SUBDIVISION (LOT 1 DP 1304039) GOONOO GOONOO ROAD, HILLVUE - RN2025-0075

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Kathleen See-Kee, Development Support Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Proposed Road Names for Approved Gnoo Gnoo Estate Subdivision (Lot 1 DP 1304039) Goonoo Goonoo Road, Hillvue - RN2025-0075", Council:

- (i) approve in principle the road names: 'Kelpie' Drive, 'Corriedale' Close, 'Poll Dorset' Close and 'Suffolk' Close;*
- (ii) advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads Regulation 2018 Part 2 Division 1 Section 7 to enable interested parties the opportunity to make comment; and*

- (iii) *provided no submissions are made which object to the proposed road names, process to publish the adopted names in the Government Gazette.*

SUMMARY

The purpose of this report is to recommend road names for the approved Gnoo Gnoo Estate Subdivision, identified as Lot 1 DP 1304039 Goonoo Goonoo Road, Hillvue. Council has approval from the Geographical Names Board to name the new roads 'Kelpie' Drive, 'Corriedale' Close, 'Poll Dorset' Close and 'Suffolk' Close.

COMMENTARY

Proposed Road Names:	'Kelpie' Drive, 'Corriedale' Close, 'Poll Dorset' Close and 'Suffolk' Close
Development Consent:	DA2023-0308 for a 35 Lots Torrens Title Subdivision granted 16 October 2023
Theme or origin of proposed names:	To reflect the historic agricultural land use of the site for sheep grazing. The Kelpie dog has an integral role in sheep management and the named sheep breeds were part of a significant breeding trial conducted in the late 1960s at the Tamworth Agricultural Research Centre
Geographical Names Board Approval Date:	20 February 2025

The maps **ATTACHED**, refer **ANNEXURE 1**, illustrates the subdivision location and layout and the proposed road name locations.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

All new road names or changes to existing road names must be approved by the NSW Geographical Names Board.

(d) Community Consultation

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

Should no submissions be lodged in objection to the proposed road names, Council will proceed to publish the adopted names in the Government Gazette.

In the instance that one or more valid objections are received in respect of the proposed road names, the matter will be reported to a subsequent Council meeting for Council's further consideration.

(e) Delivery Program Objective/Strategy

Focus Area 4 – Resilient and Diverse Communities

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - 5 FEBRUARY 2025

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Graeme McKenzie, Manager - Strategy, Assets and Design

Steven Marshall, Strategy, Assets and Design Engineer

10 ANNEXURES ATTACHED

1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting - 5 February 2025”, Council:

- (i) approve the installation of a ‘Give Way’ (R1-2) sign, a ‘No Overtaking or Passing’ (R6-1) sign and other supporting signage at the Llomani Bridge on Old Wallabadah Road, Garoo;*
 - (ii) approve the Your Local Club Academy Games Triathlon and the subsequent traffic guidance scheme for 12-13 April 2025, 18-19 April 2026 and 10-11 April 2027;*
 - (iii) approve the Your Local Club Academy Games Road Race and the subsequent traffic guidance scheme for 12 April 2025;*
 - (iv) approve the installation of 11 ‘2P’ parking bays on O’Connell Street, North Tamworth as per the attached signage and line marking plan;*
 - (v) approve relocating the existing ‘No Stopping’ (R5-400) sign on Piper Street, East Tamworth;*
 - (vi) approve changing the zone times at the bus stop (#1D 234064) on Piper Street, East Tamworth to 6.00am to 6.00pm, Monday to Friday and 8.30am to 2.30pm on Saturday;*
 - (vii) approve the installation of new line marking at the Peel Street and East Street intersection in Tamworth;*
 - (viii) approve the proposed alterations to the disabled parking space on Gate Street, Kootingal;*
 - (ix) approve the Grey Fergie Tractor Muster and the subsequent traffic guidance scheme for 22 March 2025;*
 - (x) approve installation of ‘No Parking, Wedding or Funeral Vehicles Excepted’ (R5-445n) signs in front of St. Nicholas Catholic Church on White Street, Tamworth; and*
 - (xi) approve the relocation of ‘No Stopping’ (R5-400) signs on White Street to improve sighting distance and support the introduction of a left-hand turn lane on Carthage Street, Tamworth.*
-

SUMMARY

The purpose of this report is to advise Council of the 11 recommendations made by the Tamworth Regional Local Traffic Committee (the Committee) at the meeting held on 5 February 2025.

COMMENTARY

The minutes from the Committee meeting held on 5 February 2025, are **ENCLOSED**, refer **ENCLOSURE 1**.

01/2025 – Llomani Bridge on Old Wallabadah Road, Garoo

Tamworth Regional Council has been approached requesting a Give Way (R1-2) sign be installed at the Llomani Bridge on Old Wallabadah Road, Garoo due to its narrow width. The location of Llomani Bridge is shown in Figure 1 below.



Figure 1. Location of Llomani Bridge on Old Wallabadah Road, Garoo

Council staff have investigated the site and agree to install the following signage at the structure in accordance with the **ATTACHED** signage plan, refer **ANNEXURE 1**:

- Give Way sign (R1-2);
- One Lane sign (R9-9);
- No Overtaking or Passing (R6-1);
- Width Marker signs (D4-3); and
- Give Way Sign Ahead warning sign (W3-2).

Council is proposing to install the 'Give Way' (R1-2) sign on the northern side of the bridge due to the sighting distance available for motorists from this approach.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the installation of a 'Give Way' (R1-2) sign, a 'No Overtaking or Passing' (R6-1) sign and other supporting signage at the Llomani Bridge on Old Wallabadah Road, Garoo.

02/2025 – Academy Games Triathlon – Tamworth April 11-13, 2025

The Northern Inland Academy of Sport (NIAS) is hosting the Your Local Club Academy Games Triathlon in Tamworth on behalf of the Regional Academies of Sport Inc., in April 2025 to April 2027.

The event will consist of the following components:

- event location: Tamworth, NSW
- event dates:
 - year one: 12-13 April 2025;
 - year two: 18-19 April 2026; and
 - year three: 10-11 April 2027.
- event times:
 - 7.00am to 2.00pm Saturday 12 April 2025;
 - 7.00am to 1.00pm Sunday 13 April 2025;
 - 7.00am to 2.00pm Saturday 18 April 2026;
 - 7.00am to 1.00pm Sunday 19 April 2026;
 - 7.00am to 2.00pm Saturday 10 April 2027; and
 - 7.00am to 1.00pm Sunday 11 April 2027.
- roads closed:
 - Solander Drive; and
 - Gipps Street.
- road closure details:
 - from 6.00am to 3.00pm Saturday 12 April 2025;
 - from 6.00am to 2.00pm Sunday 13 April 2025;
 - from 6.00am to 3.00pm Saturday 18 April 2026;
 - from 6.00am to 2.00pm Sunday 19 April 2026;
 - from 6.00am to 3.00pm Saturday 10 April 2027; and
 - from 6.00am to 2.00pm Sunday 11 April 2028.

The Gipps Street and Solander Drive car parks will be closed to the public during the events. The car park at the touch fields will remain available for utilisation.

The proposed Traffic Guidance Scheme (TGS) is **ATTACHED**, refer **ANNEXURE 2**.

As the event organisers are seeking approval for three years, Transport for NSW (TfNSW) has requested Council to install a condition on the event for the TGS to be updated each year if issues arise.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the Your Local Club Academy Games Triathlon and the subsequent TGS for 12-13 April 2025, 18-19 April 2026, and 10-11 April 2027.

03/2025 – Your Local Club Academy Games Road Racing Program, Loomberah, April 2025

NIAS have approached Council regarding a Your Local Club Academy Games Road Race planned for 12 April 2025, at Loomberah. Figure 2 below shows the 30km circuit.

The event details, which are similar to the 2024 NSW Junior State Road Cycling Championships, consist of the following details:

- event location: Loomberah, NSW
- event dates: 12 April 2025
- event time: 6.00am to 2.30pm
- roads closed:
 - Duri-Dungowan Road (from Loomberah Hall to a couple of hundred metres off the New England Highway); and
 - Loomberah Road (from the Loomberah Hall to Tongues Lane).
- road closure details:
 - 6.00am to 6.00pm (pack up earlier if deemed required)
- number of participants: 50 riders



Figure 2. 30km circuit on Duri-Dungowan Road and Loomberah Road, Loomberah

The proposed TGS can be found **ATTACHED**, refer **ANNEXURE 3**.

Residents will be notified of the event and the planned road closures as part of the event management. Traffic marshals will be stationed at road closure points to assist with access for residents if required.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the Your Local Club Academy Games Road Race and the subsequent traffic guidance scheme for 12 April 2025.

04/2025 – Proposed Development – 186 Peel Street, North Tamworth

Council has received a request for a new development at 186 Peel Street, North Tamworth. As part of the development, they are requesting to install 11 ‘formalised’ parking bays on O’Connell Street. Figures 3 and 4 below show the location and street frontage.

As per the **ATTACHED** signage and line marking plan, refer **ANNEXURE 4**, each parking bay is proposed to be 2.6m wide (or 3.0m wide parallel to kerb), 60 degree ‘rear to kerb’, and zoned as two hour parking (2P).

The proposed two hour parking restrictions are proposed for:

- 8.30am to 6.00pm, Monday to Friday; and
- 8.30am to 12.30pm Saturday.

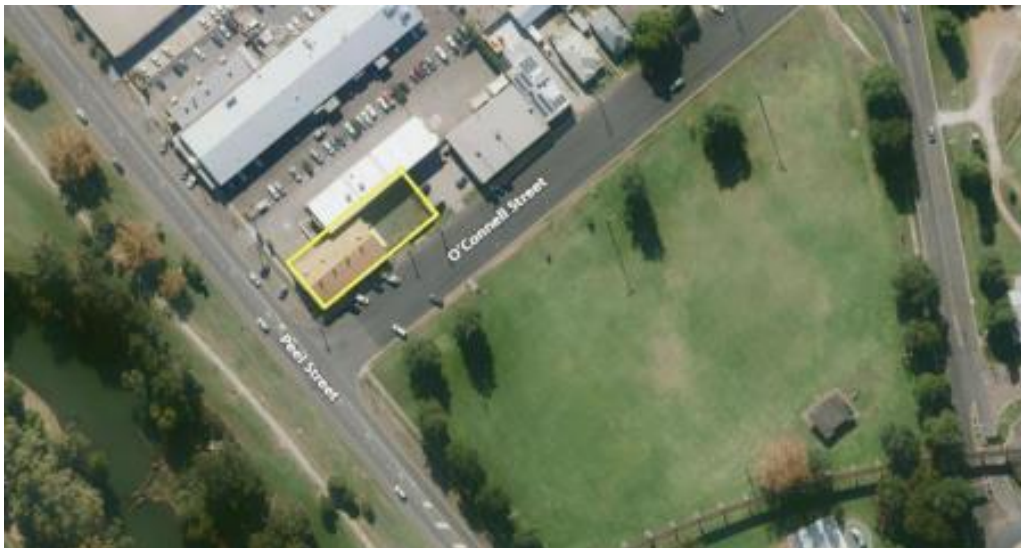


Figure 3: Location of proposed development at 186 Peel Street, North Tamworth



Figure 4: Street frontage on O’Connell Street for property at 186 Peel Street.

The times shown on the sign for the two hour parking restrictions align with times shown within other zones around the Tamworth central business district (CBD).

COMMITTEE RECOMMENDATION: the Committee members unanimously support the installation of eleven '2P' parking bays on O'Connell Street, North Tamworth as per the attached signage and line marking plan.

05/2025 – No Stopping Area extension on Piper Street, East Tamworth

Tamworth Buslines requested an investigation into the parking arrangements along Piper Street, East Tamworth following a situation where emergency services (fire brigade) unintentionally blocked access to Piper Street for buses. Figure 5 below shows the investigation area.



Figure 5. Investigation area along Piper Street, East Tamworth

According to the NSW Government's Fire Safety Guideline 'Access for fire brigade vehicles and firefighters', the overall length of a general fire appliance (i.e., tankers, pump and rescue trucks) is 10m. To create enough storage room for the general fire appliance, Council would like to relocate an existing 'No Stopping' (R5-400) sign a further 10m east along Piper Street. The proposed relocation will result in the loss of two parking spaces on Piper Street.

The change proposed is shown within the **ATTACHED** drawing, refer **ANNEXURE 5**.

Council has completed community consultation with the Tamworth TAFE regarding the change.

COMMITTEE RECOMMENDATION: the Committee members unanimously support relocating the existing 'No Stopping' (R5-400) sign on Piper Street, East Tamworth.

06/2025 – Bus Zone time changes on Piper Street, East Tamworth

Tamworth Buslines has requested a change to the times associated with the bus stop (#ID 234064) on Piper Street, East Tamworth. The current sign advertises a bus zone from 8.00am to 9.30am and 2.30pm to 4.00pm on school days. The location of the bus stop is shown in Figure 6 below.



Figure 6. Bus stop (#ID 234064) on Piper Street, East Tamworth

With the public bus services utilising this bus stop outside of the advertised times, Council suggests that the times be amended to:

- 6.00am to 6.00pm, Monday to Friday; and
- 8.30am to 2.30pm Saturday.

These new times will prevent vehicles parking within the bus stop during bus operational hours.

The change proposed is shown within the **ATTACHED** drawing, refer **ANNEXURE 5**.

Council has completed community consultation with the Tamworth TAFE regarding the change.

COMMITTEE RECOMMENDATION: the Committee members unanimously support changing the zone times at the bus stop (#1D 234064) on Piper Street, East Tamworth to 6.00am to 6.00pm, Monday to Friday and 8.30am to 2.30pm on Saturday.

17/2023 – Intersection of Peel Street and East Street, Tamworth – Unclear Priority

TfNSW requested Council investigate the signage and line marking associated with the Peel Street and East Street intersection in Tamworth as it was unclear who had priority. Figure 7 below shows the location of this intersection.



Figure 7. Peel Street and East Street intersection, Tamworth

Council staff have investigated the site and propose to install new line marking in accordance with the **ATTACHED** plan, refer **ANNEXURE 6**, to reinforce the existing 'Give Way' (R1-2) signs on East Street.

The driveways associated with the Big 4 Paradise Tourist Park will not be line marked as all motorists departing driveways are required to give way.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the installation of new line marking at the Peel Street and East Street intersection in Tamworth.

88/2023 – Relocation of disabled parking spot, Gate Street, Kootingal

During the November 2023 Committee Meeting, the Committee endorsed the relocation of a disabled parking spot on Gate Street, Kootingal.

The design that was endorsed, shown in Figure 8 below, has the width of the disabled parking space at 2.4m wide and the adjoining parking space 2.6m wide when measured parallel to the kerb.

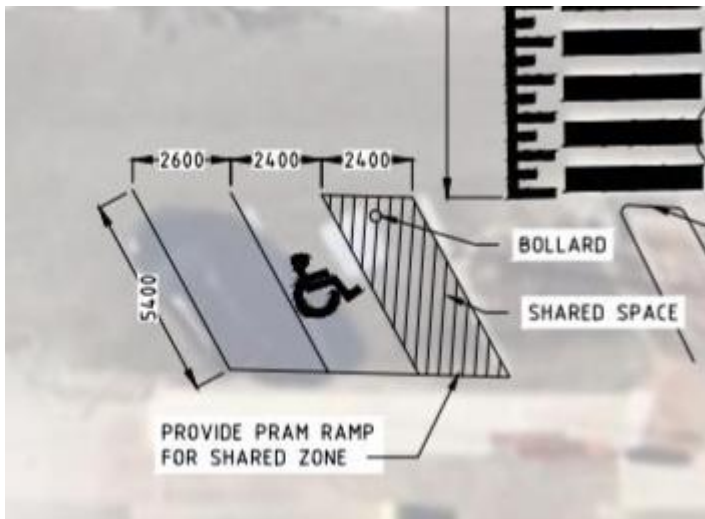


Figure 8. Disabled parking spaces previously approved on Gate Street, Kootingal.

The parking spaces have since been installed resulting in multiple complaints from the community regarding the narrow width.

Following the complaints, Council proposes to improve the disabled parking space in accordance with the **ATTACHED** plan, refer **ANNEXURE 7**.

The changes include:

- the width of the shared zone being reduced to 1.9m (measured parallel to the kerb);
- the width of the disabled parking space being increased to 3.7m (measured parallel to the kerb); and
- removal of the adjoining parking space.

A kerb ramp will be installed in line with the shared zone to enable safe access to the kerb.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the proposed alterations to the disabled parking space on Gate Street, Kootingal.

08/2025 – Grey Fergie Tractor Muster, Bendemeer 2025

Council has been approached regarding the Grey Fergie Tractor Muster planned for 22 March 2025, in Bendemeer. Figure 9 below shows a photo from the muster in 2022.



Figure 9. Grey Fergie Tractor Muster and Land Rover Gathering in 2022.

The event will consist of the following components:

- event location: Bendemeer, NSW
- event date: Saturday, 22 March 2025
- event time: 12.30pm to 2.30pm (inclusive of set up and pack down periods)
- roads closed:
 - Caroline Street (from Charles Street to the Bendemeer Sports Precinct)
- Number of participants: 80 vehicles (Fergie tractors and Land Rover vehicles)

The proposed routes for the event can be found in the **ATTACHED** TGS, refer **ANNEXURE 8**.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the Grey Fergie Tractor Muster and the subsequent TGS for 22 March 2025.

09/2025 St Nicholas Catholic Church, Tamworth – No Stopping Area

Council has been approached by the St Nicholas Catholic Church in Tamworth requesting the repurposing of a No Stopping area on White Street, directly in front of the church entrance, to permit:

- the dropping off and picking up of persons to attend mass or church services;
- the parking of a hearse and accompanying vehicle for a funeral; and
- the parking of a wedding car/s during the wedding service.

Figures 10 and 11 below show the location of the church and the existing No Stopping area.



Figure 10. St. Nicholas Catholic Church, Tamworth



Figure 11. Existing No Stopping area on White Street, Tamworth

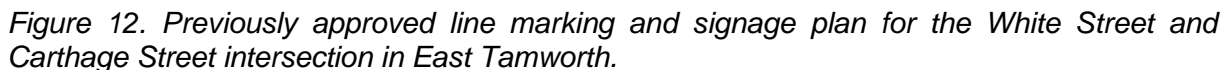
Council staff have investigated the site and propose to install 'No Parking, Wedding or Funeral Vehicles Excepted' signs (R5-445n). The location of these signs is shown in the **ATTACHED** signage plan, refer **ANNEXURE 9**.

To avoid signage clutter from this proposed installation, Council is also proposing to relocate the 'End 40 Area' sign (R4-11) from its existing position and reinstate it closer to the roundabout. TfNSW was supportive of this change.

COMMITTEE RECOMMENDATION: the Committee unanimously support the installation of 'No Parking, Wedding or Funeral Vehicles Excepted' (R5-445n) signs in front of St. Nicholas Catholic Church on White Street, Tamworth.

11/2025 – White Street and Carthage Street sighting distance improvements, East Tamworth

During the November 2024 Committee Meeting, the Committee endorsed a proposed signage and line marking plan, shown in Figure 12 below, for a Carthage Street rehabilitation project. This included modifying the intersection with White Street to introduce a channelised right turn lane for north bound traffic on White Street turning right onto Carthage Street.



Following the accident, Council staff investigated the sighting distance associated with the intersection. The sighting distance was undesirable when vehicles parked close to the intersection on White Street.

'No Stopping' (R5-400) signs have been repositioned on White Street to prevent parked vehicles from impeding the sighting distance.

The introduction of this left turn left will require the 'No Stopping' (R5-400) sign to be repositioned 50m up along Carthage Street.

COMMITTEE RECOMMENDATION: the Committee members unanimously support the relocation of 'No Stopping' (R5-400) signs on White Street to improve sighting distance and support the introduction of a left-hand turn lane on Carthage Street, Tamworth.

Nil

(b) Financial Implications

01/2025, 05/2025, 06/2025, 09/2025, 17/2023, 88/2023 – Shall be funded by the Road Infrastructure Maintenance budget.

02/2025, 03/2025, 08/2025 – Shall be funded by the event organisers.

04/2025 – Shall be funded by the developer.

11/2025 – Shall be funded by the Council's Asset Renewal budget.

(c) Legal Implications

Nil

(d) Community Consultation

01/2025, 09/2025, 11/2025, 17/2023, 88/2023 – Any businesses or residents directly affected by the works will be communicated with prior to commencement.

05/2025, 06/2025 – Council has completed community consultation with the Tamworth TAFE regarding these proposed changes.

(e) Delivery Program Objective/Strategy

Focus Area 5 – Connect our region and its citizens

8.2 TRIAL OF FREE POOL ENTRY DAYS AT TAMWORTH REGIONAL COUNCIL AQUATIC FACILITIES

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager - Sports and Recreation
Gary Johnson, Aquatics Coordinator

Reference: Item 6.3 to Ordinary Council 10 December 2024 - Minute No 351/24

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Trial of free pool entry days at Tamworth Regional Council aquatic facilities", Council:

- (i) receive and note the report on the trial of free entry days; and*
- (ii) develop a plan for the provision of free entry days next summer that are conducted in partnership with other agencies and report back to Council prior to the commencement of next pool season.*

SUMMARY

Following a Notice of Motion at the Council meeting on 10 December 2024, supporting the trial of a number of free entry days across Councils aquatic facilities, the Sports and Recreation division staff arranged for a total of 24 free entry days across its aquatic facilities over the 2024/2025 summer holiday season.

This report provides a summary of the results of these trials as well as recommendations for

future free entry day initiatives.

COMMENTARY

At the Council meeting on 10 December 2024, Councillor Budd put forward a Notice of Motion that proposed the trialling of free entry days at Tamworth Regional Council (Council) aquatic facilities across the Local Government area (LGA).

These trial days were proposed in an effort to increase the utilisation of our public aquatic facilities, as well as the social capital, and giving back to families in the region. It was acknowledged that such days would see a loss of revenue from entry fees, however, it was hoped that the increase in patronage and the expected increase in kiosk sales would likely result in these days being cost neutral.

Free trial Dates

Following this successful Notice of Motion, staff commenced organising of a range of free entry days across aquatic facilities that resulted in the trial dates as listed in Table 1 below.

Table 1:

Pool location	Free entry trial days
Barraba Kootingal Manilla Nundle	<ul style="list-style-type: none"> • Saturday 11 January 2025 • Wednesday 15 January 2025 • Sunday 19 January 2025 • Sunday 26 January 2025 (Australia Day) • Sunday 2 February 2025
Tamworth	<ul style="list-style-type: none"> • Friday 13 December 2024 (family evening event) – Olympic Pool • Sunday 5 January 2025 – Olympic Pool • Tuesday 14 January 2025 (youth day) – South and West Pool • Sunday 19 January 2025 – Olympic Pool

The dates chosen for each site were determined based on operational availability (no impact on swim clubs or water polo) and the opportunity to work with other community service providers where possible. In addition, a mixture of weekdays and weekend days were also chosen, stretched out throughout the school holiday period.

It was also decided that, where possible, the village areas would be offered the same free trial dates. This was designed for both the ease of communicating dates to the community as well as ensuring that locals didn't have to travel to access free days at another site.

Promotion

Following the establishment of these dates, staff worked with the Council's Communications team to implement a range of promotional strategies that included:

- Media releases issued in December 2024 and January 2025, with stories running in the following outlets:

- Northern Daily Leader;
- New England Times;
- NBN News;
- Prime News; and
- 88.9FM.
- Multiple social media posts across Council's network and a series of community pages throughout our LGA on the following dates;
 - 11 December 2024;
 - 2 January 2025;
 - 7 January 2025; and
 - 29 January 2025.
- Notification/signage displayed at each of our aquatic facilities.
- Promotion of events through partner organisations.
- Promotion regularly by pool staff leading up to the free entry days

Results

The report **ATTACHED**, refer **ANNEXURE 1** provides a complete data capture for each of the 24 free trial days across Council's aquatic facilities. This data includes the attendance recorded, kiosk income received, as well as the additional staff costs associated with each of the free pool entry days.

In an effort to provide comparative data to a standard user pay day, a range of other days of similar characteristics (e.g. day of the week and weather conditions) are also provided as comparative data. This comparative data also displays the attendance, pool entry income, and kiosk income, as well as a figure for the average income per attendee on these days. This enables staff to estimate a loss of entry fee income for the free trial days.

As a summary of the data set, Table 2 below shows the combined total result for the provision of 24 free entry days offered across our facilities this past summer holiday period.

Table 2: Summary of data from the trial of free pool entry days

All Pools	Free Days	Comparative Days
Attendance	3,158	1,929
Daily kiosk income	\$5,202	\$2,847
Estimated loss of entry income on these days (to comparative days)	-\$6,196	N/A
Extra staff cost	-\$5,889	N/A
Total cost (for 24 days)	-\$6,883	N/A

A commentary of the data displayed in Annexure 1 is provided below, addressing three key areas of this trial:

- patronage;
- financial; and
- social capital.

Patronage

The trialling of 24 free entry days across our aquatic facilities resulted in a total of 3,158 participants on these days. When this figure is compared to totals from comparative (user pay) days of 1,929 patrons, we can clearly see that the free days have had a 64% increase in patronage as a result of these free days.

Of significant note in this data is the correlation between patronage of the free days to the weather experienced on that day. In general, if the weather is hot and sunny with little wind, the free days were well patronised. By contrast, overcast/cooler days with wind resulted in lower patronage on these free days.

This is consistent with standard patterns of pool patronage across outdoor aquatic facilities throughout NSW. The weather is the single governing factor.

Given, how little control we have over the weather, this will be an ongoing issue for any programming of events (including future free days) across our aquatic facilities.

Financial

Data from this year's free trial days is showing that whilst patronage increases during these free days, these days were not cost neutral. It was hoped that if patrons are not paying for pool entry, then they would likely spend this amount (their entry fee) at the kiosk. As displayed in Annexure 1, a loss of entry fees, for a comparable weather day, does not always result in an equal increase in kiosk revenue

Overall, Table 2 shows that the provision of the 24 free days cost Council approximately \$6,800. This takes into account the loss of pool entry fee income from a comparative weather day, extra staff costs incurred, as well as the kiosk sales for those days.

On average, the village pools (Barraba, Kootingal, Manilla and Nundle) cost approximately \$155 per free day, while the average cost is approximately \$935 per day for the Tamworth free days. This increase in Tamworth is simply because of the larger patronage numbers expected, resulting in more staff being employed.

The two free days that Council were able to partner with community organisations Centrecare and The Youthie in Tamworth (Friday 13 December 2024 and Tuesday 14 January 2025 in Annexure 1), were the most successful free days. Following debriefs with these organisations, it is believed that the success of these days is contributed to their ability to market the day to a target audience as well as their support of additional resources and attractions (e.g. supervision and entertainment).

However, as can be seen from the partnership with Centrecare on Friday 13 December 2024, the kiosk sales were substantially down compared to other Tamworth free days. This is a result of Centrecare providing patrons with a free sausage sizzle, drinks and other food products as part of their partnership. Staff accept that this is part of the reason why it was well patronised, but the financial impact of offering free food needs to be considered in the future planning of additional free days.

Overall, in strict financial terms, the data is showing a net loss for the swimming pool operational budget, however, the social capital that these free days return, needs to also be taken into consideration.

Social Capital

It is acknowledged that the intention of the Notice of Motion on 10 December 2024 for free entry days was not entirely about achieving a cost neutral outcome. Staff recognise that this proposal was also about promoting the use of community facilities, creating places for the community to gather, participate in healthy recreational activities, and foster a sense of community.

While difficult to quantify, anecdotal feedback from pool staff, patrons attending the free days, and following discussions with partner organisations, it is clear that there were new patrons introduced to our facilities. Furthermore, the success of the free days undertaken in partnership with The Youthie has also led to improved relationships between the youth of Tamworth and pool staff. This increase in respect will inevitably lead to the less likelihood of anti-social behaviour we have experienced in the past with youth groups.

In summary, it is suggested that any efforts that provide opportunities for community to come together and promote utilisation of community facilities should be continued to be explored and offered at our aquatic facilities.

Challenges

As with any new initiative or trial, there are always challenges. A summary of these is documented below.

Weather

As can be seen from the data, the single biggest factor that affects pool patronage on any given day is the weather. Ambient air temperature and wind are the two most significant factors, regardless of if it is a free entry or standard entry day. This is an ongoing challenge for any programming in the future. However, choosing the peak holiday period to maximise patronage and the mid-summer temperatures is the obvious choice for future free days.

Staffing

While it is relatively easy to coordinate additional staff to work these free trial days with sufficient planning, it is challenging to get the staffing numbers exactly right in advance. Given that patronage is so intrinsically linked to the weather, arranging staff rosters weeks in advance is a challenge that requires good planning. However, the more we do this the better we will get.

Staff are continuing to work with LabourCo (our external labour hire contractor who provides all casual staff for the pools each season), to refine this aspect and minimise this impact.

Promotion

Despite the promotional efforts of the organisation, pool staff across multiple sites noted that they received a significant number of phone calls from community members questioning if the pool was free “today”.

An example of how this can impact our free entry days is displayed in Annexure 1 with the free entry day at Tamworth Olympic Pool on 5 January 2025. This day resulted in 250 people attending Tamworth Olympic Pool free day, yet there were still 264 people who paid to enter Tamworth South and West Pool on the same day.

Given that this was the first time we have offered free entry days in many years, this could be overcome with future, more consistent planning and promotion of these days.

Overall, improved promotion, communication and consistency in the provision of these days within our communities is critical to their future success.

Novelty

It is recognised that free entry days are a novelty within our communities. The increased patronage that is seen on these days, would not be expected to be maintained everyday if the pool was open free of charge all season long.

Staff believe that continuing with a schedule of free entry days each year, like was trialled this year, is a good ongoing initiative.

Learnings

Following the trial of these 24 free entry days, senior staff acknowledge the below learnings from this year's experiences.

Partnerships

It is clear from both the data displayed in Table 2 and anecdotal feedback received that we can achieve greater outcomes (better patronage and improved experience for all) by working with partner organisations.

Their capacity to reach a target audience, as well as their ability to provide a greater range of offerings (entertainment, free giveaways, etc.) provides for a more "thriving atmosphere and experience" at the pool.

On top of this, partner organisations are also able to help with human resources to assist in the control of larger groups, reducing the impact on pool staff and ultimately minimising the increase in staff costs associated with these days.

Improved planning and promotion

It is acknowledged that the trial days this year were proposed well into the pool season.

Despite the free entry days offered being a success, staff believe that with more time to plan, investment in developing partnerships and improved promotion of these free entry days from the opening of the pool season, better outcomes can be achieved.

Anti-social behaviour

While anti-social behaviour within pools this season has definitely had its challenges, there were no recorded instances of anti-social behaviour during these trial days.

While this was a great outcome, there is a risk for this to occur without careful planning and preparation.

A plan is being considered to install CCTV at the entry point into the two Tamworth pools, to assist in this issue across all days of the pool season. However, it is believed that the potential for this to occur during a free entry day can be somewhat minimised through good programming, targeting key audiences for each of the free days, and working with community organisations that support Council.

Recommendations

Following this year's successful trial, staff are recommending planning for the continuation of "free entry" days next summer.

Senior staff believe that with more time to plan, together with an approach to develop partnerships with other organisations and with the aim of having each free day target a specific audience (e.g. youth, families, young children, older adults, etc.), these days could be an ongoing success with significant community benefit.

(a) Policy Implications

Nil

(b) Financial Implications

While difficult to predict an accurate financial impact, any future free days needs to give consideration to the swimming pool operational budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 2 – A liveable built environment

8.3 PROPOSED TEMPORARY INCREASE IN THE VOLUME OF WATER RESERVED IN CHAFFEY DAM FOR TAMWORTH'S USE

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director - Water and Waste

**Reference: Item 8.3 to Ordinary Council 12 June 2018 - Minute No 190/1
Item 8.3 to Ordinary Council 24 July 2018 - Minute No 116/18**

RECOMMENDATION

That in relation to the report “Proposed Temporary Increase in the Volume of Water Reserved in Chaffey Dam for Tamworth's Use”, Council strongly support the proposed temporary changes to the Peel Water Sharing Plan to increase the volume of water reserved in Chaffey Dam for Tamworth's use.

SUMMARY

The NSW Government has proposed a temporary increase in the volume of water reserved in Chaffey Dam for Tamworth's use. Community engagement has recently been completed in relation to this matter.

The purpose of this report is to seek Council's position in relation to this proposal.

COMMENTARY

Council would be aware the NSW Government through the Department of Climate Change, Environment, Energy and Water (DCCEEW) has recently completed community engagement in relation to improvements to Tamworth's water security including the following 3 projects:

1. Final Business Case on the Advanced Water Treatment Facility;

2. Strategic Business Case for infrastructure solutions; and
3. Proposed temporary increase in the volume of water reserved in Chaffey Dam for Tamworth's use.

In relation to these proposals:

Item 1 deals with the preparation of the final business case for the Advanced Water Treatment Facility (Council refers to this as the Purified Water Treatment Facility) proposed to be constructed on Council owned land at Oakburn to capture and treat liquid industrial wastewater from businesses in the area. The facility will then purify that water and return the water to those same businesses for use in on site processes, thereby offsetting the use of potable water, supplied by Council.

Item 2 deals with the preparation of a Strategic Business Case looking at alternatives to improve Tamworth's water security in the long term, via infrastructure solutions. The short-listed solutions being considered are:

- off river storages near Tamworth;
- manning catchment pipeline to Chaffey Dam;
- transfers from Keepit Dam; and
- transfers from Split Rock Dam.

In terms of timing, Item 1 is considered medium term and Item 2 is considered long term 5-10 years (the NSW Government believes both are long term 5-10 years). The Government has recognised the next drought may occur before the long-term solutions have been implemented and has therefore proposed a short-term measure to improve Tamworth's water security that could be in place quickly and stay in place until the long-term measures are implemented. This is Item 3 above.

Further information about Item 1 and 2 will be provided to Council when the respective business cases are complete. The remainder of this report deals with Item 3.

Council presently has a Local Water Utility License from Chaffey Dam with an entitlement of 16,400 Megalitres (ML's):

- Council pays charges to access this water;
- there is no charging category for Local Water Utility licenses so Council pays the same as High Security licenses holders;
- charges are levied as fixed or annual charges and consumption or usage charges;
- fixed charges are levied whether any water is used or not, whilst usage charges are levied based on the volume of water used;
- in 2024-2025, based on average annual use of water from Chaffey Dam of 5,135 Megalitres, Council will pay \$1,414,364 in water charges; and
- license categories in the Peel Regulated River System are listed below.

License categories in the Peel Regulated River System	Maximum Volume/year
Basic Landholder Rights	300 ML

Domestic and Stock WAL	163 ML
Local Water Utility WAL	16,400 ML
High Security WAL	804 ML
General Security WAL	30,335 ML
Environmental Water Allowance	5000 ML

The rules about how licenses or entitlements, and water generally, are accessed in the Peel Valley are set down in the Peel Regulated River Water Source Water Sharing Plan. The WSP requires town water to be set aside in Chaffey Dam on a two-year rolling basis. In average non drought years, at the start of a water year (1 July), 100% of the water entitlement is held for year 1 and 70% is held for following year 2. If additional water is available, local water utility and domestic & stock licences are topped up to 100% first, followed by high-security licences, with general security licences allocated last.

The proposal from the NSW Government is to temporarily change the WSP so that in average non drought years 100% of Tamworth's water entitlement from Chaffey Dam is held in year 1 and 100% in year 2. This equates to an increase in the volume of water held in reserve in Chaffey Dam for Tamworth's use of approximately 7.1 GL (7,100 ML's). The State Government has completed modelling to show the effect of this increase in reserve. The modelling shows:

- increasing the reserve in Chaffey Dam will reduce the amount of time Tamworth spends in water restrictions; and
- increasing the reserve will provide between eight and 12 months more water for Tamworth.

However, there will be negative impacts on General Security (GS) Entitlement holders and on the Environmental Water Allowance (EWA) as follows:

- impact on GS reliability, with the average GS Available Water Determination (AWD) in June decreasing from 73.8% with the current rules to 68.9% when the reserve is increased; and
- a reduction in the volume of water that would be available for release for environmental purposes.

To mitigate these impacts the Government proposes:

- to continue to allow GS entitlement holders to access uncontrolled flows in the Peel which will not be affected by the proposed change; and
- the WSP would be further changed to allow the EWA to carry over 100% of unused water into the following water year up to a maximum account limit of 200%. This would allow the EWA to be used more strategically during non-dry periods leading to improved environmental outcomes, including building resilience as the system moves into drought

In summary, the effect of the proposed changes are shown below.

Item	Base Case	Inc. Reserve + EWA 100% CO
LWU Mean Diversions ML pa	9,142	9,187
LWU %Time in ANY Restrictions	14.2%	8.2%
GS June Mean Allocation %	73.8%	68.9%
GS Mean Allocation %	65.8%	59.6%
Chaffey EWA Diversion ML pa	3,333	3,396

It is considered the NSW Government will not proceed with the proposed change to the WSP to increase the volume of water held in the reserve in Chaffey Dam for Tamworth's use, unless Council is strongly supportive of the proposal.

In considering this, it is noted that at its Meeting of 12 June 2018, Council considered a report which proposed the exact change presently being considered by the NSW Government. Following consultation with stakeholders, Council resolved, at its Meeting of 24 July 2018, to write to the then NSW Minister for water requesting the Peel Water Sharing Plan be changed to include the change the Government is now proposing.

It is considered important to realise there is no silver bullet to securing Tamworth's water supply in the long term. There will be a range of measures required, all of which will provide a level of improvement as they are implemented. This proposal falls squarely within those range of measures.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The NSW Government is presently undertaken community consultation about the proposed changes.

(e) Delivery Program Objective/Strategy

Focus Area 1 – Our water security

8.4 CURBY RECYCLING PROGRAM CHANGES

DIRECTORATE: WATER AND WASTE

AUTHOR: Doug Hughes, Manager - Waste & Resource Recovery

RECOMMENDATION

That in relation to the report "Curby Recycling Program Changes", Council:

- (i) continue to support the Curby program, allowing residents of Tamworth to utilise the service via Council's collection, transport and processing arrangements;*

- (ii) provide support to residents by utilising existing budgeted funds to pre-purchase 10,000 Curby program bags;*
- (iii) make Curby program bags accessible at Council customer services hubs and branch offices with terms and conditions of issuing bags to be established; and*
- (iv) re-assess support of the program once the initial allocation of bags has been exhausted.*

SUMMARY

The purpose of this report is to provide an update of the Curby program trial, outline proposed changes to that program and seek Council's direction regarding possible support for the program.

COMMENTARY

Historically, soft plastics were collected via REDcycle, a scheme that utilised supermarkets as collection points. This scheme collapsed nationally in November 2022. A national taskforce is in existence to establish a recycling network. Some small trials have occurred around the country, however there is no new national proposal currently in place.

Curby is a third-party recycling program designed to capture and recycle soft plastics generated from residential households. The program allows bags of soft plastics, adorned with a special identifying sticker, to be placed in yellow lid recycling bins (YLB). These bags are then transported to a Small Materials Recovery Facility (SMRF) for separation and recovery. Council was approached to become part of a trial of the Curby recycling program, with the trial commencing in December 2022. This trial was enabled by Council's current recyclables processing contractor IQ Renew. There were no additional direct costs to Council to take part in the trial. Since the start of the trial, Council has seen:

- over 2,450 residents have signed up to the scheme;
- over 6,000 Curby stickered bags have been recovered from the SMRF; and
- over 21.3 tonnes of material have been diverted from landfill and recycled.

Curby has advised Council that the trial is now ending and Curby is rolling out a new permanent program for the collection and processing of soft plastics. The changes proposed under the permanent program, which Curby claims are based on the trial data from Tamworth Regional Council and other Councils, include:

- transition to a subscriber, user pays model based on three subscription tiers;
- implementation of sturdier, more easily identified Curby program bags (made of recycled content). Bags are designed to be multi-purpose; and
- access to a rewards scheme, only available to direct subscribers.

The subscription model tiers, including the annual cost, are:

- Eco Starter, \$24 per annum for 12 bags/year;
- Eco Warrior, \$36 per annum for 18 bags/year; or
- Eco Hero, \$48 per annum for 26 bags/year.

After initial discussions with Curby, Council officers raised a number of concerns regarding the program changes. These concerns primarily centred around cost-of-living pressures, the potential negative impacts to the number of active users and a reduction in recycling rates.

In response, Curby offered three alternative options to continue to support the program. These were:

1) *Minor or no support*

There are no additional direct costs of maintaining the Curby program availability to residents. Council's current contract for both kerbside YLB collections and recycling processing provides for access to soft plastic collection schemes. Please note that our current recycling processor cannot separate soft plastics without access to the Curby program.

Residents who decide to subscribe directly with Curby will continue to utilise Council's YLB collection and recycling transport/processing arrangements.

Council can provide basic marketing/advertising support. Currently, there is \$15,000 in the operating budget for FY24/25 financial year to support the program. These funds are yet to be spent.

2) *Bulk purchase of Curby program bags*

Council can purchase Curby program bags and get a discount. These bags would be delivered in bulk to Council in pre-sorted packs of 12. Quantities available for purchase are:

- A. 10,000 bags: \$1.50 per bag (10% discount) - \$15,000;
- B. 20,000 bags: \$1.25 per bag (25% discount) - \$25,000; or
- C. 30,000 bags: \$1.00 per bag (40% discount) - \$30,000.

Please note that this option only provides the bags for recycling and access to the Curby App, however it does not include access to the rewards scheme.

Based on historical usage rate, 10,000 bags would allow for three to four years of usage by the existing user base.

3) *Sponsored Subscriptions – Eco Starter*

Council can sponsor residents by pre-paying a subscription tier for users. At the lowest subscription tier, users would receive:

- 12 x Curby bags; and
- access to the rewards program and prize draws.

Annual cost of a subscription sponsored solution could be for any amount recommended by Council. A number of examples are:

- A. 833 users for \$19,992;
- B. 1,600 users for \$38,400; or
- C. 2,500 users for \$60,000.

Please note that this is an **annual** subscription.

Based on the information above, and considering the following:

- current quantity and number of users of Curby and the number of users who will cease using the service if charges are introduced;

- increased recycling rates and reduced level of soft plastics directed to landfill by continuing to support the service
- there is no cost to Council form residents to continue using the Curby program;

It is recommended Council:

- continue to allow access to the program for residents who wish to subscribe to the model;
- purchase bags, being option 2A, at a total cost of \$15,000;
- make Curby program bags available to the community via customer service hubs and branch offices
- staff to work out terms and conditions for the issuing of plastic bags, including how many, how often, who too etc; and
- initial marketing of the program will be conducted via Council social media platforms (no direct additional cost).

(a) Policy Implications

Nil

(b) Financial Implications

Council currently has \$15,000 operational budget in FY2024/2025 to support the marketing of the Curby program. These funds have not yet been spent or committed.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 6 – Working with and protecting our environment

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 INTRODUCTION OF POLICY - BANK GUARANTEES

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Benjamin Mobilio, Senior Development Engineer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Introduction of Policy - Bank Guarantees”, Council:

- endorse the public exhibition of the Draft Bank Guarantee Policy for a period of 28 days;*
- in the case that there are no further changes requested to the Draft Policy or no negative submission received, authorise the adoption of the Draft Policy for inclusion in the General Policy Register; and*

- (iii) *in the case that there are changes requested or negative submissions received, request a further report to Council to consider the feedback received during the public exhibition period and present the final Bank Guarantee Policy for adoption.*

SUMMARY

The creation of a Bank Guarantee Policy (the Draft Policy) for Tamworth Regional Council has been an action identified through the Audit, Risk and Improvement Committee (ARIC).

The purpose of this report is to facilitate the adoption of a new policy that outlines risk management guidelines for the lodgement, retention and release or claiming of bank guarantees.

COMMENTARY

The ARIC identified that there is no formally adopted policy for bank guarantees, and actioned to develop a policy that outlines the framework for accepting, holding and releasing Bank Guarantees. The Draft Policy – “Bank Guarantee Policy” is **ATTACHED**, refer **ANNEXURE 1**.

Bank guarantees are regularly accepted as security by Council’s Development Engineering Division in relation to subdivisions and other developments where maintenance bond or performance bonds are required by Council’s Engineering Design Minimum Standards. Other divisions of Council infrequently accept bank guarantees as security for the performance of obligations under a contract or agreement.

The Draft Policy is generally consistent with the informal bank guarantee framework currently applied by Council’s Development Engineering Division and Records Division, with the addition of the recovery of administration costs. This is primarily for the administration cost burden on the Records Division, rather than the Division administering the development, contract or agreement. The administration fee amount will be subject to further consideration and adoption by Council as part of the annual review of the Tamworth Regional Council Fees and Charges schedule.

The Policy will apply to any party that provides security to Tamworth Regional Council in the form of a bank guarantee.

(a) Policy Implications

If endorsed by Council, the Draft Policy will be placed on public exhibition for 28 days and the policy will be subsequently adopted, subject to any requested changes or negative submissions received.

(b) Financial Implications

The Draft Policy intends to minimise financial risks associated with bank guarantees by formalising minimum acceptance criteria.

(c) Legal Implications

The Draft Policy intends to minimise legal risks associated with bank guarantees by formalising minimum acceptance criteria.

(d) Community Consultation

Community Consultation will occur through Public Exhibition of the Draft Policy for a period of 28 Days.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Karen Litchfield, Internal Auditor

2 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Audit, Risk and Improvement Committee”, Council:

- (i) receive and note the Minutes of the meeting held 6 February 2025; and*
- (ii) accept the Annual Report presented by the Audit, Risk and Improvement Committee.*

SUMMARY

The purpose of this report is to present to Council the Minutes of the Audit, Risk and Improvement Committee meeting held Thursday, 6 February 2025, and to present to Council the Annual Report from the Audit, Risk and Improvement Committee for 2024.

COMMENTARY

The quarterly meeting of the Audit, Risk and Improvement Committee was held on Thursday, 6 February 2025. The Minutes of the Meeting are **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**.

As part of the Office of Local Government Guidelines, the Audit, Risk and Improvement Committee is required to provide an annual assessment to the Governing Body each year. The assessment must include a summary and assessment of the work the Committee performed to discharge its responsibilities during the preceding year, an overview and assessment of the work of the internal audit function, progress against key performance indicators, advice on the appropriateness of the Committee’s Terms of Reference, an independent assessment and advice on matters considered by the Committee during the year that, in the Committee’s opinion, and based on the level of risk facing Council, the Governing Body should be informed of and other views or opinions on Council that the Committee wishes to share.

The Annual Report covers the 2024 year and is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 2**.

(a) Policy Implications

Nil

(b) Financial Implications

Costs associated with the Internal Audit function are included in the 2024/2025 Annual Operational Plan.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Group 9 - Open and Collaborative Leadership.

9.3 T035-2025 PANEL TENDER FOR LEGAL SERVICES

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

RECOMMENDATION

That in relation to the report “T035-2025 Panel Tender for Legal Services”, Council award the Panel Tender to the following firms based on an assessment by the Tender Assessment Panel:

1. *Bradley Allen Love*
2. *Lindsay Taylor Lawyers*
3. *Maddocks*
4. *Marsdens Law Group*
5. *Moray & Agnew*
6. *Shaw Reynolds Lawyers*
7. *Sparke Helmore Solicitors*
8. *Urban Legal.*

SUMMARY

Council invited Tenders for a Legal Services Panel Tender to supplement Council in house legal counsel when required.

This tender was publicly advertised and released via the Tenderlink online portal and Council’s website from Tuesday 12 November 2024.

All enquiries and requests for clarification after the tender briefing were only accepted and responded to through the Tenderlink online portal, with all registered suppliers receiving a copy of both the enquiry and response.

Tenders closed at a deadline of 11:00am Thursday 19 December 2024. A total of 19 tender submissions were received through the Tenderlink online portal.

Successful Tenderers will be appointed to a panel of preferred legal service providers for a period of two years, with an option to extend for a further one year.

COMMENTARY

Tender submissions were received from the following firms:

1. Baker Love Lawyers
2. Bradley Allen Love
3. Briggs Law
4. Coutts Lawyers and Conveyancing
5. GSJ Consulting
6. HR Law
7. Lindsay Taylor Lawyers
8. Local Government Legal
9. Maddocks
10. Marsdens Law Group
11. Moray & Agnew
12. Morgan and English
13. PTW Law
14. Redenbach Legal
15. Shaw Reynolds Lawyers
16. Sparke Helmore Solicitors
17. Turks Legal
18. Urban Legal
19. Wilshire Webb Staunton Beatt

All 19 tenders received were assessed for compliance against the below-listed criteria. The legal services panel will provide expert advice and representation on a broad range of legal matters that may arise in the course of Council's operations.

The objectives of establishing a legal services panel include:

- access to high-quality legal services at competitive rates;
- a streamlined approach to procuring legal services;
- development of ongoing relationships with legal service providers who understand the needs and operations of Council; and
- assurance of compliance with legal requirements.

The successful Tenderers will be expected to provide legal services across the following practice areas:

- Administrative Law
- Local Government Law
- Environmental and Planning Law

- Property Law
- Property Development Law
- Building and Construction Law
- Contract Law
- Commercial Law
- Business and Corporations Law
- Banking and Finance Law
- Insurance Law
- Public and Environmental Health Law
- Industrial Relations and Employment Law
- General Litigation

The assessment of the tenderers were conducted by a Panel consisting of:

Karen Litchfield – Acting Executive Manager Strategy & Performance

Sam Lobsey – Manager Development (Liveable Communities)

Naomi Schipanski – Manager Projects, Strategy and Infrastructure (Water & Waste)

Mark Gardiner – Manager Project Planning and Delivery (Regional Service)

And in consultation with Kirrilee Ringland – Manager Legal and Property (Office of the General Manager)

The tendered were required to provide the following information on which they were assessed:

1. Firm Overview

- General profile of the firm, including history, size, and areas of expertise.
- Accreditation or certifications relevant to the provision of legal services.
- Key personnel, including qualifications, areas of specialization, and experience in the relevant fields.

2. Experience

- Demonstrated experience in providing legal services in the areas listed above.
- Case studies or references where applicable, especially in relation to large or complex matters.

3. Proposed Fees and Pricing Structure

- Detailed fee structure, including hourly rates for different personnel.
- Alternative fee arrangements such as fixed fee or capped fee models.
- Discount structures, if any, for long-term or repeat engagements.

4. Service Delivery Approach

Capacity to be engaged at short notice and service model.

5. Compliance and Risk Management

Any potential conflicts of interest, insurances and risk management considerations.

(a) Policy Implications

Nil

(b) Financial Implications

Funding for Legal Services is provided by the Council division when legal services are required.

(c) Legal Implications

The tender was conducted in accordance with the requirements of the *Local Government (General) Regulation 2021* and the *Local Government Act 1993*.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.4 CLOSING THE GAP - PARTNERSHIP WORKING GROUP - ABORIGINAL AND TORRES STRAIT ISLANDER LED REVIEW ASSEMBLY- 1-3 APRIL 2025

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Lisa May, Coordinator Governance and Executive Services

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Closing The Gap - Partnership Working Group - Aboriginal and Torres Strait Islander Led Review Assembly- 1-3 April 2025”, Council:

- (i) approve Councillor Marc Sutherland to attend as a nominated delegate for the Tamworth Region; and*
- (ii) gives authority for Councillor Marc Sutherland to speak on behalf of Tamworth Regional Council and support any recommendations made at the assembly.*

SUMMARY

The purpose of this report is to advise Council that Councillor Marc Sutherland has been invited to attend the assembly of Aboriginal leaders and community members held in Canberra on 1-3 April 2025, as a delegate for the Tamworth Region as part of Councils commitment to the Closing the Gap Agreement.

COMMENTARY

The Assembly is intended to bring together a wide range of Aboriginal and Torres Strait Islander community-controlled leadership and other Aboriginal and Torres Strait Islander organisations and experts to develop agreed proposals that will encourage broader ownership of the Closing the Gap Agreement.

The review is led by the Coalition of Peaks and has developed proposed objectives for the Assembly that will help inform the program. The Terms of Reference are **ATTACHED**, refer **ANNEXURE 1**, for the review. Indicative objectives of the Assembly are:

- contribute to the Aboriginal and Torres Strait Islander led review of the Closing the Gap Agreement;
- consider progress in implementing the recommendations of the Productivity Commission review;
- consider new proposals to strengthen the arrangements for implementation of the Priority Reforms that can be agreed with governments; and
- consider new ways to strengthen the Agreement's implementation.

The Closing the Gap Agreement commits parties to consider additional partnership actions to support the implementation of the Priority Reforms in 2025.

The Assembly outcomes could inform this consideration. Outcomes of the Assembly will be made public – this should include a report from delegates and an Assembly report.

Subject to objectives being developed and agreed, the Committee in consultation with facilitators will help develop a program for the Assembly that will be agreed by the Joint Council Co-Chairs.

The nominations for the Assembly we requested to meet a criterion for consideration, those being:

- lived experience as an Aboriginal and/or Torres Strait Islander person with respect to the Agreement and the Priority Reforms;
- that they have the delegated authority from their respective organisation to be able to speak on their behalf and support any recommendations made at the Assembly;
- knowledge of how their organisation is implementing the Agreement and the Priority Reforms;
- knowledge of how the Agreement is being implemented and being able to speak directly to their community's experience, the impact and outcomes from this in their communities; and
- knowledge of what is working and what can be improved.

(a) Policy Implications

In accordance with our Community Plan 2023-2033, Council has commitment partner with local Coalition of Aboriginal Peak Organisations to deliver agreed outcomes for Closing the Gap Agreement.

(b) Financial Implications

If accepted as a delegate, all costs of attending the Assembly would be covered by the Coalition of Peaks.

Authorisation of the attendance of Councillors is by way of resolution of Council. Authorisation and the payment of the expenses involved will only be provided by Council where the conference, workshop or industry working party is directly related to the Councillor's Civic Functions and responsibilities and/or the Local Government Sector.

(c) Legal Implications

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

Nominations for delegated authority must be endorsed by their respective organisation to be able to speak on their behalf and support any recommendations made at the Assembly.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 4 – Resilient and Diverse Communities

9.5 CODE OF MEETING PRACTICE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Karen Litchfield, Internal Auditor

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Code of Meeting Practice”, Council:

- (i) amend Section 5.2 to allow Councillors to participate via audio visual link in the event Councillors are unable to attend the Meeting due to work commitments or other circumstances with the approval of the Mayor; and*
- (ii) determine that change to the Code is not substantial and does not require to be publicly advertised.*

SUMMARY

The purpose of this report is for Council to amend the draft Code of Meeting Practice in accordance with the *Local Government Act 1993*, to allow Councillors to attend Council Meetings via audio-visual link.

COMMENTARY

The Office of Local Government is currently proposing a new draft code of Meeting Practice with provisions to limit the reasons in which Councillors can attend Council Meetings via audio-visual link. While awaiting the release of the Model Code, Council has recognised the current limits of Councillors being able to attend Meetings via audio-visual link.

If Councillors cannot attend a Council Meeting in person due to work commitments, the recommended change in this report, will allow Councillors to attend via audio-visual link and enable them to fulfil an important part of their Councillor responsibilities.

The Tamworth Regional Council Code of Meeting Practice is **ATTACHED**, refer **ANNEXURE 1**, for Councillor's reference. The change to the Code is only to Section 5.2 and therefore it is considered that the change is not substantial and does not require the Code to be publicly advertised before adoption.

(a) Policy Implications

The Code of Meeting Practice will be available to Councillors and staff via the intranet and portal and the public via the internet.

(b) Financial Implications

Nil

(c) Legal Implications

The Code of Meeting Practice is covered under Section 360 of the *Local Government Act 1993* and Clause 232 of the *Local Government Regulations 2021*.

Section 360 Conduct of meetings of councils and committees

(1) The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.

(2) The model code may contain both mandatory and non-mandatory provisions.

(3) A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.

(4) A code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.

(5) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

Clause 232 Model code of meeting practice

The *Model Code of Meeting Practice for Local Councils in NSW*, published in the Gazette on 29 October 2021, is prescribed for the purposes of the Act, section 360(1).

(d) Community Consultation

Council is not required to public exhibit amendments to the Code of Meeting Practice under Section 362 of the Local Government Act 1993, if Council is of the opinion that the amendments are not substantial.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

10 COMMUNITY SERVICES

10.1 FORMAL PARTNERSHIP AGREEMENT BETWEEN TAMWORTH REGIONAL COUNCIL AND THE TAMWORTH ABORIGINAL COMMUNITY CONTROLLED ORGANISATIONS (TACCO)

DIRECTORATE:

LIVEABLE COMMUNITIES

AUTHOR:

Gina Vereker, Director Liveable Communities

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Formal Partnership Agreement Between Tamworth Regional Council and the Tamworth Aboriginal Community Controlled Organisations (TACCO)”, Council:

- (i) enter into a formal partnership agreement with the Tamworth Aboriginal Community Controlled Organisations;*
- (ii) authorise the Mayor to sign the formal Partnership Agreement; and*
- (iii) commit to a joint ceremony to acknowledge and celebrate the signing of the Partnership Agreement.*

SUMMARY

The purpose of this report is to seek a resolution of Council to enter into a formal Partnership Agreement with the Tamworth Aboriginal Community Controlled Organisations (TACCO), with the Agreement to be signed by the Mayor and General Manager.

The terms of the Agreement are outlined in the **ATTACHED**, refer **ANNEXURE 1**.

The report also recommends that a ceremony be held to formally acknowledge and celebrate the commitment by both parties.

COMMENTARY

At its Meeting held on 23 July 2024, Council resolved as follows:

“That Tamworth Regional Council (TRC) formally endorse the signing of a Memorandum of Understanding (MOU) with Tamworth Aboriginal Community Controlled Organisations (TACCO) to establish a strategic partnership aimed at supporting the development of a local Closing the Gap Strategy and enhancing service delivery across the Tamworth Region.”

The report of 23 July 2024, is **ATTACHED**, refer **ANNEXURE 2**.

Earlier, at its Meeting held on 22 July 2022, Council resolved to implement the Closing the Gap program, as follows:

“That Tamworth Regional Council commit the necessary resources to develop a comprehensive Closing the Gap Strategy and Implementation Plan that aligns with the National Strategy to overcome inequality between Indigenous and non-Indigenous Australians.”

The report of 26 July 2022, is **ATTACHED**, refer **ANNEXURE 3**.

The signing of an MOU (Memorandum of Understanding), now more appropriately called “Partnership Agreement” with the Tamworth Aboriginal Community Controlled Organisations (TACCO) is a significant forward step in progressing Council’s commitment to delivering the priorities established in Closing the Gap across the Tamworth Region.

This formal partnership is the first of its kind in NSW and recognises the Tamworth Aboriginal Community Controlled Organisations’ role as leaders in place-based solutions for service delivery across the Tamworth Region.

It should be noted that the Partnership Agreement is not binding on either party. Significantly it relies on the ongoing commitment of both parties to work together to deliver Closing the Gap initiatives that are locally tailored and relevant for Aboriginal people within the Tamworth Region. each community.

Formal Signing Event and Celebration

It is proposed that a formal event be held to enable the signing of the Partnership Agreement by both parties and including a community celebration of the significance of the partnership, particularly noting it is the first in NSW.

(a) Policy Implications

A decision by Council to enter into a Partnership Agreement with the TACCO complies with Council's policy commitment to develop and implement a Closing the Gap strategy.

(b) Financial Implications

There are no specific financial implications in respect of the signing of a Partnership Agreement.

The development and implementation of a Closing the Gap strategy will require funding to be determined by Council as part of a future report and/or via the annual process of budget adoption.

(c) Legal Implications

The Partnership Agreement is non-binding on both parties

(d) Community Consultation

Community consultation will occur as required in relation to specific initiatives.

The TACCO includes a range of organisations including the Tamworth Local Aboriginal Lands Council, NSW Aboriginal Education Consultative Committee (local), Birrelee Multifunctional Aboriginal Childrens' Service, Tamworth Aboriginal Medical Service, and Tamworth and Armidale Aboriginal Children's Service. These organisations represent and/or connect with indigenous people across the region.

(e) Delivery Program Objective/Strategy

Focus Area 7 – Celebrate our Cultures and Heritage

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 PROPOSED LEASE OF COUNCIL LAND - PART LOT 27 DP 826112 - TAMWORTH REGIONAL AIRPORT

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Nicholas Hawkins, Commercial Property Officer

Reference: Item 15.1 to Ordinary Council 9 March 2021 - Minute No 58/21

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 seek Council's authorisation to enter a new lease agreement for the Council owned land being Part Lot 27 DP 826112 at the Tamworth Regional Airport with the party identified in the body of this report.

12.2 PROPOSED LEASE OF COUNCIL LAND - PART LOT 1 DP 1264030

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Nicholas Hawkins, Commercial Property Officer

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 seek Council's authorisation to enter into a new lease of the building at 1A Hillvue Road, South Tamworth, to the party identified in the body of this report.

12.3 REQUEST TO TRANSFER LEASE OF COUNCIL OWNED LAND - BRIDGE STREET, WEST TAMWORTH

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Nicholas Hawkins, Commercial Property Officer
Reference: Item 12.1 to Ordinary Council 13 February 2024 - Minute No. 15/24

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

SUMMARY

The purpose of this report is to advise Council of the request received to transfer the existing lease of a Council owned property to the party identified in the body of this report.

12.4 LEASE TO OORANGA - SOMERTON WAR MEMORIAL HALL

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Kirrilee Ringland, Manager - Property and Legal Services
1 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)i of the Local Government Act 1993 on the grounds that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

SUMMARY

The purpose of this report is to advise Council of a request to lease the above property by Ooranga Family Mobile Resource Unit Association Incorporated, for the purposes of establishing a mobile preschool and seek Council's authorisation to negotiate and enter into a lease agreement with the party identified in the body of this report for Part Lot 9 in Deposited Plan 758910.

12.5 CODE OF CONDUCT MATTER

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Karen Litchfield, Internal Auditor

2 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (i) of the Local Government Act 1993 on the grounds that the matter and information is alleged contraventions of any code of conduct requirements applicable under section 440.

SUMMARY

The purpose of this report is to provide information on a Code of Conduct Matter for Council's consideration.